

**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](mailto:democratic.services@merton.gov.uk)**

**Date: 11 February 2022**

Dear Councillor

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

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

- **School Streets – Change of hours- Amendment to previous Cabinet Member decisions**

The Chair of the Overview and Scrutiny Commission agreed to waive the requirement for call-in, on the basis of Section 17 - Special Urgency, to allow Council to complete the statutory consultation and its publications while meeting TfL's deadline for funding and Council's commitment to completing the school street project.

Yours sincerely

**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 – Change of hours- Amendment to previous Cabinet Member decisions

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

**Decision maker**

Councillor Martin Whelton, **Cabinet Member for Housing, Regeneration & the Climate Emergency**

**Date of Decision**

9 February, 2022

**Date report made available to decision maker**

8 February 2022

**Decision**

Having considered the officer’s report, I agree to the recommendations of undertaking the relevant statutory consultations as set out in the report.

**Reason for decision**

To ensure the effectiveness of the school street programme and maintain and further improve on reducing congestion, risk, pollution outside school gate and continue to encourage active travel and bring about a change in behaviour.

**Alternative options considered and why rejected**

To undertake a statutory consultation based on the previously agreed hours. This however would adversely impact the effectiveness of each affected school street.

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

N/A

**Declarations of Interest**

N/A

*Martin Whelton*

**Cllr Martin Whelton**

Cabinet member for housing, regeneration, and the climate emergency

9 February, 2022

**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:** 8<sup>th</sup> February 2022  
**Agenda item:** N/A  
**Wards:** Various  
**Subject:** School Streets – Change of hours- Amendment to previous Cabinet Member decisions

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

**Lead member:** Councillor Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency

**Forward Plan reference number:** N/A  
Contact Officer: Mitra Dubet, email: [mitra.dubet@merton.gov.uk](mailto:mitra.dubet@merton.gov.uk)

-----

**Recommendations:**

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

- A) Notes the proposed changes in the hours of operation previously approved for a statutory consultation and agrees to the undertaking of a statutory consultation to change the hours as set out in table 1 attached as appendix 1.
- B) 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 seeks approval to proceed with the undertaking of a statutory consultation to change the hours for each school street as set out in table 1 attached as appendix 1.
- 1.2 Agrees to retain the existing hours for some of the school streets as recommended in table 1 attached as appendix 1.

**2.0 DEATILS**

- 2.1 During 2020, the Council introduced a number of school streets under an Experimental Order. The consultation concluded on 31<sup>st</sup> July 2021. All the representations were reported to the Cabinet Member by means of individual reports per school and a final decision was made to make all the school streets permanent by making and publishing the relevant Traffic Management Orders. Given the number of school streets, some of the Orders were made on 20<sup>th</sup> January 2022 and the remaining are programmed to be made on 24<sup>th</sup> February 2022.
- 2.2 To ensure that each school street remains effective, within the above mentioned reports and decision sheets, officers sought and obtained Cabinet Member approval to undertake the necessary statutory consultations to change the hours of some of the school streets so as to be in line with the school's hours. At the time of preparing the reports, the previously proposed change in hours were based on what was believed to be the school's core hours. The statutory consultation for some of the school streets' change of hours started on 27<sup>th</sup> January and is due to end on 18<sup>th</sup> February 2022. On 4<sup>th</sup> February 2022, the Council learned that the new approved hours of operation for some schools are no longer appropriate and it has become necessary to abandon the statutory consultation currently in progress and to undertake a new statutory consultation for the appropriate change in hours for each relevant school.
- 2.3 The statutory consultation for the remaining school streets are programmed for between 3<sup>rd</sup> and 25<sup>th</sup> March 22.

**3.0 OFFICER'S RECOMMENDATION**

- 3.1 It is recommended that the new hours of operation for each school street as set out in table 1 are considered instead of the previously proposed and approved hours and that a statutory consultation is carried out to reflect these up to date new hours. This will ensure the effectiveness of each school street.

### **3. ALTERNATIVE OPTIONS**

- 3.1 An option is to undertake a statutory consultation for each school street based on the previously agreed hours of operation. This, however, would adversely impact the effectiveness of the affected school street and in some cases would do nothing to retain the improvements gained thus far.

### **4. TIMETABLE**

- 4.1 A newsletter will be sent to all the residents who fall within the school streets subject to the statutory consultation.

### **5. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 5.1 All the associated costs are covered by the LSP funding provided by DfT / TfL.

### **6. LEGAL AND STATUTORY IMPLICATIONS**

- 6.1 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 experimental order.
- 6.2 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 ETMO. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.
- 6.3 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.

### **7. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS**

- 7.1 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 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.
- 7.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.
- 7.3 The application of the correct hours of operation that would ensure effectiveness of the school streets and its improvements affects all sections of the community especially the young and assists in ensuring improved 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.

### **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 None

### **9. APPENDICES**

- 9.1 Appendix 1 – Table 1

### **10.0 Background documents**

Cabinet Member report - School Streets – EMTO results- All Saints C of E Primary School dated 1/12/21 & Cabinet Member decision dated 03/12/21

Cabinet Member report - School Streets – EMTO results- Aragon Primary School dated 19/11/21 & Cabinet Member decision dated 09/11/21

Cabinet Member report - School Streets – EMTO results- Garfield Primary School –dated 17/12/21 & Cabinet Member decision dated 23/12/21

Cabinet Member report - School Streets – EMTO results- Gorringe Park Primary School dated 9/12/21 & Cabinet Member decision dated 16/12/21

Cabinet Member report - School Streets – EMTO results- Holy Trinity C of E Primary School dated 21/01/22 & Cabinet Member decision dated 26/01/22

Cabinet Member report - School Streets – EMTO results- Merton Park Primary School dated 16/11/21  
School Streets – EMTO results- Pelham Primary School dated 19/01/22 & Cabinet Member decision dated 26/01/22

Cabinet Member report - School Streets – EMTO results- Stanford Primary School dated 15/12/21  
School Streets – EMTO results- St Mark's Primary School dated 14/12/21 & Cabinet Member decision dated 16/12/21

Cabinet Member report - School Streets – EMTO results- St Teresa's RC Primary School dated 13/12/21 & Cabinet Member decision dated 16/12/21

Cabinet Member report - School Streets – EMTO results- The Sherwood Primary School dated 16/12/21 & Cabinet Member decision dated 17/12/21

Cabinet Member report - School Streets – EMTO results- St Matthews Primary School dated 17/12/21 & Cabinet Member decision dated 17/12/21

Cabinet Member report - School Streets – EMTO results- Wimbledon Park Primary School dated 14/01/22 & Cabinet Member decision dated 18/01/22

Cabinet Member report - School Streets – EMTO results- Poplar Primary School dated 7/12/21 & Cabinet Member decision dated 16/12/21

Cabinet Member report - School Streets – EMTO results- Rutlish School dated 12/01/22 & Cabinet Member decision dated 18/01/22

Cabinet Member report - School Streets – EMTO results- St Mary's RC Primary School dated 19/01/22 & Cabinet Member decision dated 19/01/22

Cabinet Member report - School Streets – EMTO results- William Morris Primary School dated 16/12/21 & Cabinet Member decision dated 17/12/21

Table 1

Appendix 1

School	Existing Restricted periods	Previously approved hours	Proposed New hours
All Saints C of E Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.15-9.00 am 3.00-3.45 pm	Existing hours to be retained Statutory consultation is not required 8.00 - 9.15 am 2.45 - 4.00 pm
Aragon Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.15 - 9.00 am 2.45-3.45 pm	Existing hours to be retained Statutory consultation is not required 8.00 - 9.15 am 2.45 - 4.00 pm
Garfield Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.00 - 9.00 am 3.00 – 3.45 pm	8.15-9.15 am 2.45-3.45 pm
Gorringe Park Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.00-8.45 am 3.00-3.45 pm	8.00 -9.00 am 3.00 -3.45 pm
Holy Trinity C of E Primary School	8.00 – 9.15 am 2.30 - 4.00 pm	8.00 -8.45 am 2.45 -3.45 pm	8.00 -9.15 am 2.45 -3.45 pm
Merton Park Primary	8.00-9.15 am 2.45 - 4.00 pm	8.15 -9.00 am 3.00 -3.45 pm	8.30 -9.15am 3.00 -3.45pm
Pelham Primary	8.00 - 9.15 am 2.45 - 4.00 pm	8.15 – 9.15 am 3.00 – 3.45 pm	8.15 -9.15 am 2.45 – 4.00 pm
Poplar Primary School	8.00 - 9.15 am 2.30 - 4.00 pm	8.15 – 9.00 am 2.45 – 3.45 pm	Existing hours to be retained. Statutory consultation is not required 8.00 – 9.15 am 2.30 – 4.00 pm
Rutlish School	8.00 – 9.15 am 2.45 -4.00 pm	8.00 – 8.45 am 2.15 – 3.15 pm	8.00 – 8.45 am 2.30 – 3.45 pm
St Marks Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.15– 09.00 am 2.45- 3.30 pm	8.00 -9.15 am 2.45 -3.30 pm
St Mary's RC Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.00 -8.45 am 3.00 -3.45 pm	Existing hours to be retained. Statutory consultation is not required 8.00 - 9.15 am 2.45 - 4.00 pm
St Matthews Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.00 -9.00 am 2.45 -3.45 pm	8.15 -9.15 am 2.45 -3.45 pm
St Teresa's RC Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.15 – 9.00am 2.45 – 3.45pm	8.00 - 9.15 am 2.45 – 3.45 pm
Stanford Primary School	8.00 - 9.15 am 2.30 - 4.00 pm	8.00 -9.00 am 2.45 -3.30 pm	8.00 – 9.15 am 2.30 - 3.45 pm
The Sherwood Primary School	8.00 - 9.15 am 2.45 - 4.00 pm	8.00 -9.00 am 3.00 -3.45 pm	8.15 -9.15 am 2.45 -3.45 pm
William Morris	8.00 - 9.15 am 2.15 – 3.30 pm	8.00 – 9.00 am 3.30 – 4.15 pm	8.00 - 9.15 am 2.30 - 4.15 pm
Wimbledon Park primary	8.00 - 9.15 am 2.45 - 4.00 pm	8.00 -9.00 am 2.45 -3.45 pm	8.15 -9.15 am 2.45 -3.45 pm



