

**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  
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**Date: 5 August 2020**

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:

) **School Streets – Restricted vehicular access –  
Experimental Traffic Management Scheme – Malmesbury**

and will be implemented at **noon on Monday 10 August 2020** 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

**Louise Fleming  
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:** School Streets–Restricted Vehicular Access -Experimental Traffic Management Scheme – Malmesbury

**Reason for exemption (if any) – N/A**

**Decision maker**

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

**Date of Decision**

05/08/2020

**Date report made available to decision maker**

03/08/2020

**Decision**

As the Cabinet Member I have considered the content of this report and approve the introduction of the proposed vehicular restriction under an Experimental Order.

I also agree to exercise my discretion not to hold a public inquiry on the consultation process.

**Reason for decision**

To improve the road environment, air quality; reduce congestion and level of risks to vulnerable road users outside school gates; promote active transport

**Alternative options considered and why rejected**

Not to introduce the proposed restriction. This, however, would not deliver the current Government, Council and TfL's objectives

**Documents relied on in addition to officer report**

Some background papers prepared by TfL on Air Quality.

**Declarations of Interest**

N/A

**Signature**

Cllr Martin Whelton

5 August, 2020

**Publication of this decision and call in provision**

Send this form and the officer report\* to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) for publication. Publication will take place within two days. The call-in deadline will be at Noon on the third working day following publication.

IMPORTANT – this decision should not be implemented until the call-in period has elapsed.

**Committee:** Cabinet Member Report

**Date:** 03 August 2020

**Agenda item:**

**Wards:** Various

**Subject:** School Streets–Restricted Vehicular Access -Experimental Traffic Management Scheme

**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: Mitra Dubet, Tel: 020 8545 3201

Email: [mitra.dubet@merton.gov.uk](mailto:mitra.dubet@merton.gov.uk)

**Recommendations:**

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

- A) Agrees to proceed with an Experimental Traffic Management Order (ETMO) to introduce restricted motorised access during school term period at the following locations during the specified hours:

**Table 1**

School	Restricted Roads	School hours	Restricted periods
All Saints	Hanover Rd Deburgh Rd (between Norman Rd & Hanover Rd)	8.15 - 9.15am & 3.00 -4.00pm	8.00 - 9.15am 2.45 - 4.00pm
Pelham Primary	Southey Rd, SW19 (from Pelham Rd to Kingston Rd)	Not provided	8.00 - 9.15am 2.45 - 4.00pm
St Marys	Russell Rd, SW19 (from Pelham Rd to car Park)	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Aragon	Aragon Rd (between Kingsbridge Rd & Cleveland Rise Aragon Place	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Beecholme	Edgehill Rd Mitcham (from Elmhurst Ave to gated closure) Beecholme Ave	8.15 - 9.15am 3.00 - 4.00pm	8.00 - 9.15am 2.45 - 4.00pm
Benedict Primary	Benedict Road	8.15 - 9.15am 3.00 -4.00pm	8.00 - 9.15am 2.45 - 4.00pm
Date Valley	Cricket Green (cul-de sac section)	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Bishop Gilpin & Richards Lodge	Lake Rd (from Leopold Rd to Church Hill Richards Rd Leopold Ave Helme Close	8.15 -9.30am 3.00-4.00pm	8.00 -9.30am 2.45 -4.00pm
St Matthews	Cottenham Park Rd, SW20 (from Burdett Ave to cul de sac)	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Garfield	Garfield Rd, SW19 (from Tennyson Rd to Milton Rd) Dryden Rd	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Holy Trinity	Effra Rd (from Evelyn Rd to Trinity Rd) Faraday Rd (from Evelyn Rd to Trinity Rd)	8.15 – 9.15am 2.45 – 3.45pm	8.00 – 9.15am 2.30 - 4.00pm
Gorrington Park	Sandy Lane Between Fernlea Rd & Streatham Rd) Harbour close Tide Close Summerhill Way Spring Grove	8.15 - 9.15am 3.00 -4.00pm	8.00 - 9.15am 2.45 - 4.00pm

St Marks Primary	St Marks road (between St Mark's Rd to Armfield Crescent) Chalkley Close	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Hillcross	Ashridge Way (between Leamington Ave to Hillcross Ave) Woodland Way Monkleigh Rd (from Hillcross ave to Northernhay Walk) Shaldon Drive (from Monkleigh Rd to Northernhay Walk)	8.15 – 9.15am 2.40 -3.40pm	8.00 – 9.15am 2.30 – 4.00pm
Holymount	Cambridge Rd, SW20 (from Pepys Rd to Lambton Rd)	8.30 – 9.15am 3.00-3.45pm	8.15 – 9.15am 2.45 -4.00pm
Ursuline High, Ursuline Prep & The Hall	The Downs	varied	8.00 – 9.15am 2.45 - 4.00pm
Ursuline High	Crescent Road Southdown Drive	8.00 -9.00am 2.50-4.00pm	8.00 - 9.00am 2.45 - 4.00pm
Wimbledon Collage Wimbledon Common prep Donhead prep	Edge Hill SW19 Darlaston Rd	8.10- 9.10am 3.00-4.00pm	8.00- 9.15am 2.45 -4.00pm
Joseph Hood	Whatley Ave (between Haynt Walk and Martin Way) Botford Road	8.30 -9.30am 2.30-3.30pm	8.15 -9.30am 2.15-3.30pm
Malmesbury	Malmesbury Rd (between Newminster Rd & Netley Gdns) Neath Gardens	8.15 – 9.15am 3.00- 4.00pm	8.00- 9.15am 2.45 - 4.00pm
St Teresa	Montacute Rd (From Middleton Rd to Lillishall Rd)	Not provided	8.00 - 9.15am 2.45 - 4.00pm
Merton Park Primary	Erridge Rd from its junction with Poplar Rd Stratton Close Stratton Road Keswick Ave Church Lane (cul de sac)	8.15 – 9.15am 3.00-4.00pm	8.00 – 9.15am 2.45 - 4.00pm
Poplar	Poplar Rd South (between Cranleigh Rd and Crown Lane	8.15-9.15 2.45 – 3.45	8.00 - 9.15am 2.30 - 4.00pm
Rutlish	Watery Lane Manor Gardens	8.15 – 9.15am 3.00-4.00pm	8.00 – 9.15am 2.45 -4.00pm
Stanford	Chilmark Rd, SW16 Hassocks Rd Oxtoby Way Byards Croft	Not provided	8.00 - 9.15am 2.45 - 4.00pm
The Sherwood	Abbots Rd 9from Sherwood Park Rd to Commonsides East) Castleton Rd Hadley Rd (could be excluded)	8.15 – 9.15am 3.00- 4.00pm	8.00 - 9.15am 2.45 - 4.00pm
William Morris <i>Too many exemptions</i>	Recreation way, Mitcham Between the roundabout and Huntington Close	8.15 -9.15am 2.30 – 3.30pm	8.00 -9.15am 2.15 – 3.30pm
Wimbledon Park primary	Havana Rd SW19 Wellington Rd	Not provided	8.00 - 9.15am 2.45 - 4.00pm

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report details the Council's intentions to implement a 'Pedestrian and Cycle Only Zone' under an Experimental Traffic Management Order (ETMO) to include the locations in table 1.

- 1.2 It seeks approval to proceed with the making of the relevant ETMO to implement a 'pedestrian and cycle only' zone in the locations set out in table 1. This proposal is aimed at reducing vehicular traffic / congestion; improve safety and air quality for the children outside the school gate during school term time.
- 1.3 It also seeks approval to allow officers (in agreement with the schools, Ward Cllrs and the Cabinet Member) to make any necessary amendments to the experimental scheme during its life span to ensure the scheme operates effectively, with minimal disruption to residents and key road users.

## **2.0 DETAILS**

- 2.1 As part of the Council's objective to reduce congestion, pollution, collisions, risk and provide a safe environment within the vicinity of schools, prior to the pandemic, the Council had a rolling road safety and accessibility programme. Measures that were often implemented included 'school keep clear' zig-zag road markings to prevent drivers parking close to the school gates and to improve sightlines; localised 20mph zones with accompanying traffic calming measures and road safety education. These measures have been very successful in most areas, as there has been an improvement in perception of safety. Although these measures have been successful in ensuring access and safety, the level of congestion, risk and air quality outside the schools remain a concern. The contributing factor is the high localised volume of vehicular traffic within the vicinity of schools often generated by parents / carers of pupils attending the school.

### Air Quality

- 2.2 To assess the level of air quality around schools, in January 2017 the Mayor of London commissioned an assessment of air quality outside 50 London schools. A report was published in May 2018 (the Mayor of London on School Air Quality Programme) detailing its findings of unacceptable levels of air quality during the school opening and closing periods of the day. One of the contributing factor to this poor air quality within London is road transport, of which the Mayor of London has introduced a series of measures to improve the air quality especially around schools, however this still remains a concern. It is considered that without significant intervention, as the Capital grows rapidly with increasing congestion, adverse health and safety implications are set to continue.
- 2.3 The Mayor's Air Quality report also identified that school travel in some areas often does not contribute substantially to local emissions, as many walk, scoot, cycle or travel by public transport, with much of the road transport emissions emanating from the nearby busy main roads. However, seeking to manage and reduce school related car travel still has an important role to play. Cars picking up and dropping off children near the school gates result in a concentration of emissions amongst larger numbers of children, worsening exposure including the increase in risk of collisions.
- 2.4 The Mayor's Air Quality report highlights that without significant intervention, as the capital grows rapidly with increasing congestion, the air quality levels are forecast to rise considerably, which will impact on adverse health and safety implications. Health implications include triggering or exacerbating chronic diseases such as asthma, heart attack, bronchitis and other respiratory problems.
- 2.5 Recommendations in the Mayor's report is for local authorities to try and minimise the level of pollution outside schools by introducing measures to minimise vehicular traffic outside school gates.
- 2.6 In September 2019, as part of the School Safety Zone, the Council introduced restricted vehicular access outside three of its schools Harris Primary Academy; Links Primary School and St Thomas of Canterbury Catholic Primary School with a fourth one, Singlegate Primary currently being progressed via TfL.
- 2.7 As part of the Borough's annual LiP programme, during 2020/21 financial year, the Council had planned a few more School Safety Zones. However, due to the pandemic, the Borough's LiP funding has been paused but TfL provided an opportunity to bid for emergency funding to

introduce what is now called School Streets with the same principles of a School Safety Zone. The Council has been provided funding to introduce restricted vehicular access to accommodate the schools listed in Table 1 under an experimental Order.

### **3.0 PROPOSAL**

3.1 To improve safety, active travel and air quality, and in response to the pandemic, the Council intends to restrict motorised traffic during specific times during school term periods. The Council did ask all the schools for their starting and finishing times. Not all schools responded primarily due to the short time frame and the approach to school closures. Initially the Council intended to use default period of 08.15-09.15am and 15.00-16.00hrs and advised schools and councillors accordingly. However, given the requirement for social distancing, the schools will be operating staggered opening / closing hours. Being mindful of the fact that parents often arrive at schools earlier than the starting and finishing times, it has been considered necessary to extend the initial proposed hours by 15 minutes. This means that the restrictions will be longer than the initial proposed 1 hour for the am and pm periods.

3.2 During these periods, the road will be predominately 'pedestrian and cycle only' zone. Residents who live in the affected roads will be allowed access as will teachers and those with special needs children who need to be driven to school. Those who may qualify for an exemption will be advised to register with the Council; exemptions would be subject to meeting the appropriate criteria. Location plans and exemption catchment area are attached as appendix 1.

3.3 It is proposed to introduce the above restrictions under Experimental Traffic Management Orders which are used to assess whether a particular proposal would produce the desired result, or to check what consequences would arise from the proposal before it is made permanent. Anyone can object and make representations within the first six months (the statutory/formal consultation period) of the Experimental Order coming into force and the implementation of the works. Residents are advised to experience the proposal for at least 3 months before making a representation. No consultation is required prior to the Order coming into force. The regulations also allow modifications to be made to the scheme during the experimental period, after the scheme has been implemented. Experimental Traffic Management Orders can remain in force for a maximum period of 18 months by which time the Council must confirm, amend or remove the scheme.

#### **3.4 Consultation**

3.4.1 The information will be available on the Council's website and will be updated throughout the Experimental Order's' life span. A notice will also be published in the Wimbledon Times and the London Gazette. Street Notices will be erected within the vicinity of the proposals to inform residents of the start of the statutory consultation. The Council will write to the affected residents informing them of the proposed restrictions and how they can apply for exemptions.

Advance information signs will also be erected on approach to each affected junction; banners will be fixed to school gates and legally required signs will be erected.

#### **3.4.2 Ward Councillor & Schools**

Local Ward Councillors and the affected schools have been advised of the proposals. A newsletter will be sent to residents once Cabinet Member approval is provided. It is officer's understanding that some schools have already advised their parents of the proposed restrictions. Officers will continue to provide schools with updates.

#### **3.5 Enforcement**

3.5.1 During the restricted periods, enforcement will be carried out using cameras. Exemptions will be given to residents, teachers and special needs children. Residents and teachers MUST register their vehicle registrations with the Council to qualify for the exemption. Carers visiting residents who live in the road will also be exempt if their registration are logged with the Council. Drivers who park their vehicles in the affected roads before the period of restriction will also be allowed to leave without any penalty being enforced on them. Parking controls in the neighbouring roads will be enforced and parents run the risk of a PCN if they chose to park within a CPZ without a permit or in an obstructive manner.

### 3.6 IMPORTANT NOTICE

It is believed that although many schools support the proposal in principle, due to the accelerated rate, time of the introduction of the restriction and other priorities, some schools have expressed concerns. Regrettably, the funding that has only recently been allocated must be used by September 2020. Failure to introduce the proposed measures on time or not at all due to lack of support, would mean the loss of funding and cannot be reallocated elsewhere. The fact that these are being introduced under an experimental Order does allow the Council to make changes or remove it, if considered necessary.

3.7 Given the number of locations involved in various wards and the recognition that some would be supported and some may not be received favourably, it is considered prudent to have a separate Cabinet Member decision sheet for each proposed school street. This will ensure that objections to one specific location would not adversely impact any other locations.

3.8 Issues for consideration

#### 3.8.1 William Morris

Given the number of residential units along Recreation Way, the number of exemptions is considered to be excessive. Recreation Way is subject to extensive 'At Any Time' parking restrictions and it is considered effective parking enforcement would prevent any parents from driving to the school as they would not be able to park.

#### 3.8.2 Wimbledon Park primary

Exemption would need to be applied to Wellington Rd. However, given the nature of the commercial units at Wellington Works, it would not be possible to exempt every vehicle that would be linked to the commercial units. Enforcement would need to be via CCTV rather than ANPR for this scheme to work. An alternative would be to exclude Wellington Rd. Although this option would remove traffic from Havana Rd, it would not stop parents from using Wellington Rd. Additionally, the restriction would need to start in Havana Rd at its junction with Durnsford Rd. There are loading bays that facilitates loading / unloading for the local businesses in Havana Rd close to the junction. The proposed retraction would mean that these bays would not be accessible during those hours.

#### 3.8.3 Wimbledon Collage; Wimbledon Common prep; Donhead prep – Edge Hill Wimbledon

A school street along Edge Hill would serve three schools; however, issues include the number of exemptions due to the density of the residential units which although challenging, it is achievable. A more challenging issue is the access to the church. It would not be possible to exempt those accessing the church car park and it is likely to be considered unreasonable to expect the church to navigate its activities around the proposed restrictions.

#### 3.8.4 Pelham Primary

There is a gated vehicular access to Wimbledon Fire Station in Southey Rd (in close proximity to the school gate). Although the Council is yet to engage with the Fire Brigade regarding the implications on their access, given the nature of the fire brigades' operation, it is considered extremely challenging to exempt every vehicle needing access via their access road. Enforcement would need to be via CCTV rather than ANPR for this scheme to work.

### 4.0 **TIMETABLE**

4.1 If agreed, the Experimental Order will be published and the associated works will commence in August 2020. Camera enforcement will begin September 2020. Given the volume of exemptions that would need to be processed, there is a likelihood of delays regarding enforcement.

### 5.0 **FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

The cost of implementing the proposals will be covered by the allocated TfL emergency funding that is valid until September 2020. This includes the publication of the ETMO, road markings, signs and officer's time. It does not include the cost of the cameras required for enforcement.

## **6.0 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 The Experimental Traffic Management Orders would be made under Sections 9 and 10 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 experimental order.
- 7.2 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.

## **8.0 HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS**

- 8.1 The implementation of the proposed measure affects all sections of the community especially the young and assists in improving the road environment and air quality for all road users and achieves the transport planning policies of the government, the Mayor for London and the Borough. It would also be in line with the Government's current response to COVID 19.
- 8.2 Under normal circumstances, 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. However, due to the current crisis, tight time frames and financial restrictions, the Council has not had sufficient time to engage effectively with the local community and schools; however, under an experimental order, the Council is permitted to introduce the proposals during the consultation stage which will allow the local community to experience the change before making any form of representation. The design of the scheme includes special consideration for the needs of people with blue badges, local residents, school children and businesses without prejudice toward charitable and religious facilities.
- 8.3 Bodies representing motorists, including commuters will be consulted during the statutory consultation before the ETMO is made or rescinded.
- 8.4 All statutory bodies will be consulted prior to the commencement of the ETMO.

## **9.0 CRIME AND DISORDER IMPLICATIONS**

- 9.1 N/A

## **10.0 RISK MANAGEMENT IMPLICATIONS**

- 10.1 The risk of not implementing the proposed measure under an experimental Order would not enable the residents to experience the restrictions before making the appropriate representations. An experimental Order allows the Council to assess the restriction before making a final decision.
- 10.2 The experimental measures may cause some dissatisfaction amongst some residents who do not live on the affected roads as some of traffic could be diverted onto the surrounding roads. However, the impact is likely to be minimum due to dispersion rather than concentration. Also this can be minimised by ensuring reasonable level of enforcement in the surrounding roads many of which are subject to parking controls.

## **11.0 ENVIRONMENTAL IMPLICATIONS**

- 11.1 When determining the type of schemes to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining improved movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the need to reduce road collisions.

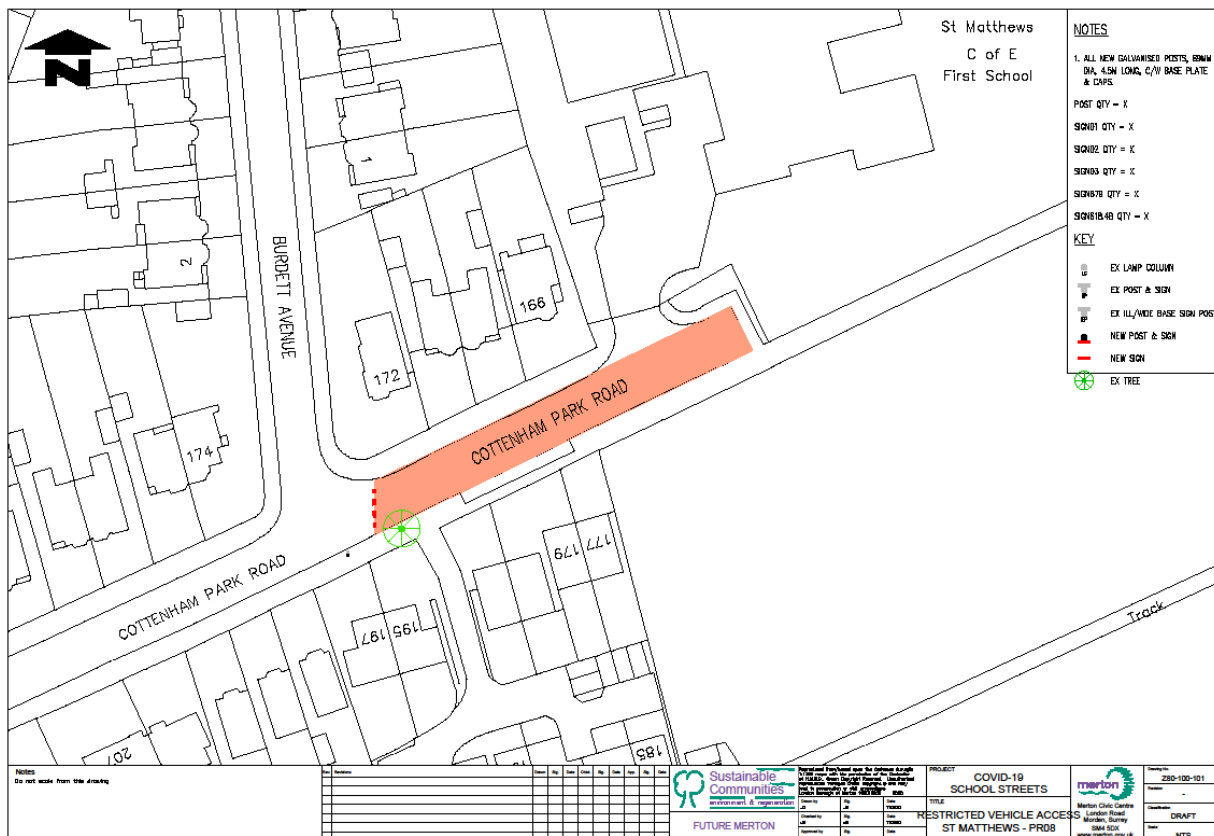
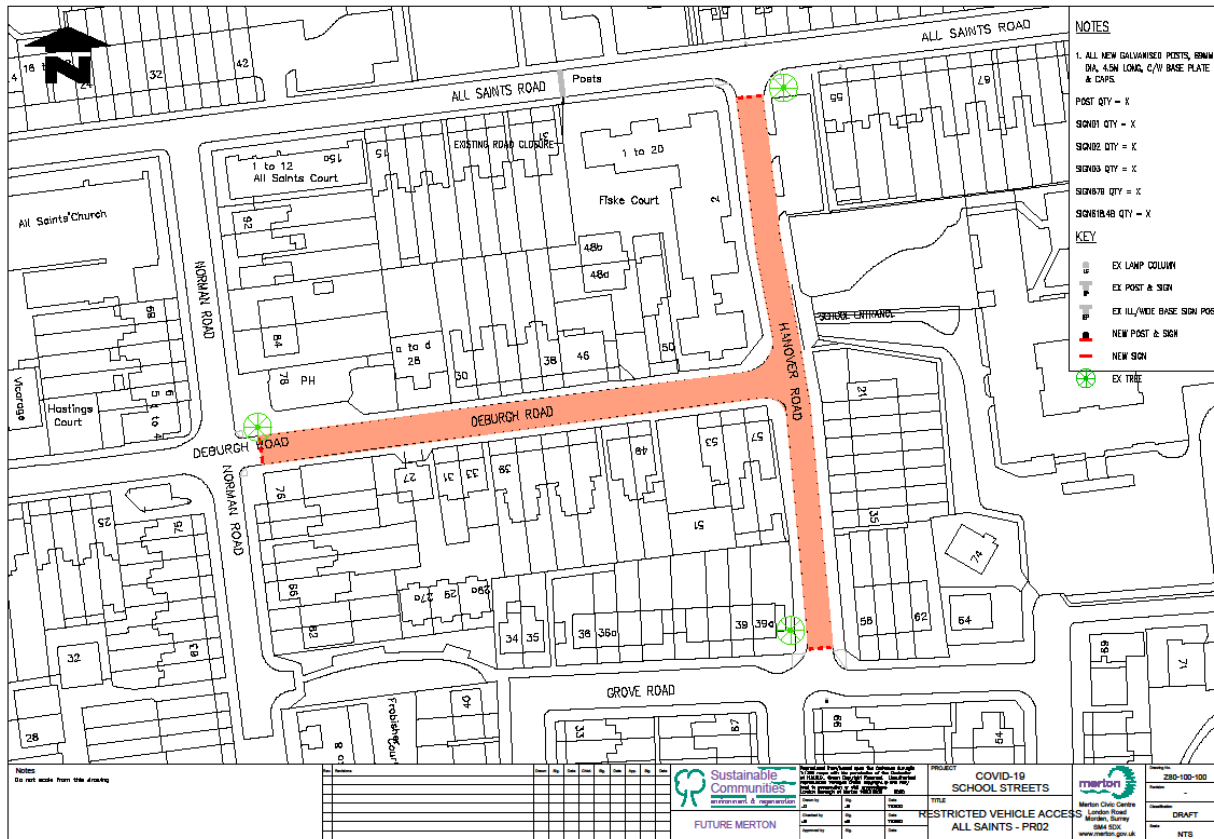


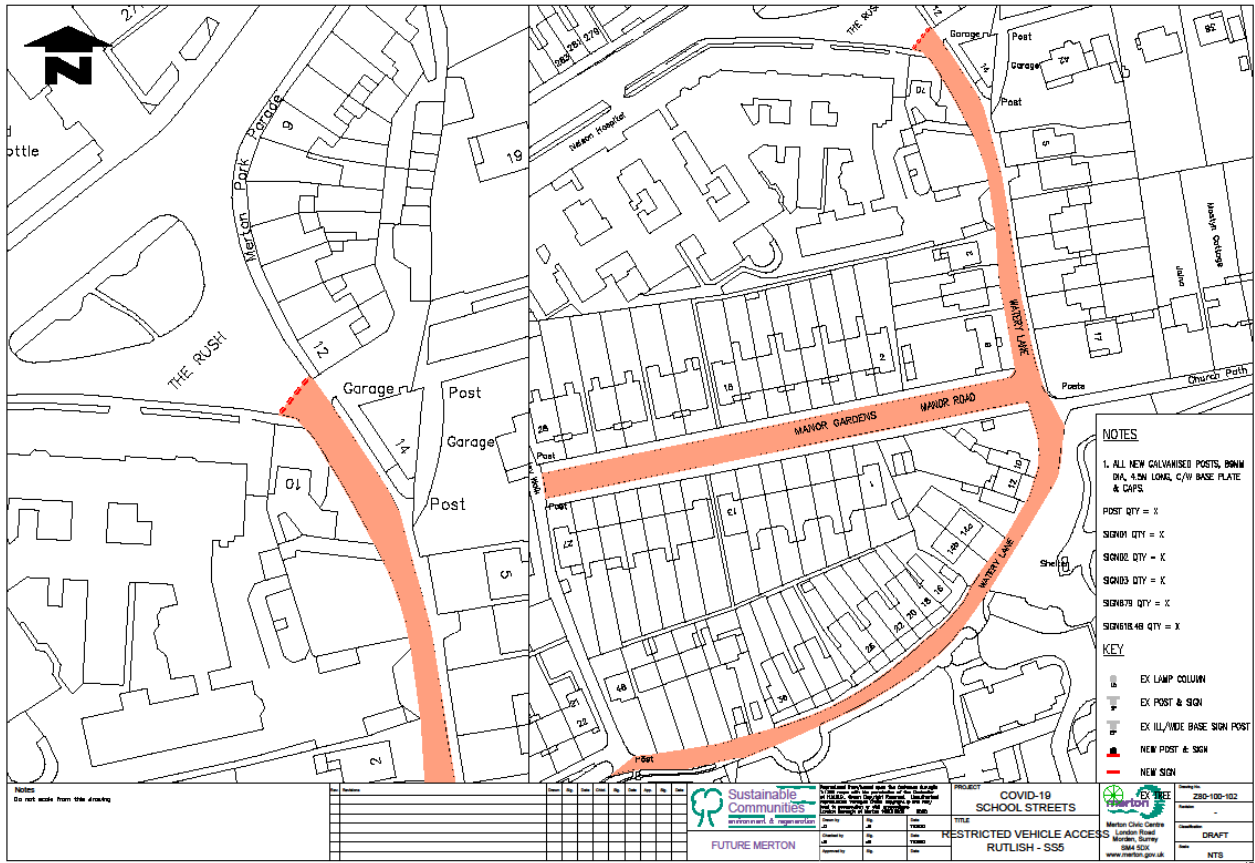
## **APPENDICES**

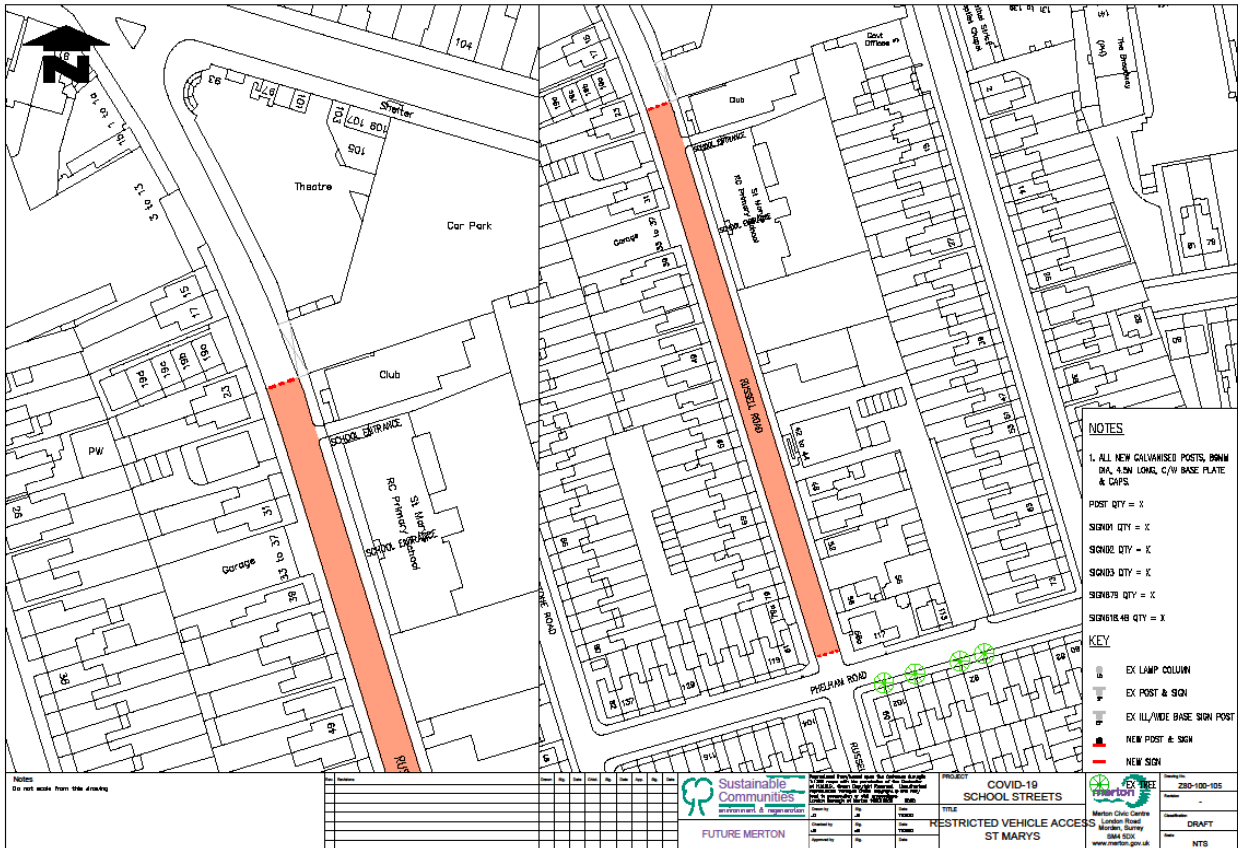
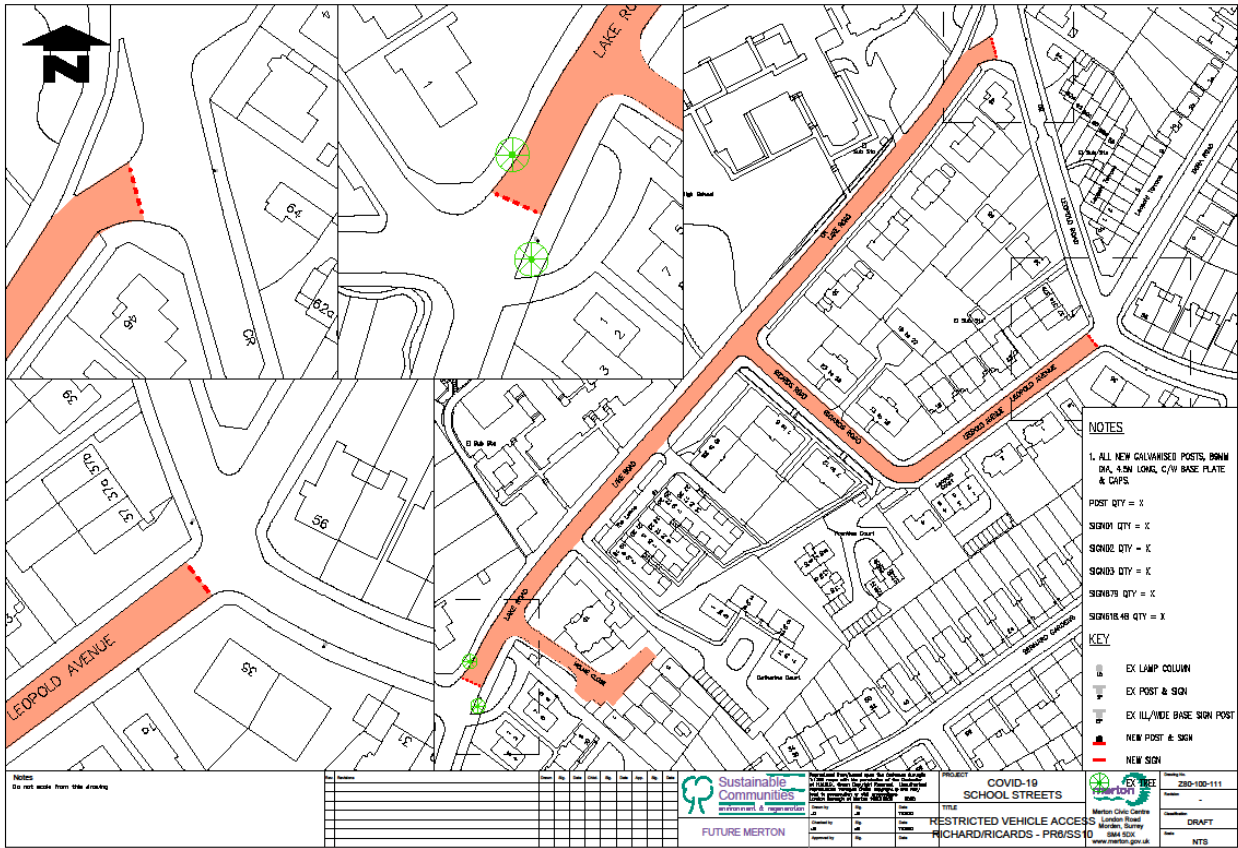
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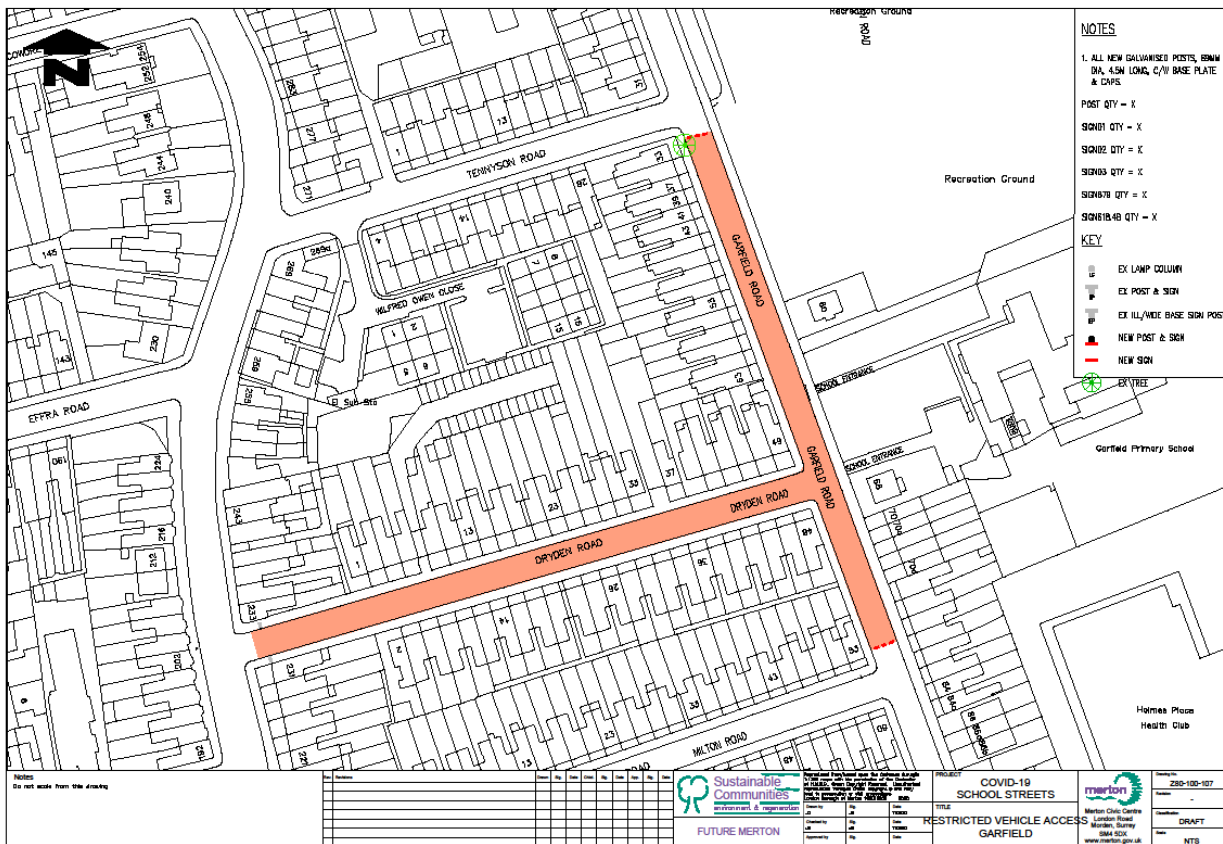
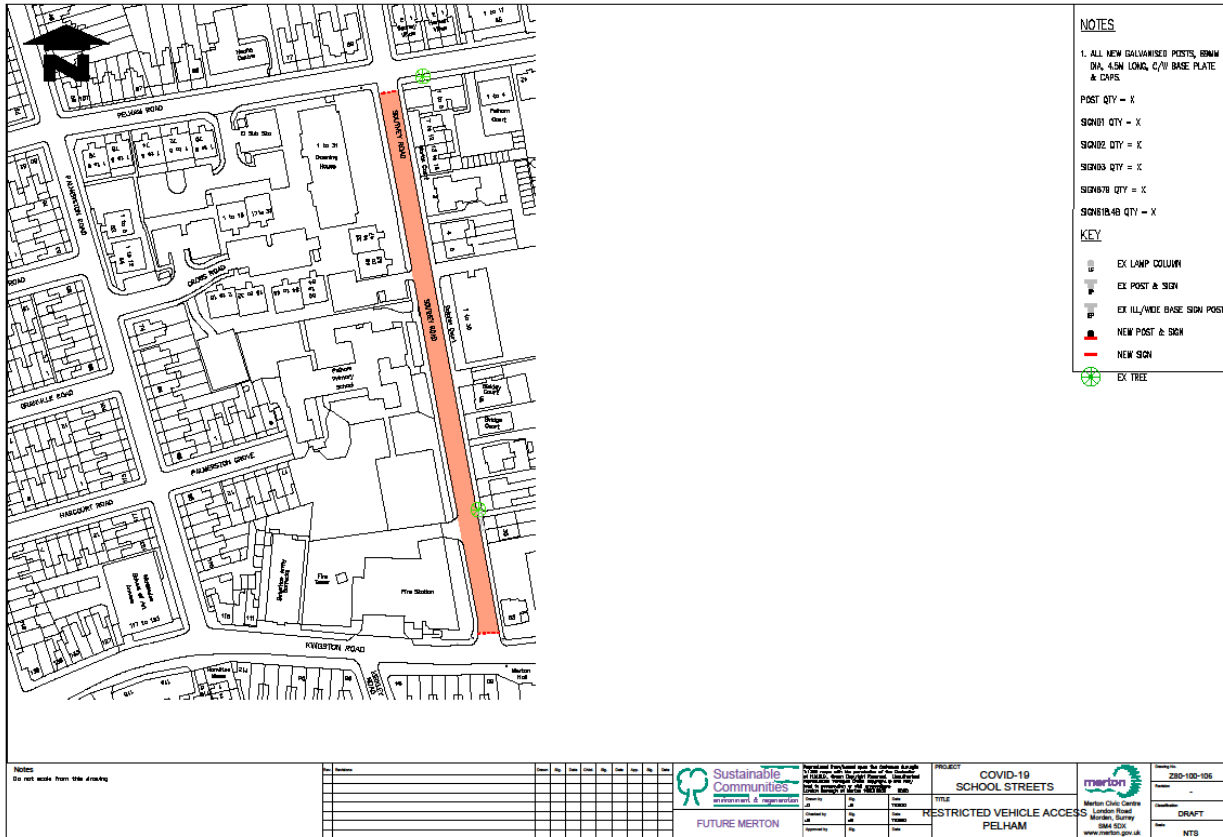
- Appendix 1 – location and exemption catchment area

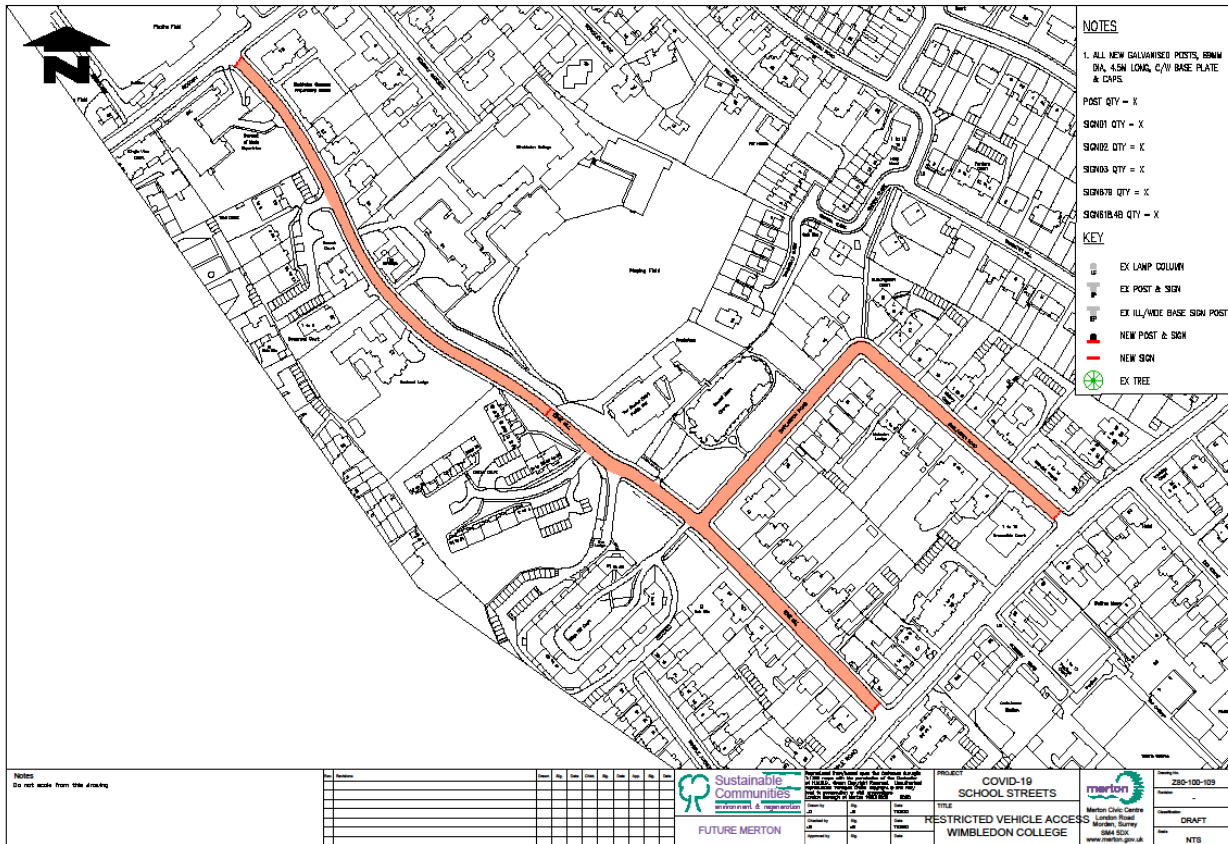
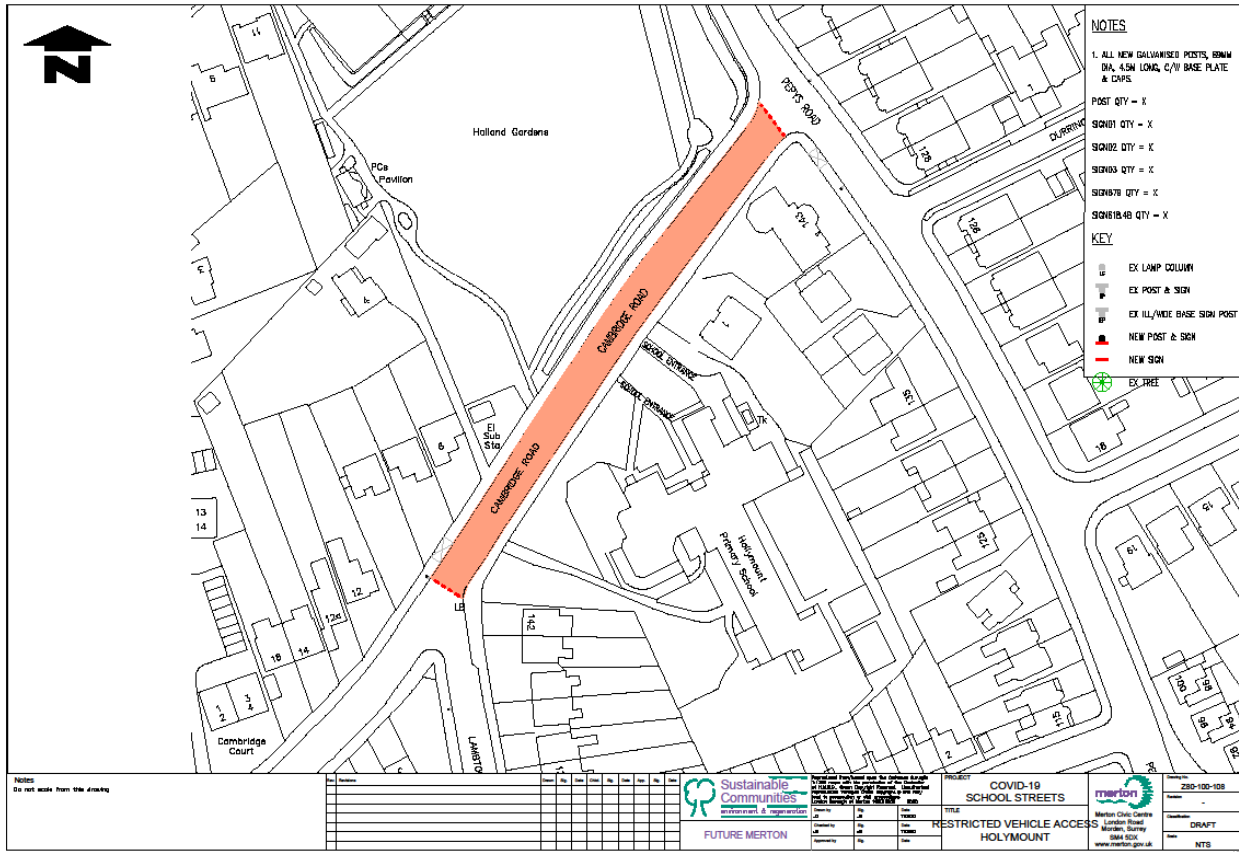
APPENDIX 1

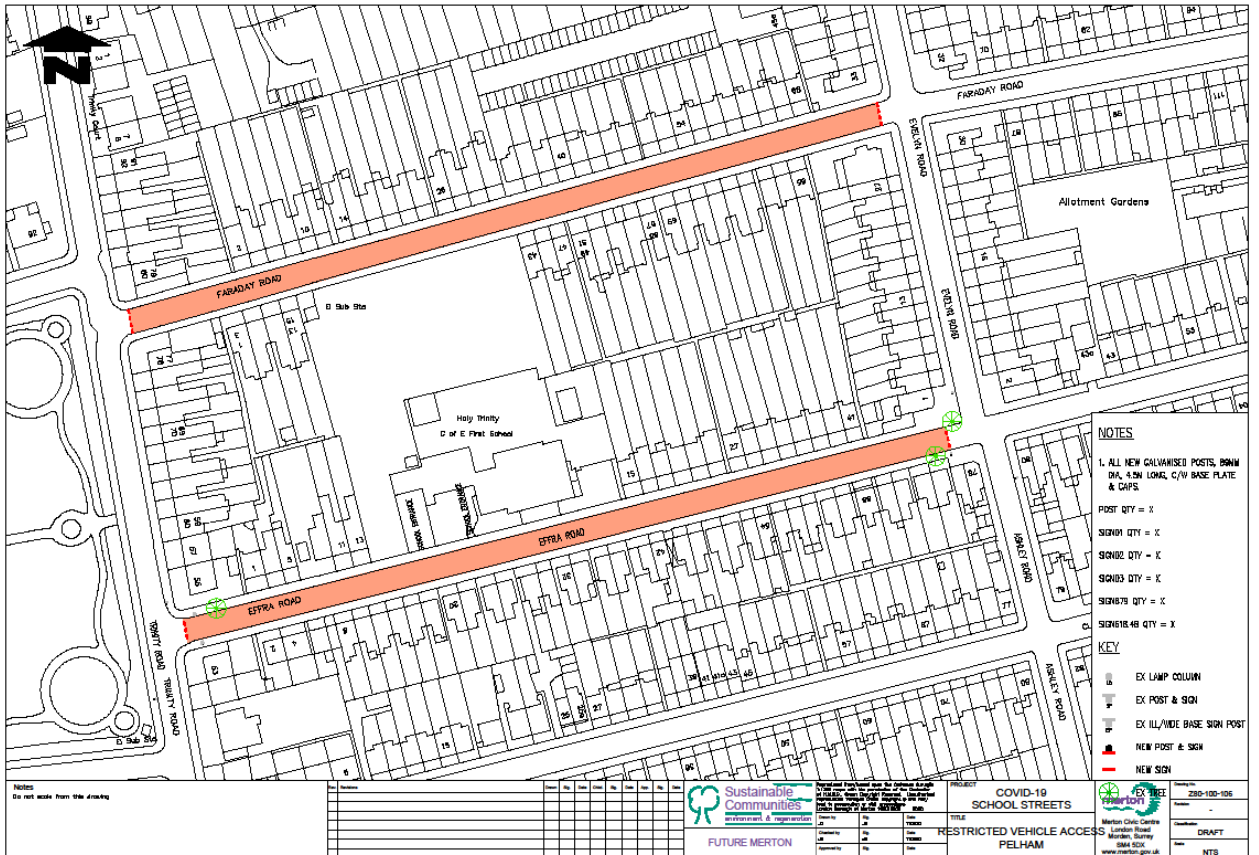
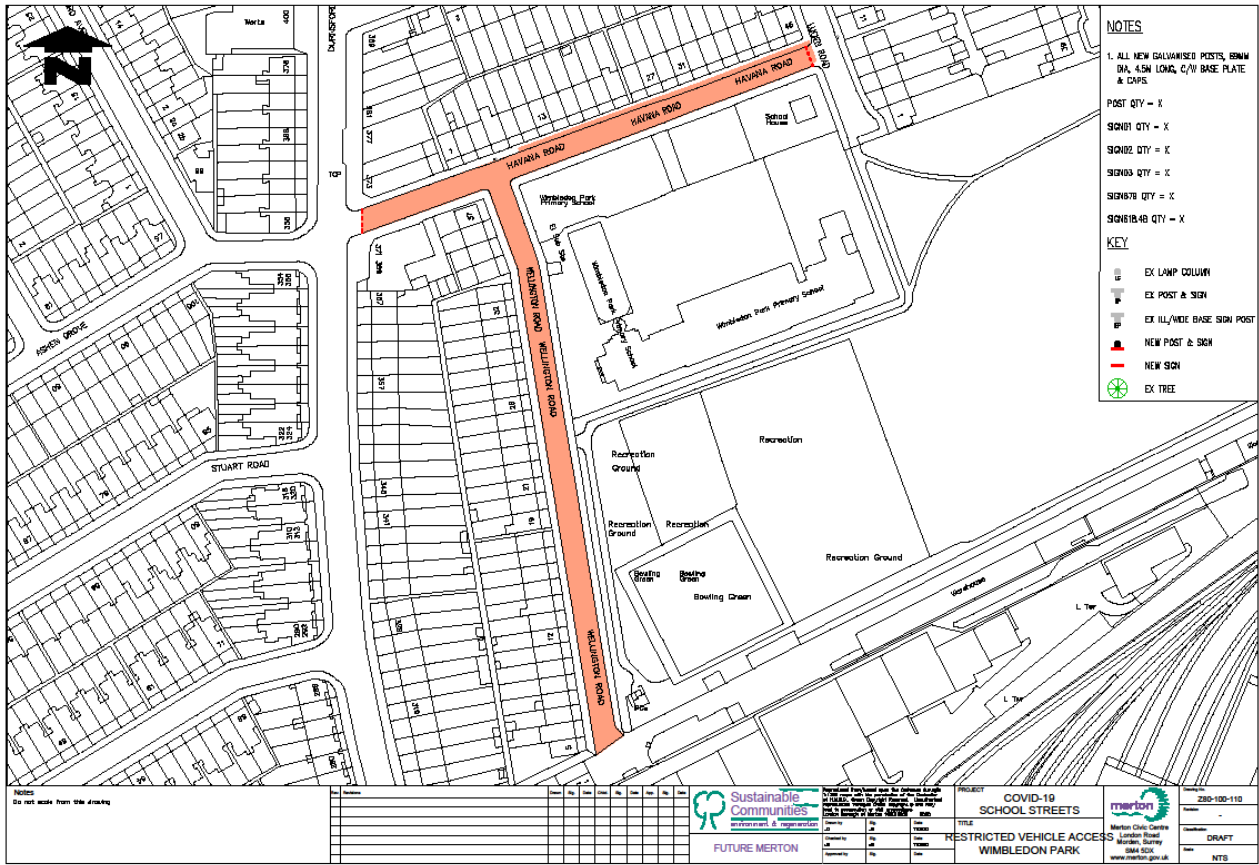


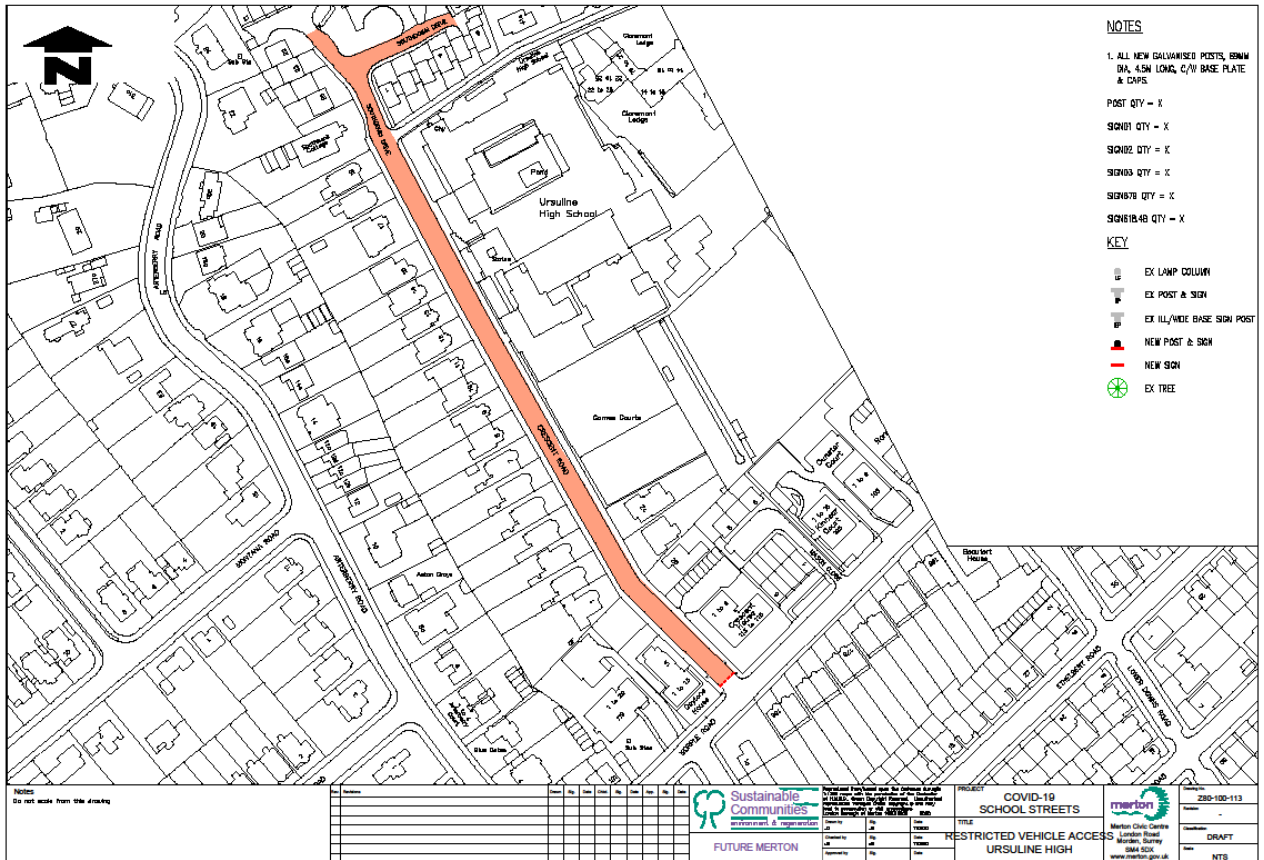
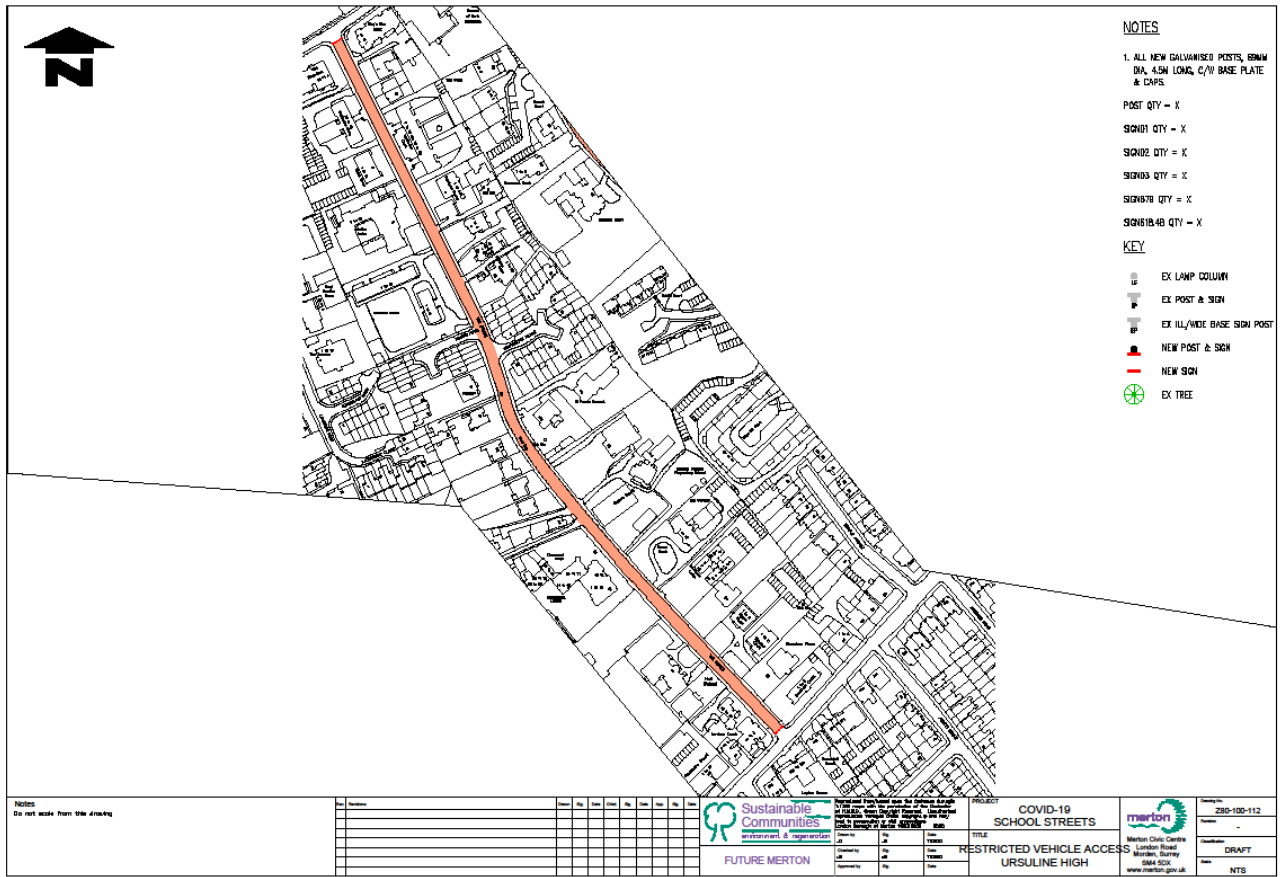




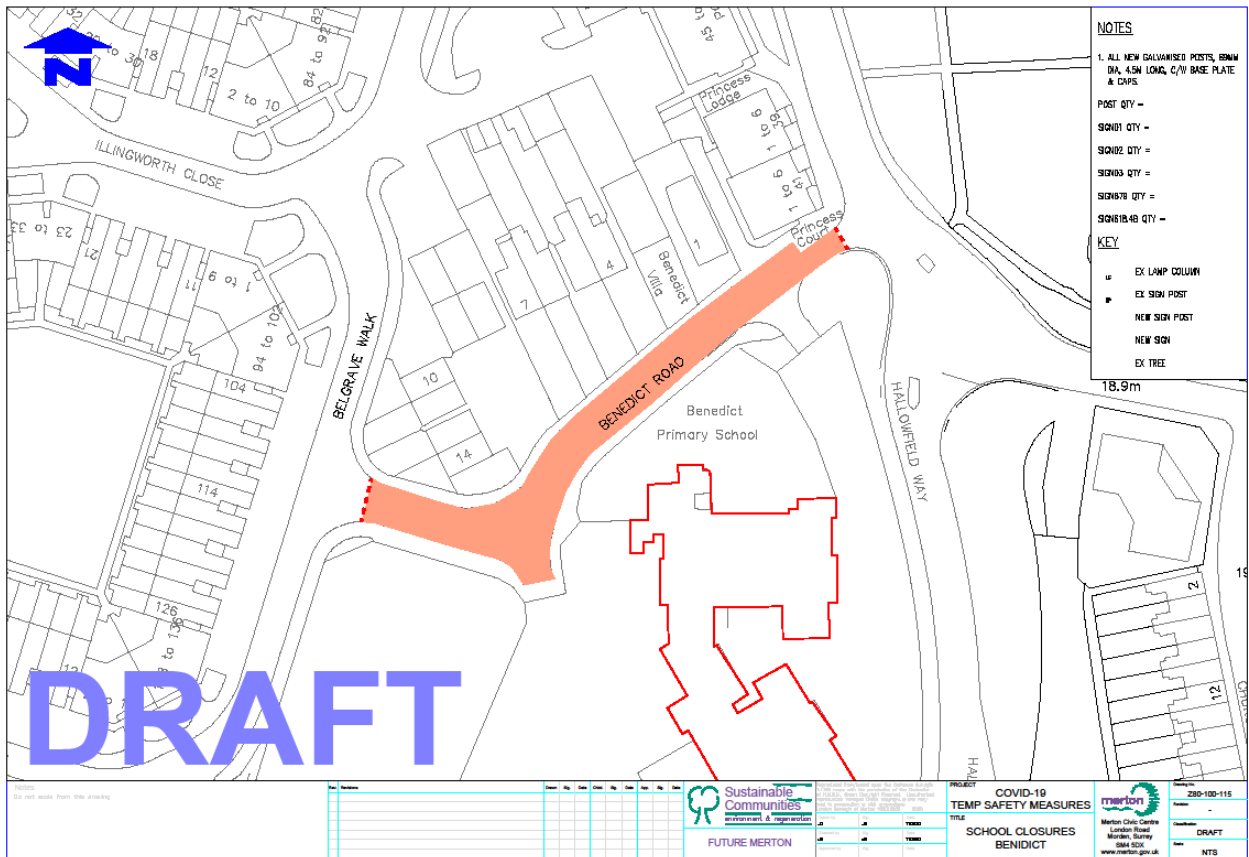
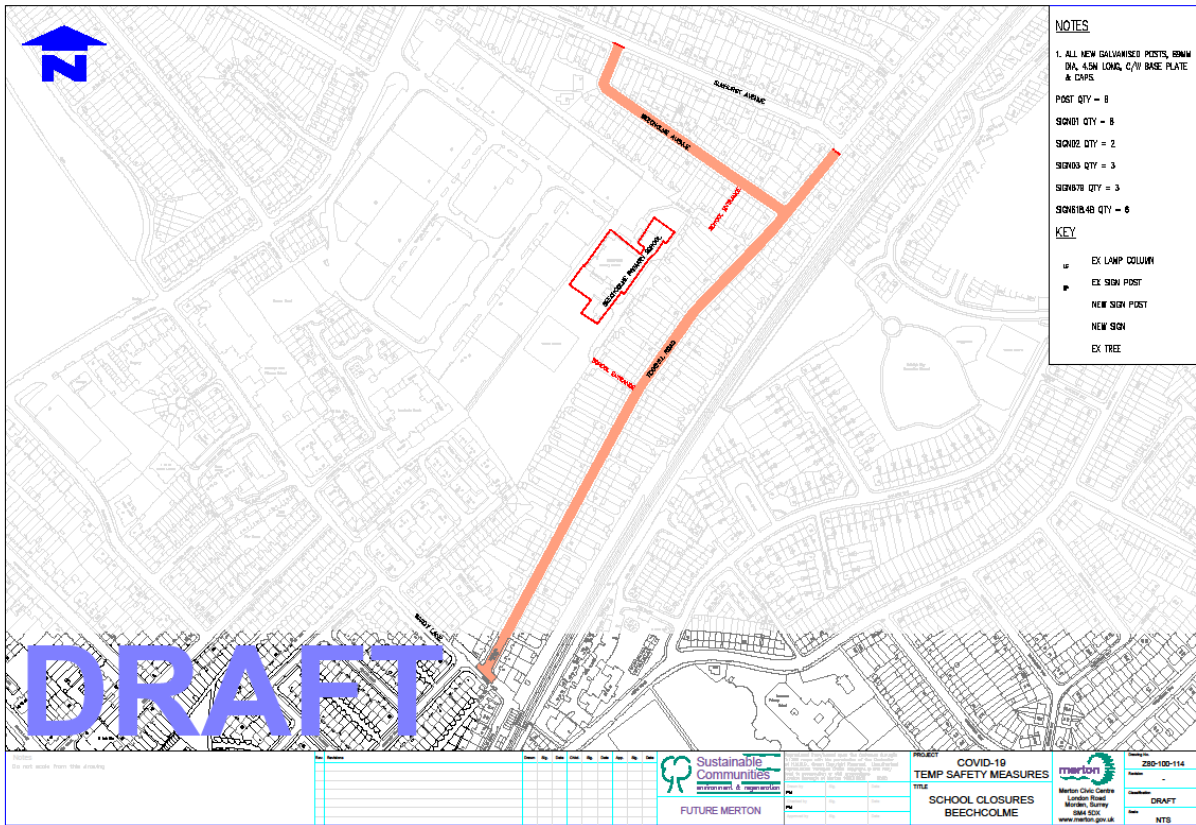


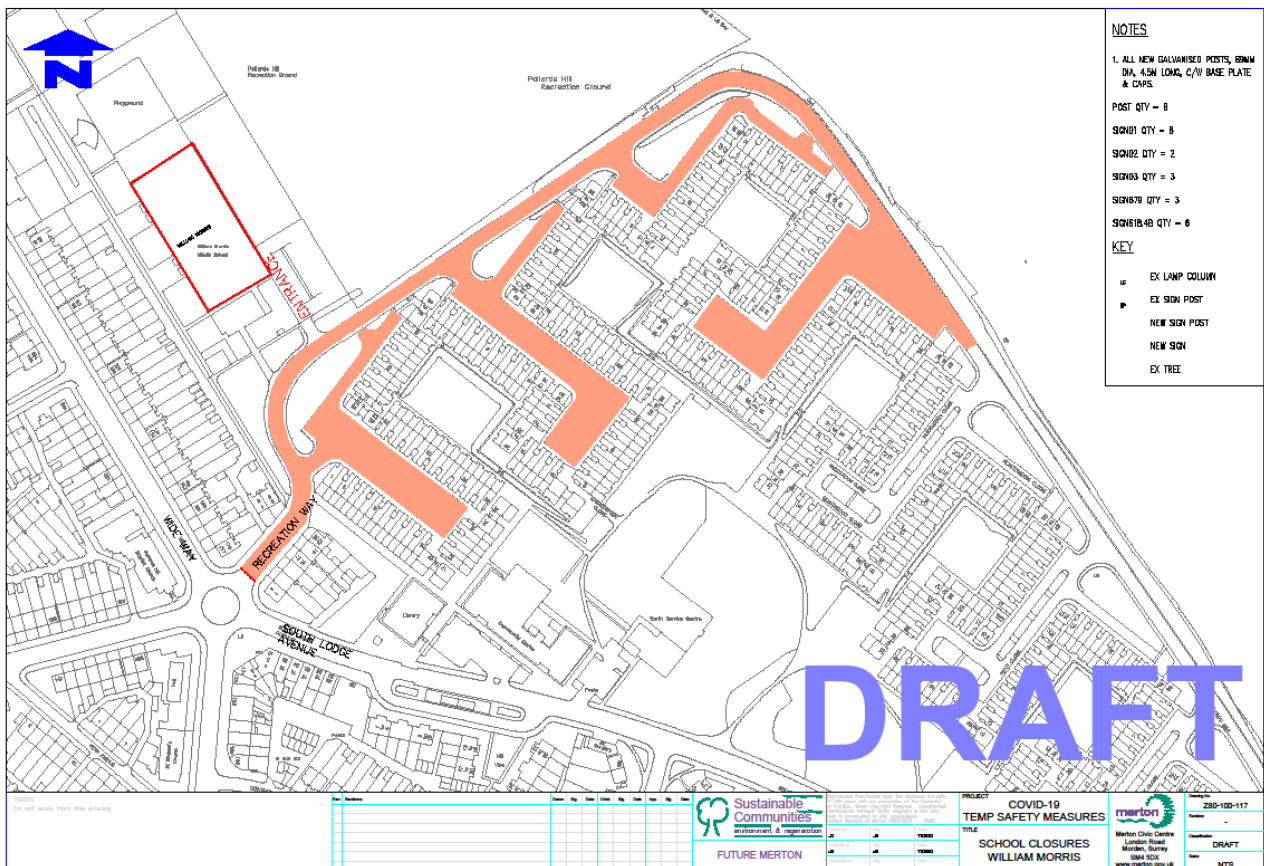
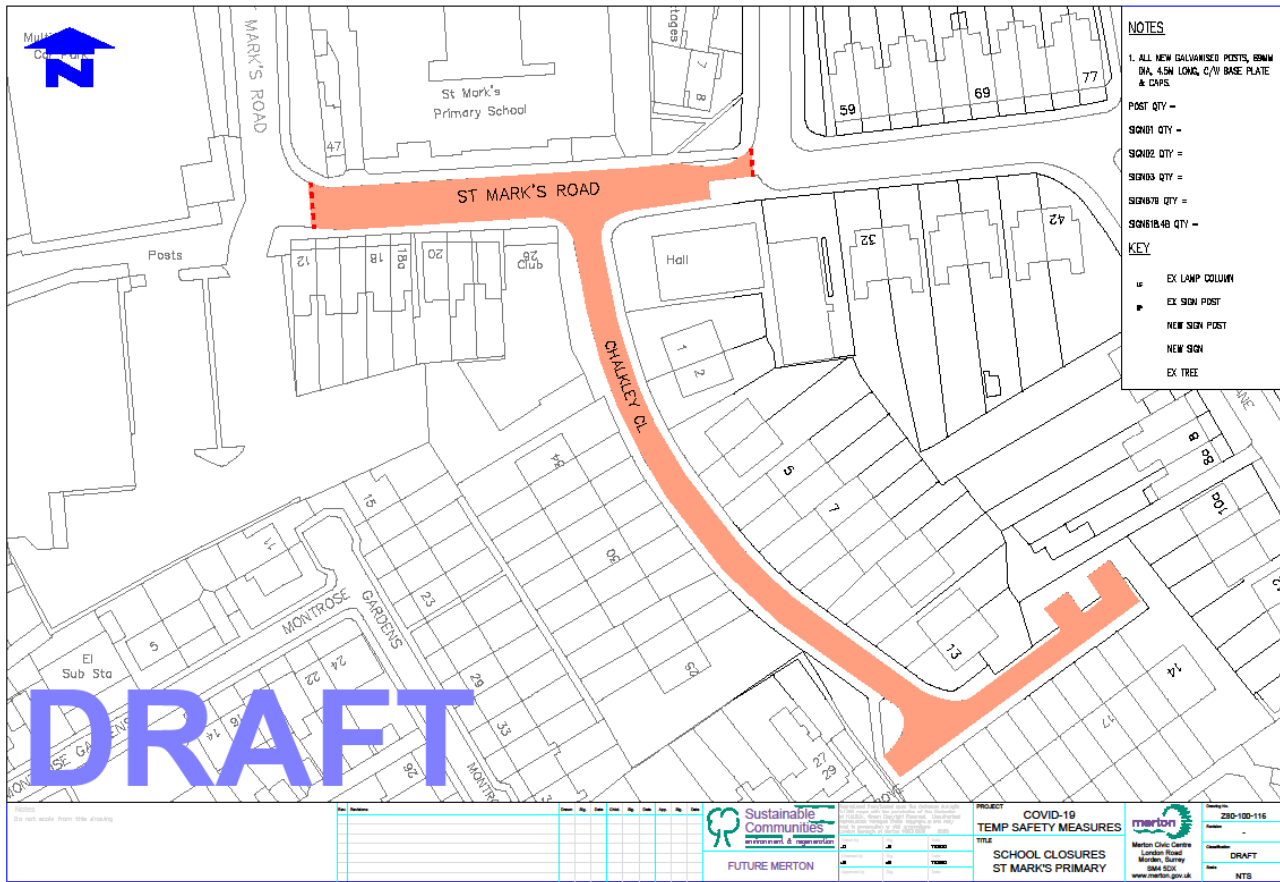


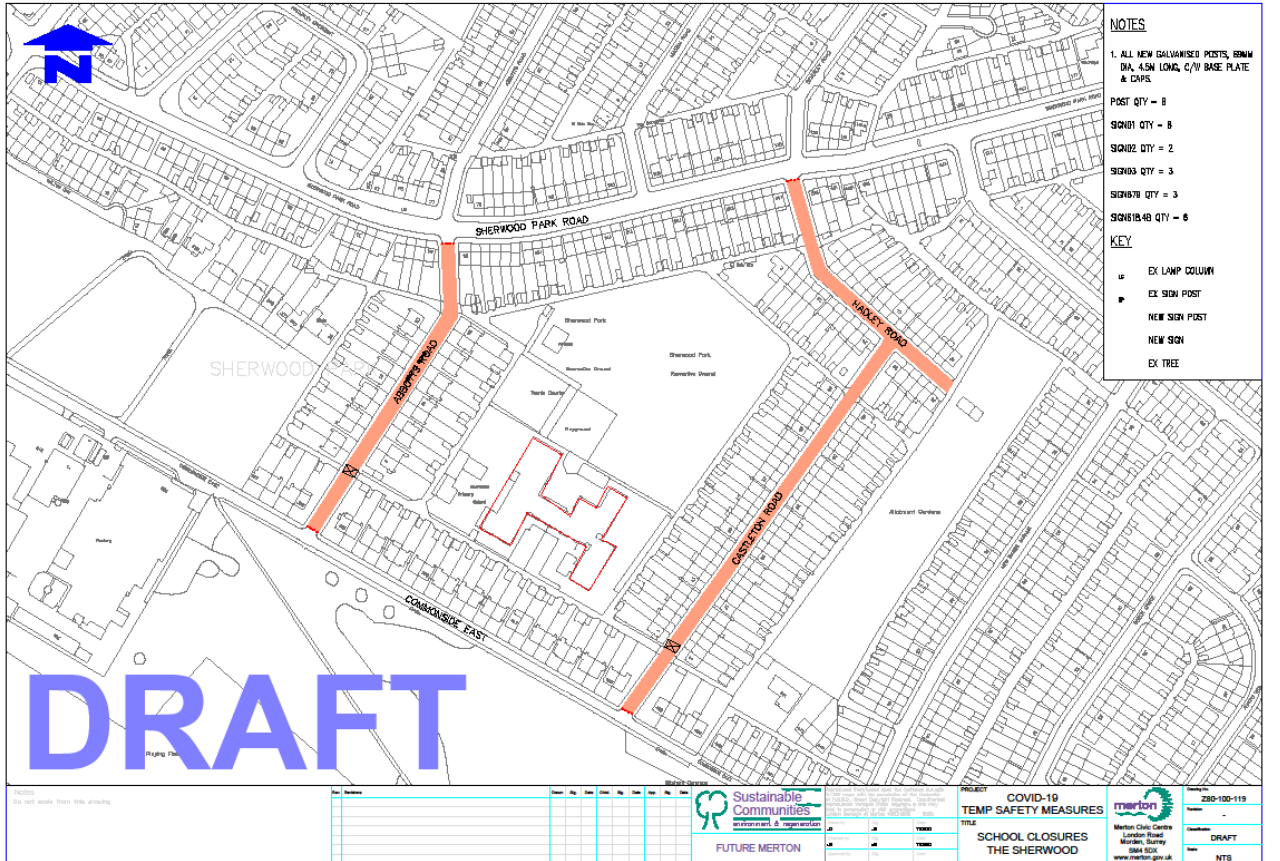
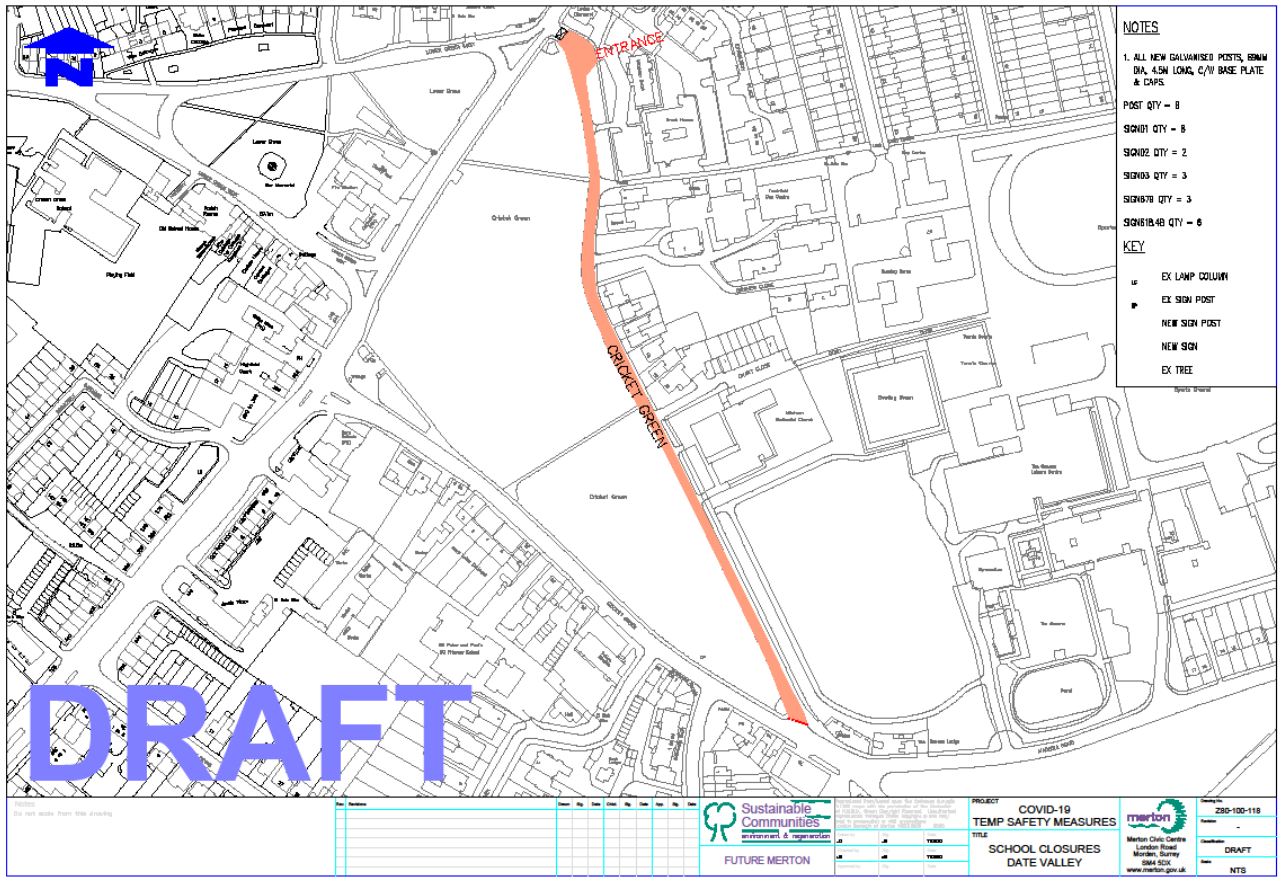


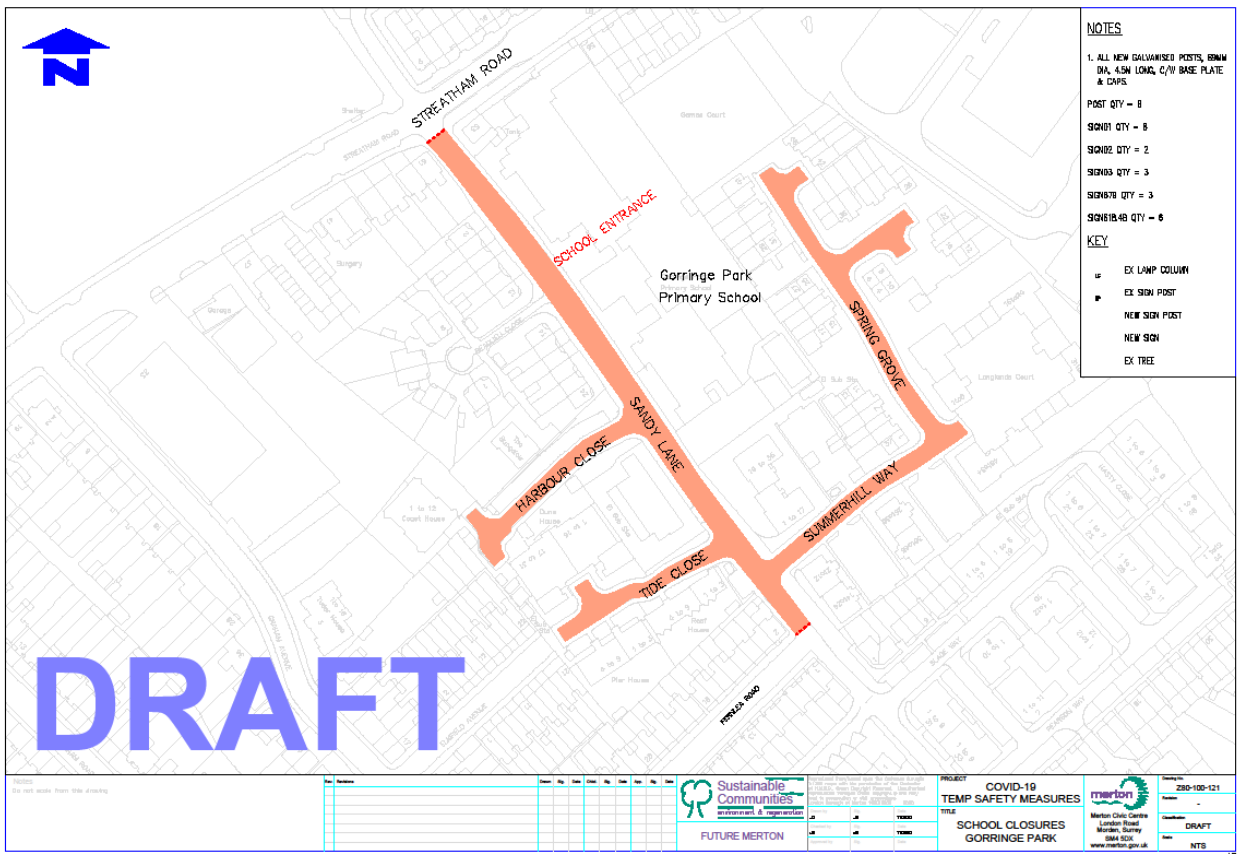
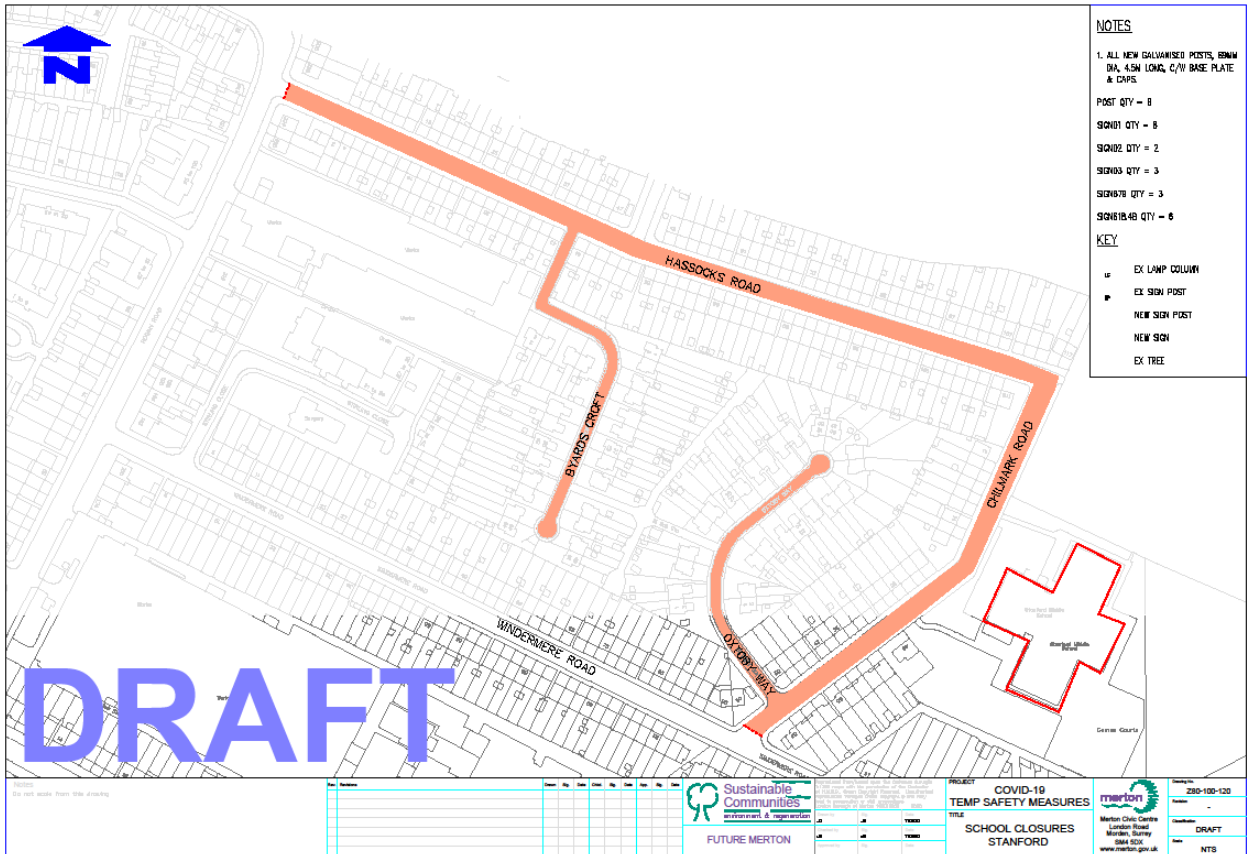


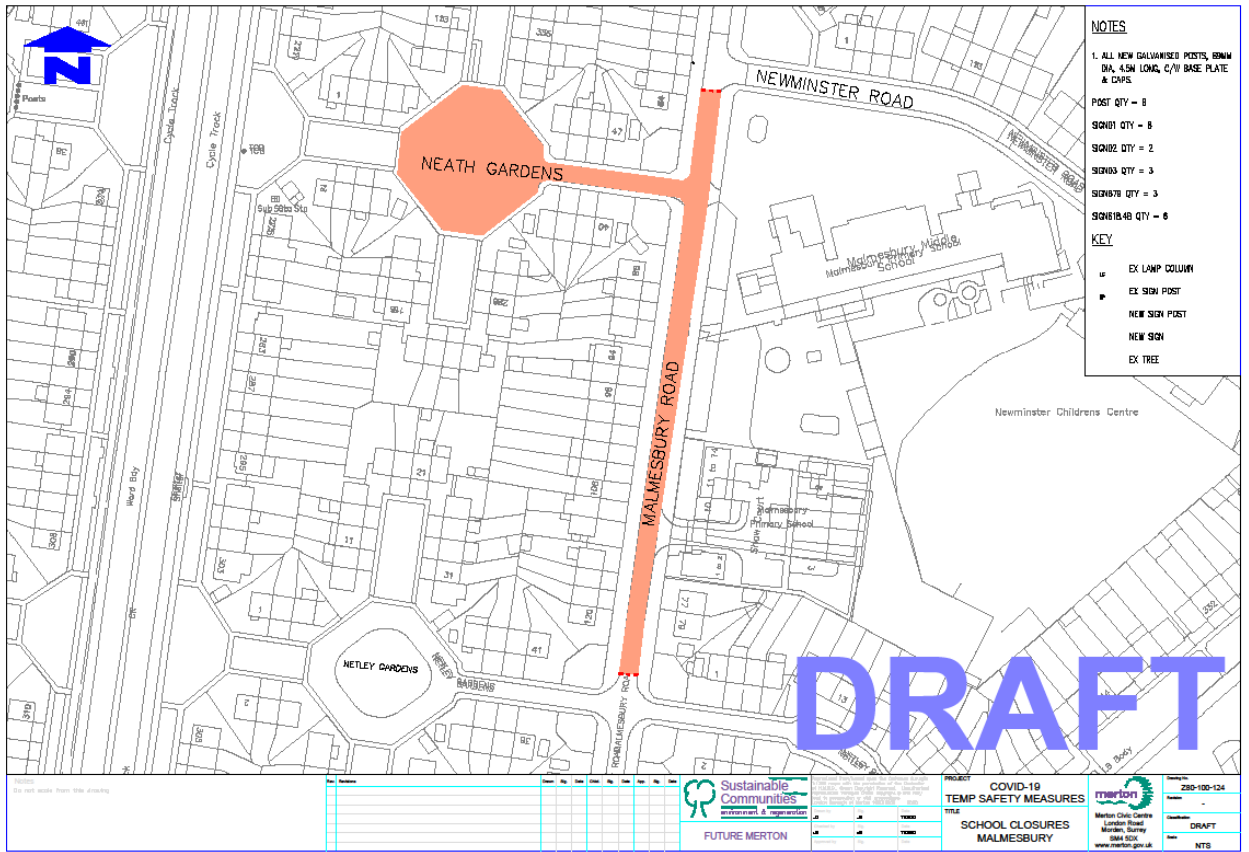
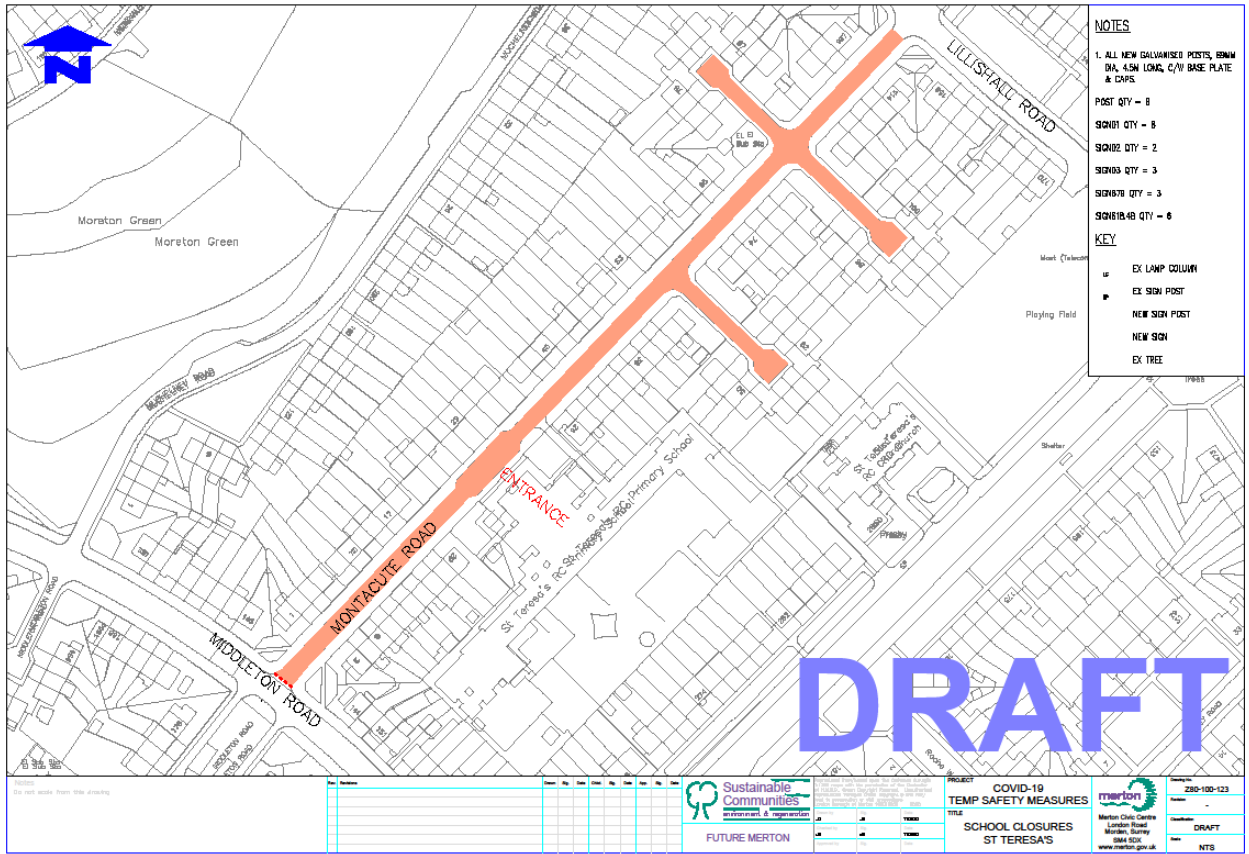


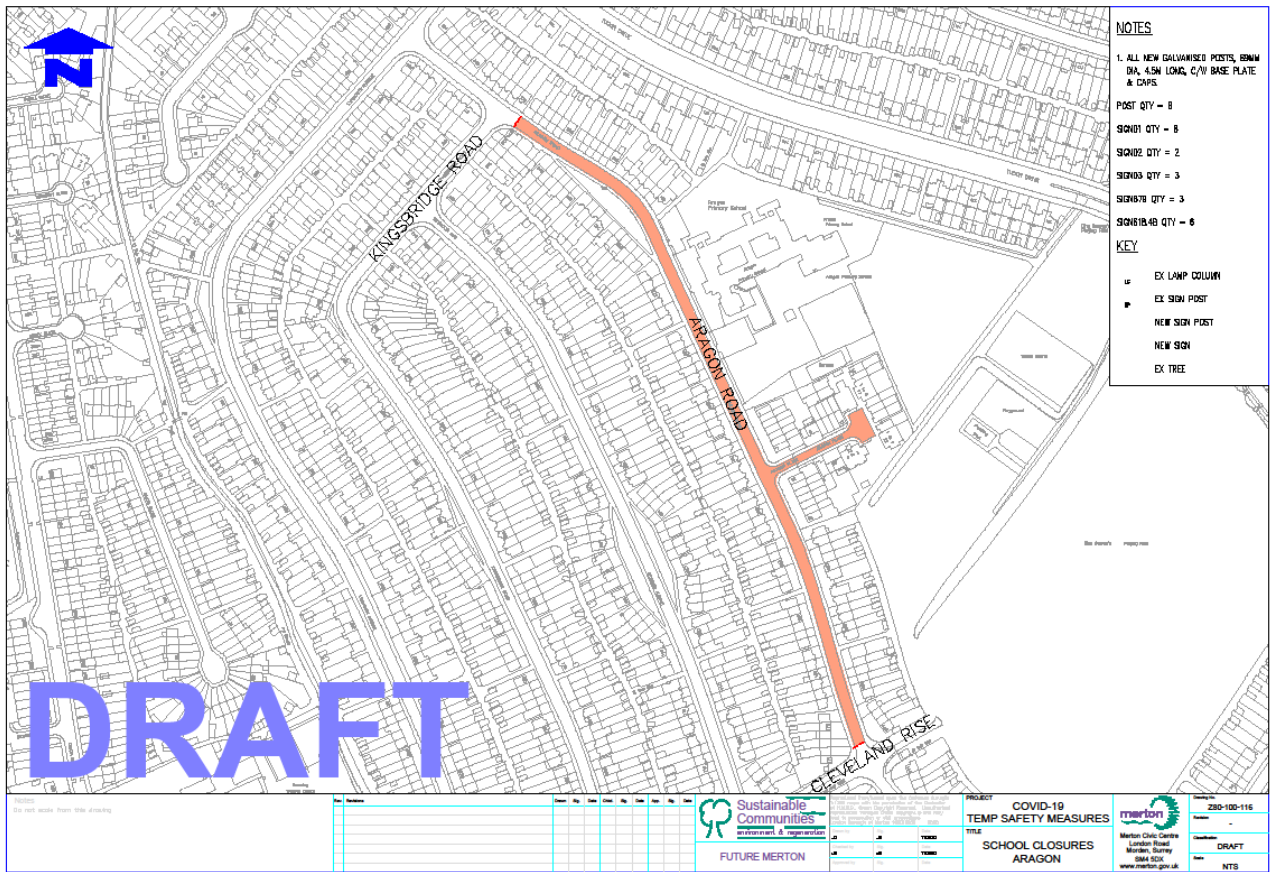
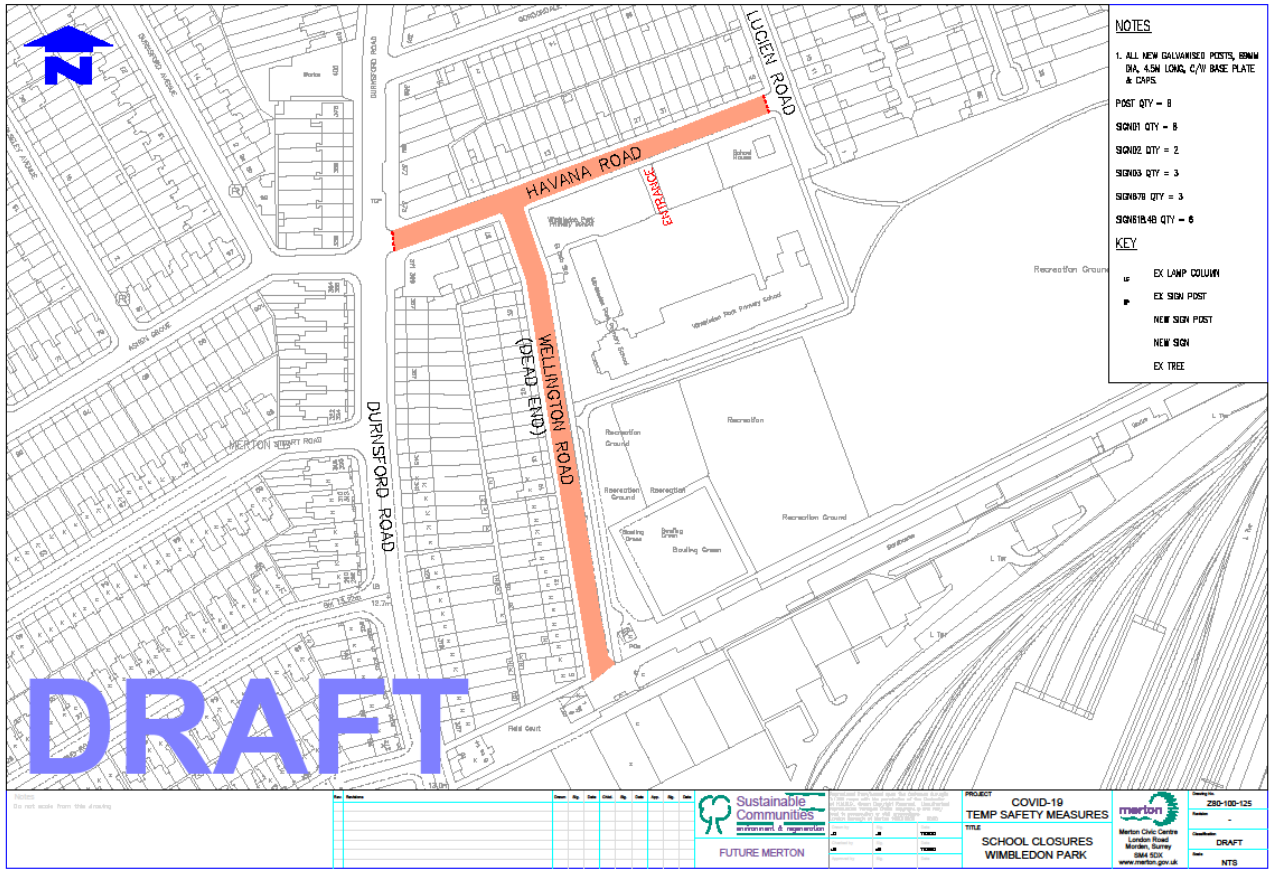


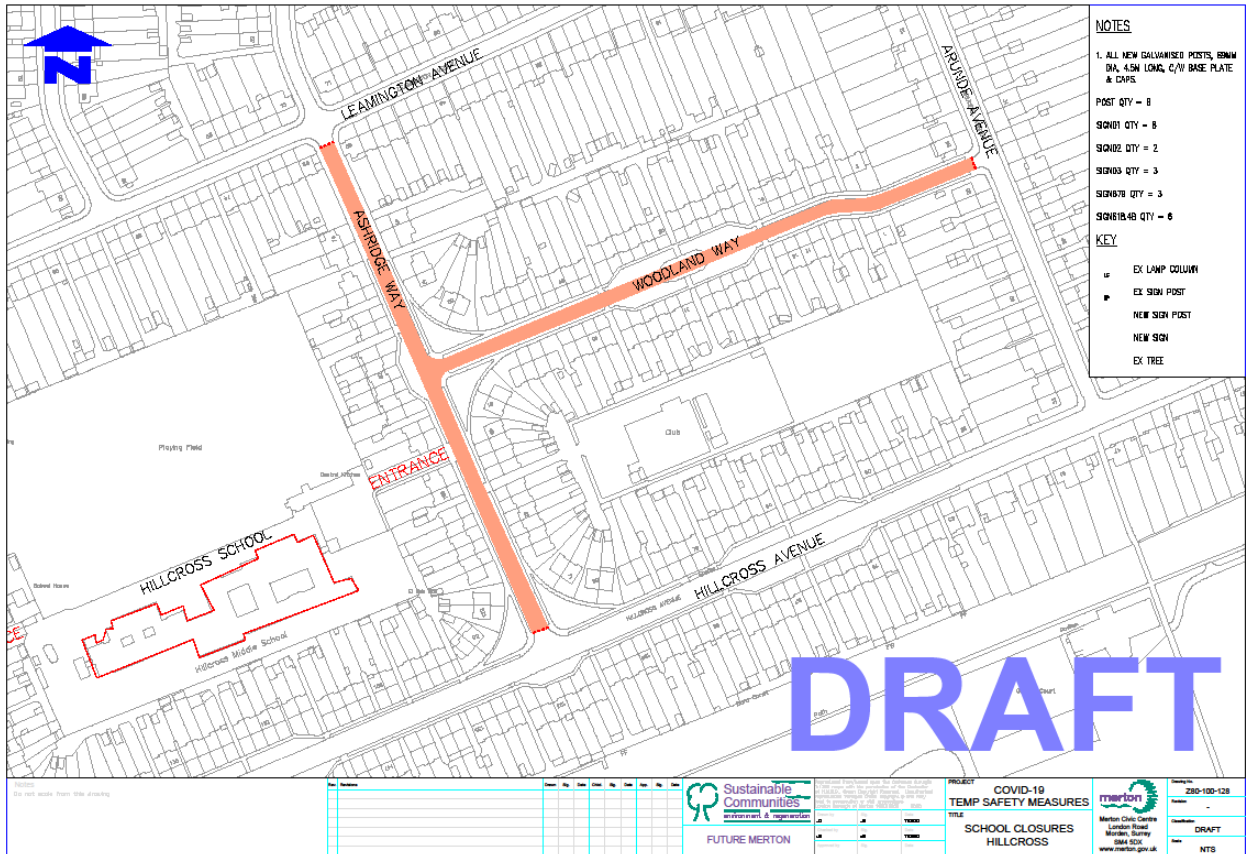
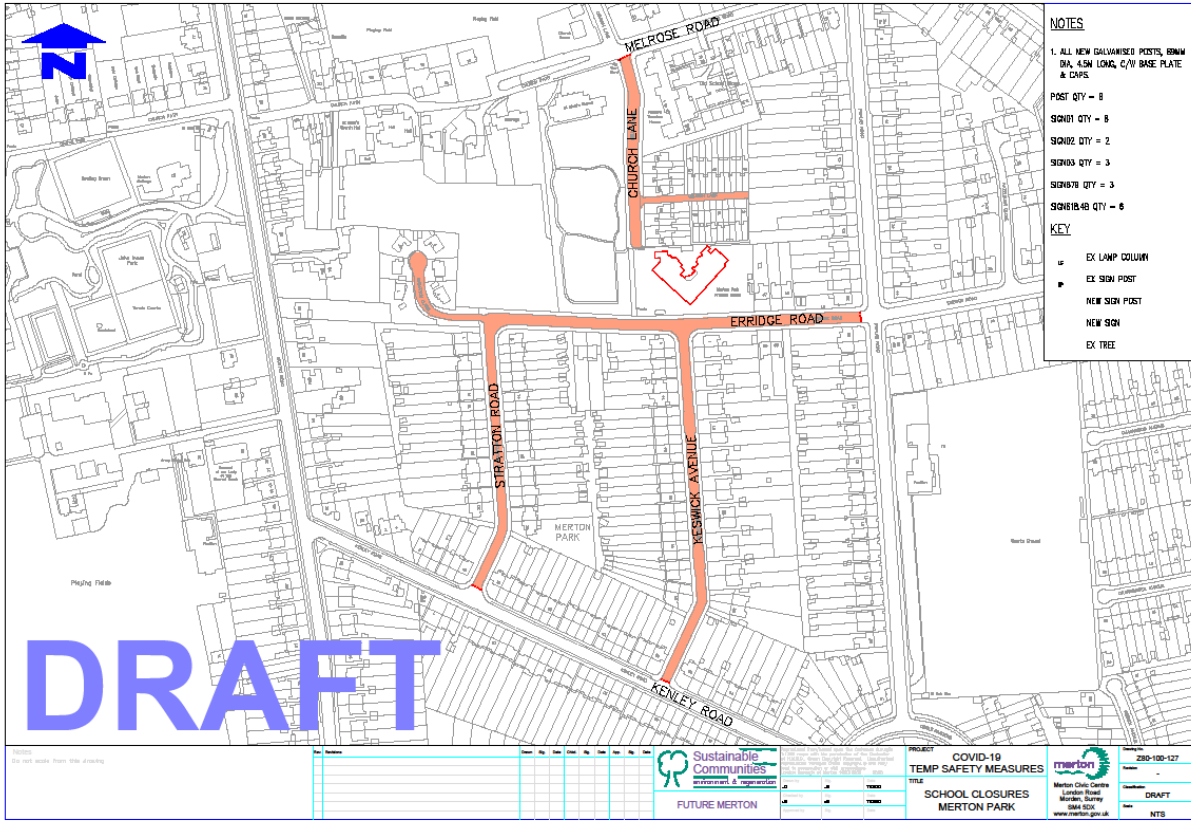


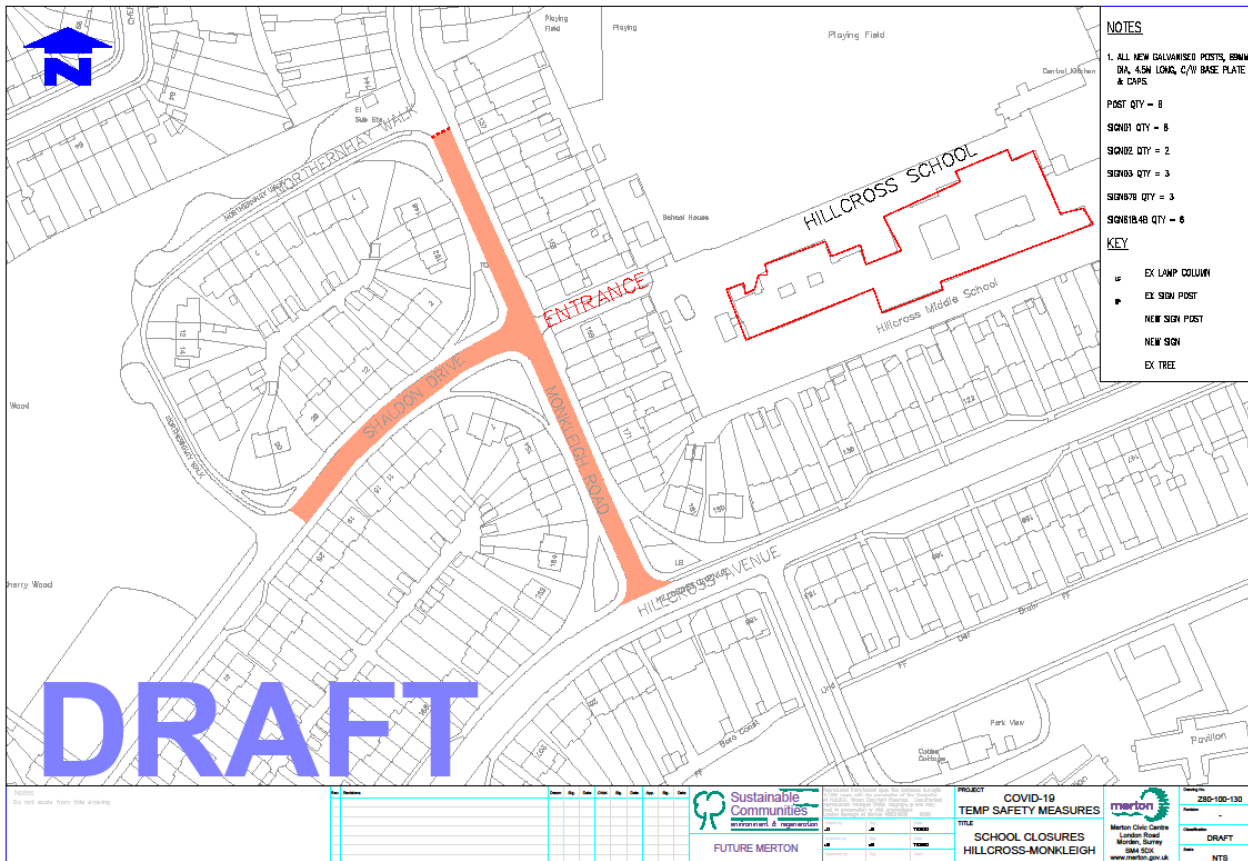
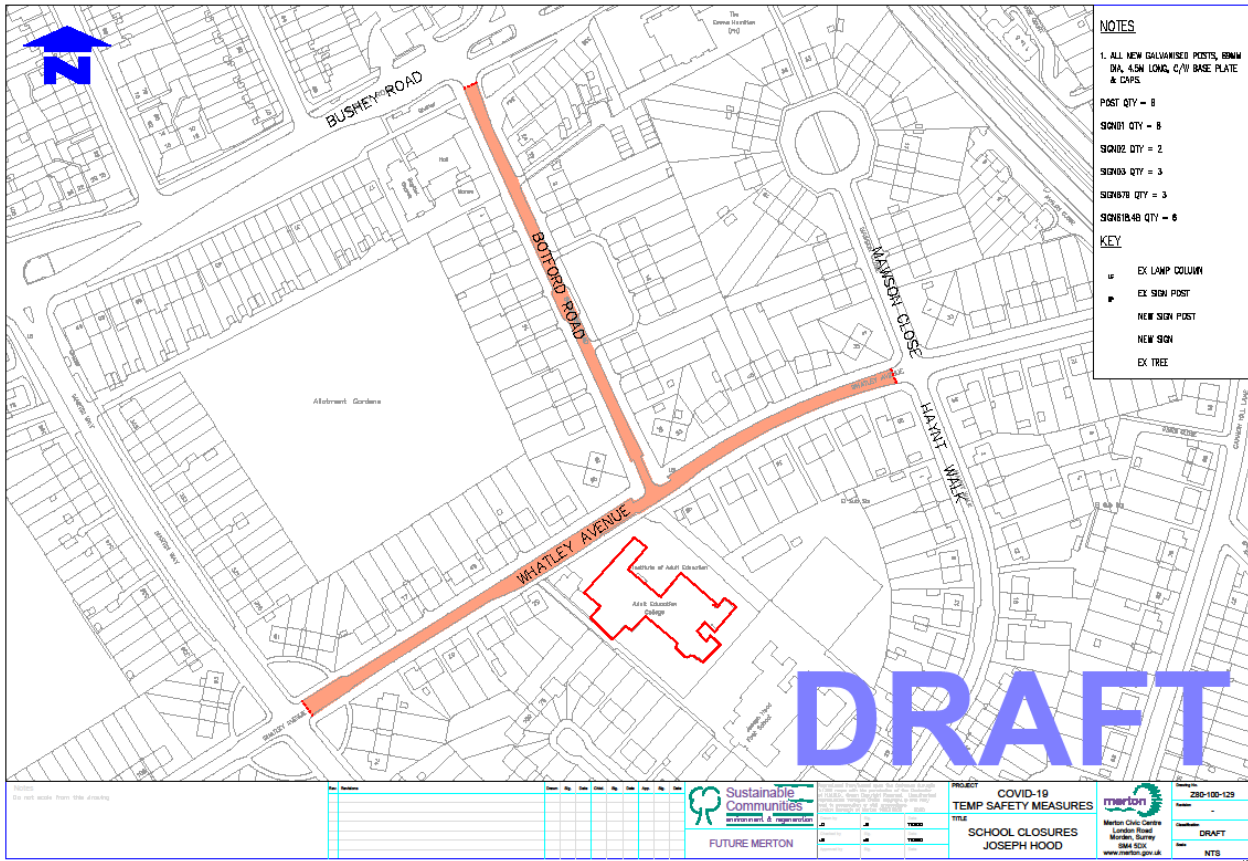














## Merton Council - call-in request form

### 1. Decision to be called in: (required)

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### 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](mailto:democratic.services@merton.gov.uk)
- ) **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

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