

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: 31 January 2017

Dear Councillor

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

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

- Willmore End Area – informal Consultation on Proposed MP3 CPZ

and will be implemented at **noon on Friday 3 February** 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 UNDER DELEGATED AUTHORITY

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

1. Title of report

Proposed MP3 CPZ (Willmore End area) – informal consultation

2. Reason for exemption (if any)

3. Decision maker

Cabinet Member for Regeneration, Environment and Housing

4. Date of Decision

30/1/2017

5. Date report made available to decision maker

27/01/2017

6. Decision

- 1) Notes the results of the informal consultation carried out between 17 November 2016 and 9 December 2016 on the proposals to introduce a Controlled Parking Zone (CPZ) MP3 to include Nursery Road, Parkleigh Road and Willmore End.
- 2) Agrees to proceed with a statutory consultation, to include Nursery Road, Parkleigh Road and Willmore End, into the proposed MP3 CPZ, operational Monday to Saturday, between 8.30am and 6.30pm as shown in Drawing No. Z78-341-01 in Appendix 1.
- 3) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

- 1) Support demonstrated by the informal consultation for a controlled parking zone.
- 2) The introduction of controlled parking would also help address obstructive parking in the area.

8. Alternative options considered and why rejected

- 1) To not to proceed with a controlled park zone would go against the views expressed by residents in the informal consultation.

9. Documents relied on in addition to officer report

None.

10. Declarations of Interest

None

Publication of this decision and call in provision

Send this form and the officer report* to 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.



Cllr Martin Whelton

Cabinet member for regeneration, environment and housing
30 January 2017

Committee: Cabinet Member Report

Date: 27th January 2017

Ward: Abbey

Subject: Proposed MP3 CPZ (Willmore End area) – informal consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Contact Officer: Barry Copestake; Tel 020 8545 3840

Email: barry.copestake@merton.gov.uk

Recommendations:

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

- A) Notes the results of the informal consultation carried out between 17 November 2016 and 9 December 2016 on the proposals to introduce a Controlled Parking Zone (CPZ) MP3 to include Nursery Road, Parkleigh Road and Willmore End.
 - B) Agrees to proceed with a statutory consultation, to include Nursery Road, Parkleigh Road and Willmore End, into the proposed MP3 CPZ, operational Monday to Saturday, between 8.30am and 6.30pm as shown in Drawing No. Z78-341-01 in *Appendix 1*.
 - C) 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 informal consultation carried out on the Councils' proposals to introduce a CPZ in the Willmore End area of Abbey Ward, to include Nursery Road, Parkleigh Road and Willmore End.
- 1.2 It seeks approval to proceed with a statutory consultation to include Nursery Road, Parkleigh Road and Willmore End into the proposed MP3 CPZ, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No.Z78-341-01 in *Appendix 1*. The proposals also include the introduction of double yellow lines at key locations that will ensure safety and access are maintained at all times.

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;
- Encouraging the use of more sustainable modes of transport.

2.2 Controlled parking zones, 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. In addition 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 mainly of permit holder bays to be used by residents, their visitors or business permit holders and a limited number of pay and display shared use bays, which are mainly located near businesses. 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 including pedestrians.

3. INFORMAL CONSULTATION

3.1 In 2012 the Council carried out an informal consultation for a CPZ proposal which was rejected following objections from the local community. An undertaking was given that the Council would investigate the possibility of a car park facility within the nearby private recreation grounds. Despite every effort made, the Council was unsuccessful in securing an agreement with the owners of the recreation grounds. Given the narrow nature of the roads and reports of obstructive parking, the Council introduced some waiting restrictions at specific locations to prevent obstructive parking and assist with access for moving traffic and pedestrians.

- 3.2 In agreement with the Ward Councillors and the Cabinet Member, an informal consultation on proposals to introduce a CPZ in the Willmore End area commenced on 17 November 2016 and ended on 9 December 2016. 177 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking layout and a sheet of frequently asked questions. Residents were directed to the Council's website to fill in the online questionnaire. A copy of the consultation document is attached as *Appendix 2*. The consultation document was posted to all properties within the zone boundary.
- 3.3 Notification of the proposals along with the web link to the online questionnaire (e-form) was also posted on the Council's website showing the parking controls within the zone that include the following:
- 'At any time' double yellow lines at key locations such as at junctions, bends, and ends of cul-de-sacs and along narrow section of the carriageway that parking cannot be accommodated without compromising access;
 - Single yellow lines (mainly between parking bays and across dropped kerbs);
 - Permit holder bays for use by residents, businesses and their visitor.
- 3.4 The consultation resulted in a total of 49 responses (after removing duplicates / multiple returns from some households), representing a response rate of 28%. A summary table of the results is attached as *Appendix 3*.
- 3.5 As shown in table 1 below, of the 49 who responded, 71% support a CPZ in their road, compared to 25% who do not and 4% who are unsure.

Table 1 – summary of results to question: Do you support a CPZ?

ROAD	DO YOU SUPPORT A CPZ					
	YES	NO	UNSURE	% YES	% NO	% UNSURE
Morden Road	1	2	1	25%	50%	25%
Nursery Road	14	3	0	82%	18%	nil
Parkleigh Road	6	3	0	67%	33%	nil
Willmore End	14	4	1	74%	21%	5%
Total	35	12	2	71%	25%	4%

- 3.6 Residents were also asked which days of operation they would prefer if a CPZ was introduced in their road. Results show that 37% of respondents prefer Monday – Friday and 63% prefer Monday – Saturday as shown in table 2.

Table 2 – summary of results to question: Preferred days of operation?

ROAD	PREFERRED HOURS OF OPERATION			
	MONDAY - FRIDAY	MONDAY - SATURDAY	% MON - FRI	% MON - SAT
Morden Road	3	1	75%	25%

Nursery Road	3	14	18%	82%
Parkleigh Road	4	5	44%	56%
Willmore End	8	11	42%	58%
Total	18	31	37%	63%

3.7 Residents were further asked which hours of operation they would prefer should the CPZ be introduced in their road. Results show that 59% of respondents prefer 8.30am – 6.30pm, while 25% prefer 10am – 4pm and 16% prefer 11am – 3pm. Shown in table 3.

Table 3 – summary of results to question: Preferred hours of operation?

ROAD	PREFERRED HOURS OF OPERATION					
	8.30am -6.30pm	10am – 4pm	11am – 3pm	% 8.30am – 6.30pm	% 10am – 4pm	% 11am – 3pm
Morden Road	1	0	3	25%	nil	75%
Nursery Road	13	2	2	76%	12%	12%
Parkleigh Road	6	1	2	67%	11%	22%
Willmore End	13	1	5	69%	5%	26%
Total	33	4	12	59%	25%	16%

3.8 Ward Councillor Comment

All local ward Councillors have been fully engaged during the consultation process and they are supportive of the recommendations made in this report.

4. PROPOSED MEASURES

4.1 Based on the informal consultation results it is recommended that a statutory consultation be carried out to include Nursery Road, Parkleigh Road and Willmore End into the proposed MP3 CPZ, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No.Z78-341-01 in *Appendix 1*.

4.2 The CPZ design comprises of 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.

4.3 Hours of operation

The majority of respondents favoured a proposed MP3 CPZ to operate Monday to Saturday between the hours of 8.30am and 6.30pm.

4.4 Permit issue criteria

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.

In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. However, it has been agreed not to apply this new Diesel levy to the first year of permits of those zones that were consulted on (but not implemented) prior to the introduction of this levy. However, the levy will be applied to renewals. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicles will only have to pay a reduced rate of £25 instead of £65.

4.5 Visitors' permits

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 12pm & 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.

5. **TIMETABLE**

- 5.1 The statutory consultation will be carried out soon after a decision is made. The consultation will include the erection of the Notices on lamp columns in the area; the publication of Council's intentions in the Local Guardian and the London Gazette. The documents will also be available at the Link, Civic Centre and on the website. A newsletter will also be distributed to all consultees. It will detail the result of the informal consultation; Council's intention of undertaking the statutory consultation on the proposed parking controls.

6. **ALTERNATIVE OPTIONS**

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

7 **FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 7.1 The cost of implementing the proposed measures is estimated at £8k. 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.

9. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION 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 IMPLICATION

- 10.1 N/A

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties and obstructive parking would continue and it would do nothing to assist the residents and road users.
- 11.2 The risk in not addressing the issues from the informal 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.

12. ENVIRONMENTAL IMPLICATIONS

- 12.1 When determining the type of parking places are 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 the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.
- 12.2 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:
- (a) the desirability of securing and maintaining reasonable access to premises;

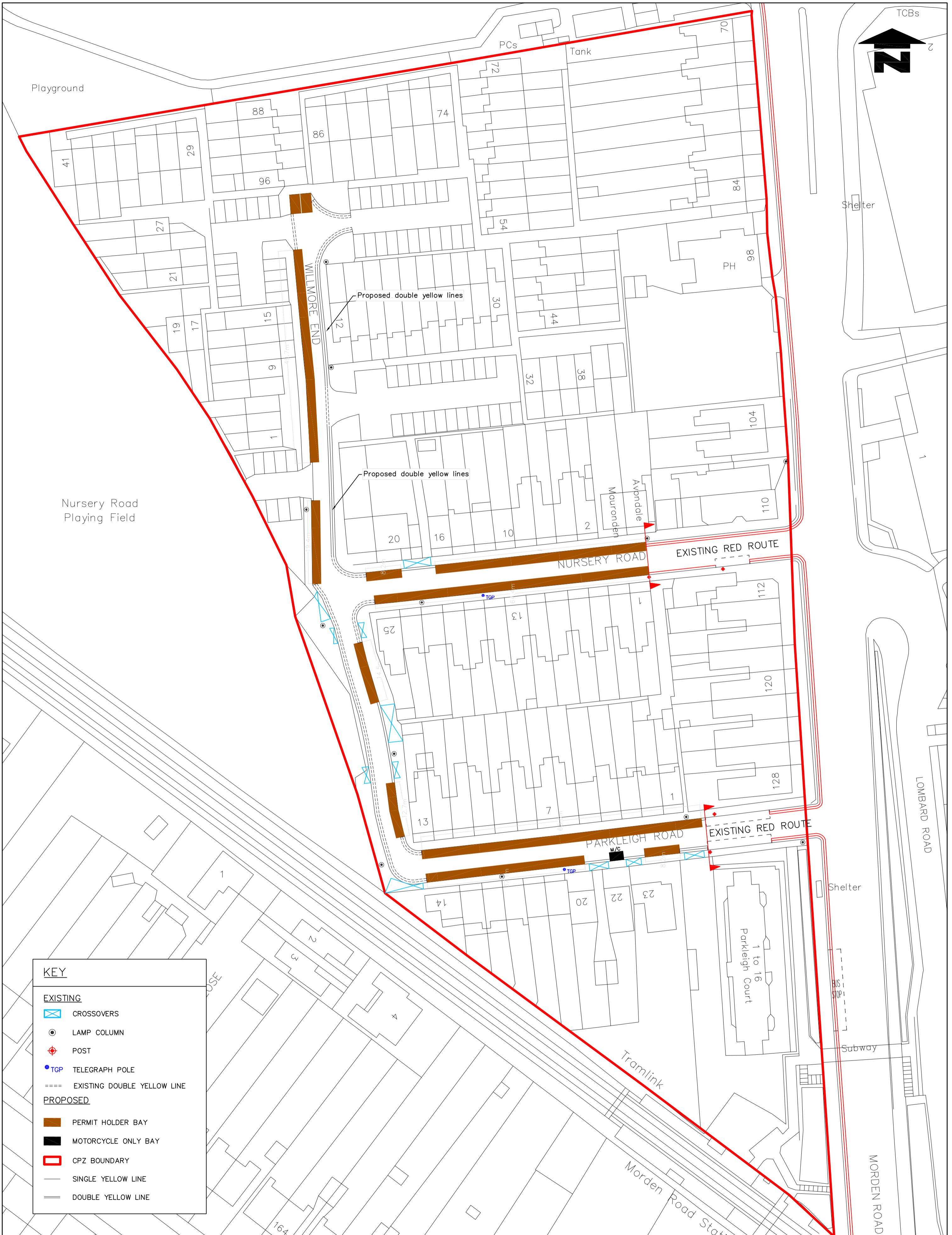
- (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity;
- (c) the national air quality strategy;
- (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers;
- (e) any other matters appearing to the Council to be relevant.

13. APPENDICES

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

Appendix 1 – Drawing No.Z78-341-01

Appendix 2 – Informal consultation newsletter



KEY

EXISTING

- CROSSOVERS
- LAMP COLUMN
- POST
- TELEGRAPH POLE
- EXISTING DOUBLE YELLOW LINE

PROPOSED

- PERMIT HOLDER BAY
- MOTORCYCLE ONLY BAY
- CPZ BOUNDARY
- SINGLE YELLOW LINE
- DOUBLE YELLOW LINE

Notes
Do not scale from this drawing

Rev	Revisions	Drawn	Chk	Date	App	Date

Street Scene & Waste
environment & regeneration

TRAFFIC & HIGHWAYS

Drawn by	Sip	Date	Nov 18
Checked by	Sip	Date	
Approved by	Sip	Date	

PROJECT
Controlled Parking Zones (CPZ's)

TITLE
Wilmore End Area MP2

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

Drawing No. Z78-341-01
Revision
Classification
Scale NTS

4 hours controls (11am - 3pm) - These operating times offer fewer restrictions for residents and their visitors than the “all day” or 6 hours control. It is still effective in preventing commuters and other long stay parking. However, it may encourage short-term parking outside the operating times by non-residents or businesses. Residents returning from work later in the afternoon may find less available parking in their road due to this. Motorists unable to park in nearby roads without controls may also take advantage of the available parking outside the controlled times.

The proposed operational days include:
Monday to Friday - This will offer more flexibility to residents and visitors at weekends. However it may encourage non-residents, to park on Saturdays, therefore reducing available parking for your visitors.

Monday to Saturday - Provides maximum protection to the residents. However, it will be more restrictive on visitors who would require a visitor’s permit to park during the controlled times.

The standard annual parking permit charges apply regardless of the days or hours the zone operates.

LET US KNOW YOUR VIEWS

The decision on whether or not to proceed with the next step, which would involve a statutory consultation on the proposals, will be subject to the responses received during this consultation. We would ask that you submit your questionnaire online using this link (**one vote per household or business**) www.merton.gov.uk/cpzmp3. The online system has been created to keep costs down and allow the Council to process your views more efficiently. Please let us have any comments or suggestions you may have by **9 December 2016** and it is **only one vote per household or business**.

We regret that due to the number of responses received during an informal consultation, it will not be possible to individually reply to each respondent. We welcome your comments on this proposal, which will be noted and included within the proposed measures where appropriate. It should be noted that subject to the responses received, a recommendation may be made to only include those roads where there is a majority in support of the proposals.

WHAT HAPPENS NEXT

The results of the consultation along with officers’ recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. Once a decision is made you will be informed accordingly.

You can visit our website using the following link www.merton.gov.uk/cpzmp3. You can also view the plans in Merton Link at Merton Civic Centre, Morden during our working hours, Monday to Friday between 9am and 5pm.

For more information, please see the Frequently Asked Questions (FAQ’s) at www.merton.gov.uk/cpzvq.

ABBAY WARD COUNCILLORS

Cllr Abigail Jones Tel: 020 8545 3424
 Email: abigail.jones@merton.gov.uk

Cllr Andrew Judge Tel: 020 8545 3425
 Email: andrew.judge@merton.gov.uk

Cllr Katy Neep Tel: 07841 667449
 Email: katy.neep@merton.gov.uk

Cllr Martin Whelton Tel: 020 8545 3425
 Cabinet Member for Environment,
 Regeneration and Housing.
 Email: martin.whelton@merton.gov.uk

Controlled Parking Zone (CPZ) Proposed Zone MP3 Wilmore End Area



ISSUE DATE : 17 NOVEMBER 2016

Dear Resident / Business

The safety of our residents and visitors to the borough is of high priority for us. The quality of the street scene is of equal importance. As part of this commitment, a Controlled Parking Zone (CPZ) is proposed in the Wilmore Road area of Abbey Ward. CPZs are only considered where local residents have petitioned the Council to introduce parking controls in their road. CPZs will usually be implemented where there is a majority support from any given road within the consultation area.

Following the previous informal consultation carried out during June/July 2012 and subsequent meetings thereafter, we are writing to advise you that the Council has not been successful in securing the car park for resident’s use. With this in mind we are now undertaking a further informal consultation to seek your views on the concept of a CPZ. As with any parking management, the proposals include yellow lines and parking bays.

It is important to note that the proposed double yellow lines in the area are paramount to ensure safety and access for all road users. Regardless of the outcome of the proposed CPZ consultation **officers will strongly recommend to the Cabinet Member that the proposed double yellow lines are introduced**. This will ensure clear access for all road users including pedestrians.

This area is currently being proposed as a new standalone zone thereby allowing the residents to choose the hours of operation. Due to the scale of the attached plan it may be difficult for some to view the proposed restrictions. It is, therefore, recommended that residents view the plans on the website or inspect larger scale plan deposited at the Civic Centre reception.

HOW WILL IT WORK?

All road space in a CPZ is managed by the introduction of parking controls. Parking is only permitted where safety, access and sight lines are not compromised. It is, therefore,

normal practice to introduce double yellow lines at key locations such as at junctions, bends, turning heads and at specific locations along lengths of roads where parking would impede the passing of vehicles. It is also necessary to provide yellow lines (effective during the CPZ hours of operation or “At Any time” where the kerb is lowered, i.e. at crossovers for driveways.

The Council aims to reach a balance between the needs of the residents, businesses and the safety of all road users. In the event that the majority of those consulted do not support a CPZ in their road or area, and if the Cabinet Member agrees, officers will recommend that only the proposed double yellow lines identified at key locations are introduced to improve safety and maintain access.

PROPOSAL

The proposals include a number of provisions which are detailed below

Operational Hours - The choice of operational hours are explained below:

All Day Controls (8.30am - 6.30pm) - This will provide maximum protection to the residents by removing short and long-term parking. It will, however, be less flexible for residents and their visitors who will need to obtain a visitor’s permit from the resident they are visiting in order to park in the permit holder bays.

Part Time Controls (10am - 4pm) - These operating times offer less restrictions on residents and their visitors than ‘all day’ controls. It is still effective in preventing long-term parking. However, it may encourage other short term parking outside the restricted time, by non-residents such as shoppers and non-residents who may also work their way around the 6 hours by moving their vehicles and then returning to park for the rest of the day. Residents returning from work later in the afternoon may find less available parking in their street due to this.

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

Call-ins must be supported by at least three members of the Council
(Part 4E Section 16(c)(a)(i))

The call in form and supporting requests must be received by by 12 Noon on
the third working day following the publication of the decision
(Part 4E Section 16(c)(a)(iii)).

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
(Part 4E Section 16(c)(a)(iv)) to the Democracy Services, 7th floor, Civic
Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Democracy Services on
020 8545 3616