



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: 5 July 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:

- Proposed waiting restrictions borough wide Batch 1- 2017 (statutory
consultation)

and will be implemented at **noon on Monday 10 July 2017** unless a call-in
request is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant
sections of the constitution.

Yours sincerely

Amy Dumitrescu
Democracy Services

NON-KEY DECISION TAKEN BY A CABINET MEMBER UNDER DELEGATED AUTHORITY

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

1. Title of report

Proposed waiting restrictions borough wide Batch 1 2017 (statutory consultation)

2. Reason for exemption (if any)

3. Decision maker

Cabinet Member for Regeneration, Environment and Housing

4. Date of Decision

3rd July 2017

5. Date report made available to decision maker

20/06/2017

6. Decision

- 1) Notes the result of the statutory consultation carried out between 23rd March and 28th April 2017 on the proposals to introduce 'at any time' waiting restrictions at various locations across the borough.
- 2) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the waiting and loading restrictions 'at any time' at various locations across the borough as shown in Drawing Nos. Z78-651-01 – Z78-649-24.
- 3) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

- 1) To address dangerous and obstructive parking at junctions.
- 2) To improve road safety

8. Alternative options considered and why rejected

Not to implement would lead to continuing issues with obstructive parking and a be a danger to road users.

9. Documents relied on in addition to officer report

None

10. Declarations of Interest

None

Murphy Whelan
Cabinet member for regeneration, environment
and housing

Cabinet Member for Regeneration, Environment and Housing:

Date: 16th June 2017

Agenda item:

Ward: Various

Subject: Proposed waiting restrictions borough wide Batch 1- 2017 (statutory consultation)

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Forward Plan reference number: N/A

Contact Officer: Barry Copestake, Tel: 020 8545 3840

Email: barry.copestake@merton.gov.uk

Recommendations:

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

- 1) Notes the result of the statutory consultation carried out between 23rd March and 28th April 2017 on the proposals to introduce 'at any time' waiting restrictions at various locations across the borough.
- 2) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the waiting and loading restrictions 'at any time' at various locations across the borough as shown in Drawing Nos. Z78-651-01 – Z78-649-24.
- 3) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report details the undertaking of the statutory consultation and the outcome on the Councils' proposals to introduce waiting and loading restrictions across the borough operating 'at any time'.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMOs) to introduce waiting and loading restrictions at various locations across the borough operational 'at any time' as shown in Drawing Nos. Z78-651-01 – Z78-651-24.

2 BACKGROUND

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

3 STATUTORY CONSULTATION

- 3.1 The statutory consultation on the Council's proposal to introduce waiting restrictions at various locations across the borough commenced on 23rd March 2017 and ended on 28th April 2017. The consultation included the erection of street Notices on lamp columns in the vicinity of the proposals and the publication of the Council's intentions in the Local Guardian

and the London Gazette. Details and drawing plans of the proposals (appendix A), were also available on the Council's website and a link to this website was included on all street notices.

3.2 Locations of proposals are as follows (drawing plans attached as appendix A)

1. Elmhurst Avenue and Beecholme Avenue, CR4
2. Blenheim Road and Grand Drive, SW20
3. Grand Drive and Cannon Hill Lane, SW20
4. Kings Road and Acacia Road, CR4
5. Edgehill Road, CR4
6. Bardney Road, SM4
7. Beaford Grove and Martins Way, SW20
8. Bond Road, CR4
9. Calonne Road, SW19
10. Connaught Gardens, SM4
11. Dudley Drive and Seymour Avenue, SM4
12. Greenway and Westway, SW20
13. Longfield Drive, CR4
14. Mossville Gardens and Martins Way, SM4
15. West Barnes Lane, KT3
16. Lewis Road and Bank Avenue, CR4
17. Love Lane and De'Arn Gardens, CR4
18. Somerset Road, SW19
19. Pollard Road and Morton Road, SM4
20. Raymond Road, SW19
21. Rookwood Avenue, KT3
22. The Green and Cherrywood Lane, SM4
23. Wilson Avenue and Hawkes Road, CR4

3.3 The statutory consultation resulted in the Council receiving a total of 5 representations, which consisted of 3 representations from Raymond Road, 1 regarding Connaught Gardens and 1 regarding Rockwood Avenue. Representations are detailed in appendix B.

Ward Councillor Comment

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

4 REPRESENTATIONS RECEIVED

4.1 **Raymond Road, SW19.** Resident concerns regarding issues with obstructive parking due increased visitor parking for events in the vicinity (which take place outside of the operational hours of the existing CPZ), on occasions residents are unable to leave or return to their properties. This is particularly evident as the carriageway width is not sufficient to accommodate parking on both sides. 2 representations in support and 1 against have been received. Details in appendix B.

4.2 **Connaught Gardens, SM4.** The Councils Waste service reported an increase in obstructive parking hindering their ability to access this road and collect residents' refuse. A request was made to extend the parking restrictions from its junction with St. Helier Avenue. 1 representation was received which did not comment directly to the proposal but rather request a disabled parking bay and further restrictions elsewhere on Connaught Gardens.

4.3 **Rookwood Avenue, SW20.** Request was received from the Ward Councillor on behalf of residents regarding obstructive parking at the entrance of this road hindering the access from

its junction with Burlington Road. The request included the conversion of the existing limited restrictions (single yellow lines) to 'at any time' (double yellow lines) restrictions. 1 representation in support was received which also requested consultation with residents for a CPZ.

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

5 TIMETABLE

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

6 ALTERNATIVE OPTIONS

- 6.1 Do nothing. This would be contrary to the concerns expressed by road users, and would not resolve the dangerous and obstructive parking that is currently taking place. It will do nothing to ensure that the Council discharges its statutory duties in ensuring safety and access at all times.

7 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 To introduce the proposed restrictions will cost approximately £6,800. This includes the making of The Traffic Management Orders. The set up costs will be funded from the budget identified for controlled parking zones within 2017/2018.

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1 The Traffic Management Orders would be made under Section 6 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 8.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a Traffic Management Order or to modify the published draft Order. A public inquiry should be held where it would provide further information, which would assist the Cabinet Member in reaching a decision.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.
- 9.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 9.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.

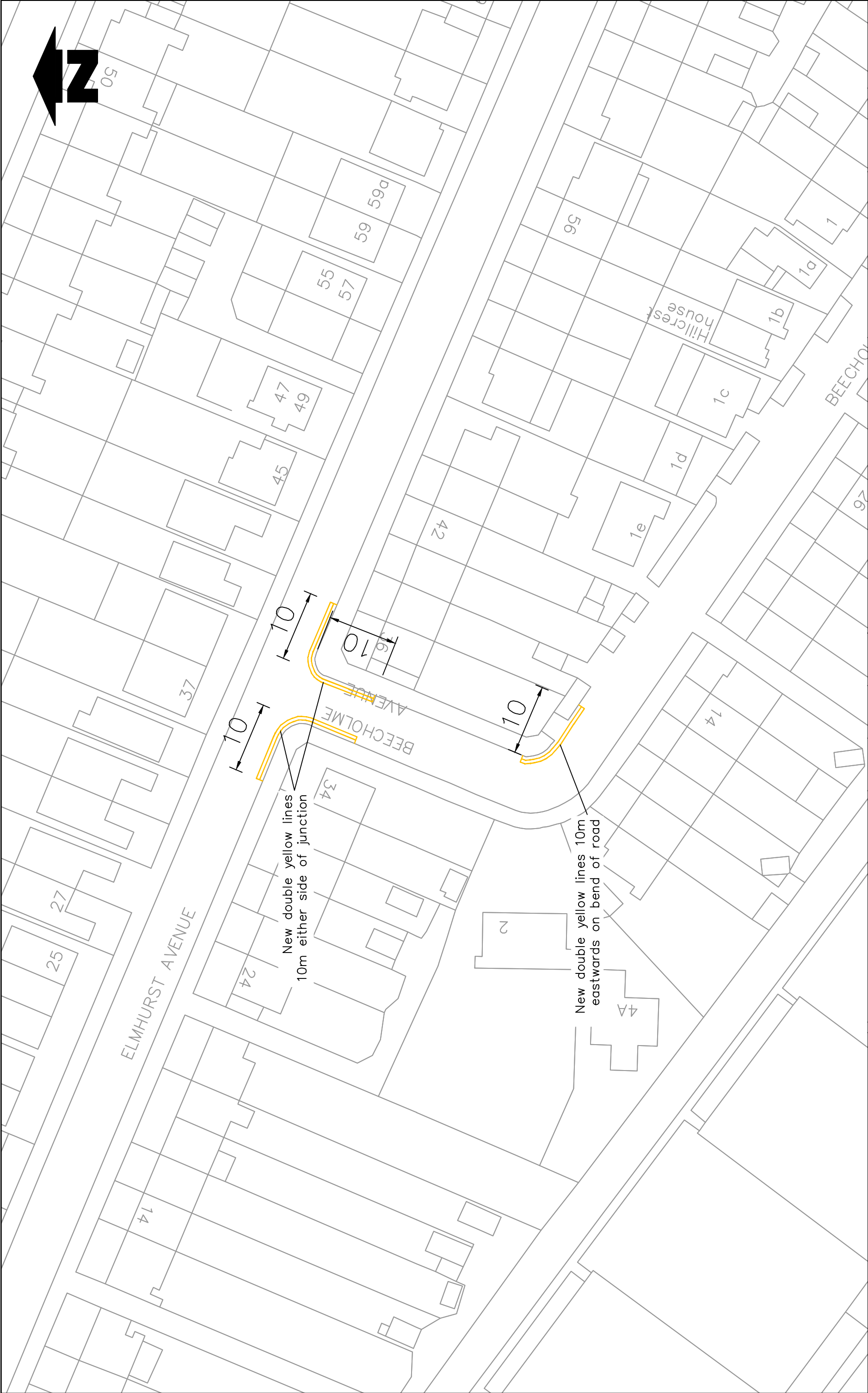
- 9.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 9.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.

10 RISK MANAGEMENT IMPLICATIONS

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


11 APPENDICES

- 11.1 The following documents are to be published with this report and form part of the report.
- 11.2 Appendix A - Drawing Nos. Z78-651-01 – Z78-651-24
- 11.3 Appendix B – Representations and Officer's Comments



Notes
Do not scale from this drawing

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



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SC

Checked by

Approved by

Sig.

Sig.

Sig.

Date
10 Jan 17


Date

Date

PROJECT

WAITING RESTRICTIONS

TITLE
BEECHOLME AVENUE JCT
ELMHURST & EDGEHILL



merton
Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
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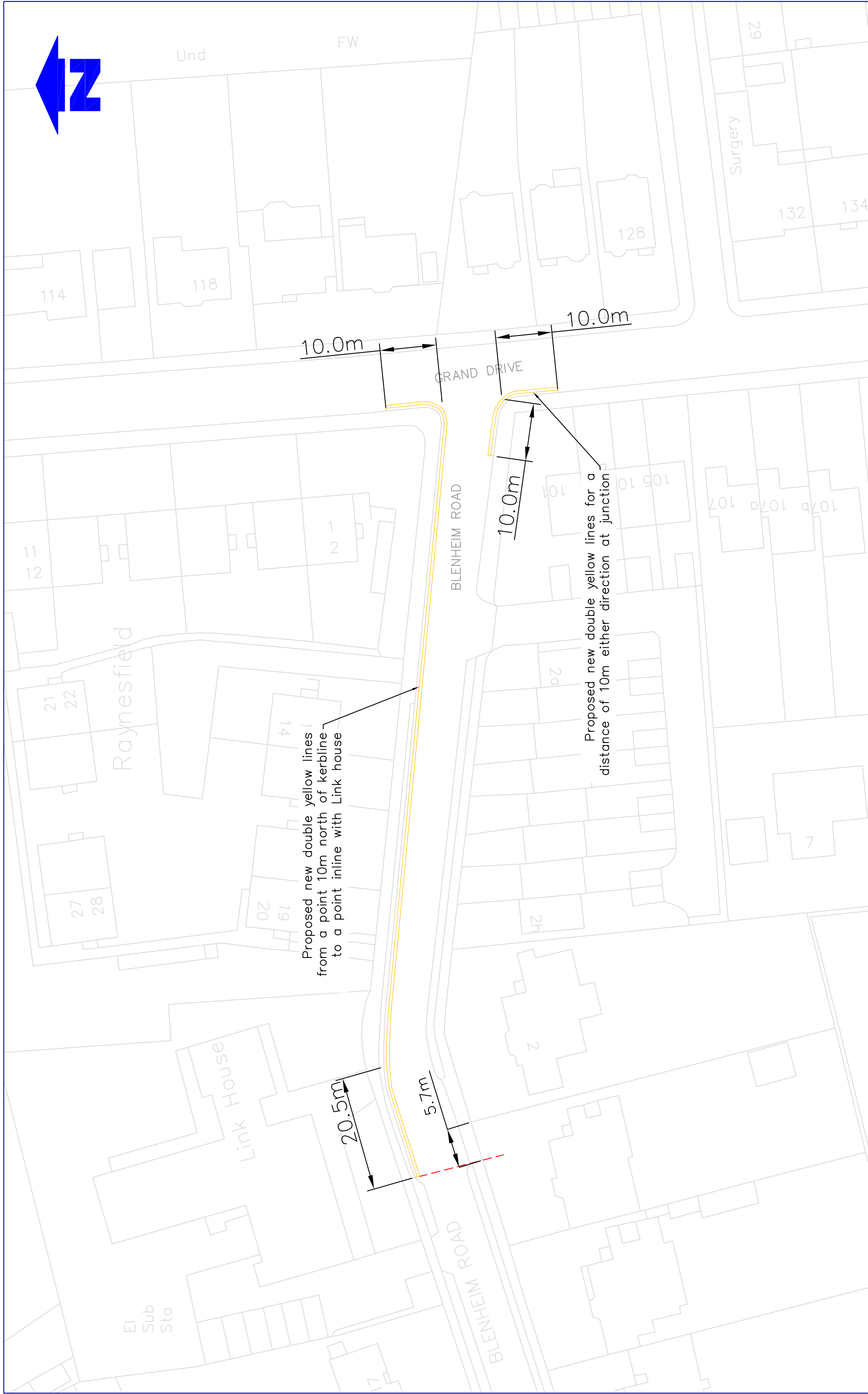
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Z27-001-01

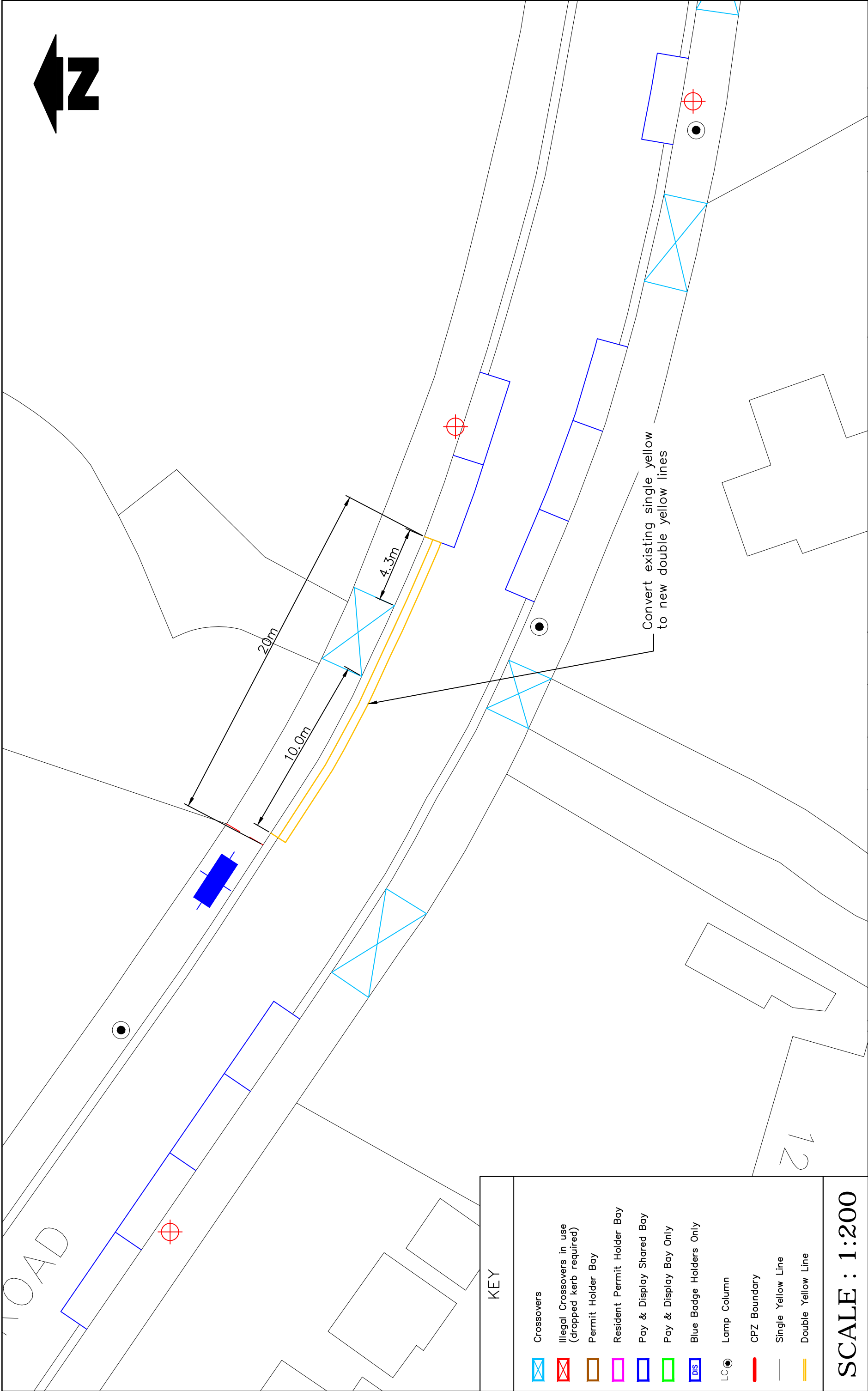
Revision
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Classification
DRAFT

Scale
1:500

A3

[illegible]



KEY

Crossovers

Illegal Crossovers in use
(dropped kerb required)

Permit Holder Bay

Resident Permit Holder Bay

Pay & Display Shared Bay

Pay & Display Bay Only

Blue Badge Holders Only

Lamp Column

CPZ Boundary

Single Yellow Line

Double Yellow Line

SCALE : 1:200

Notes
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Rev	Revisions

Drawn	Sig.	Date	Chkd.	Sig.	Date	App.	Sig.	Date

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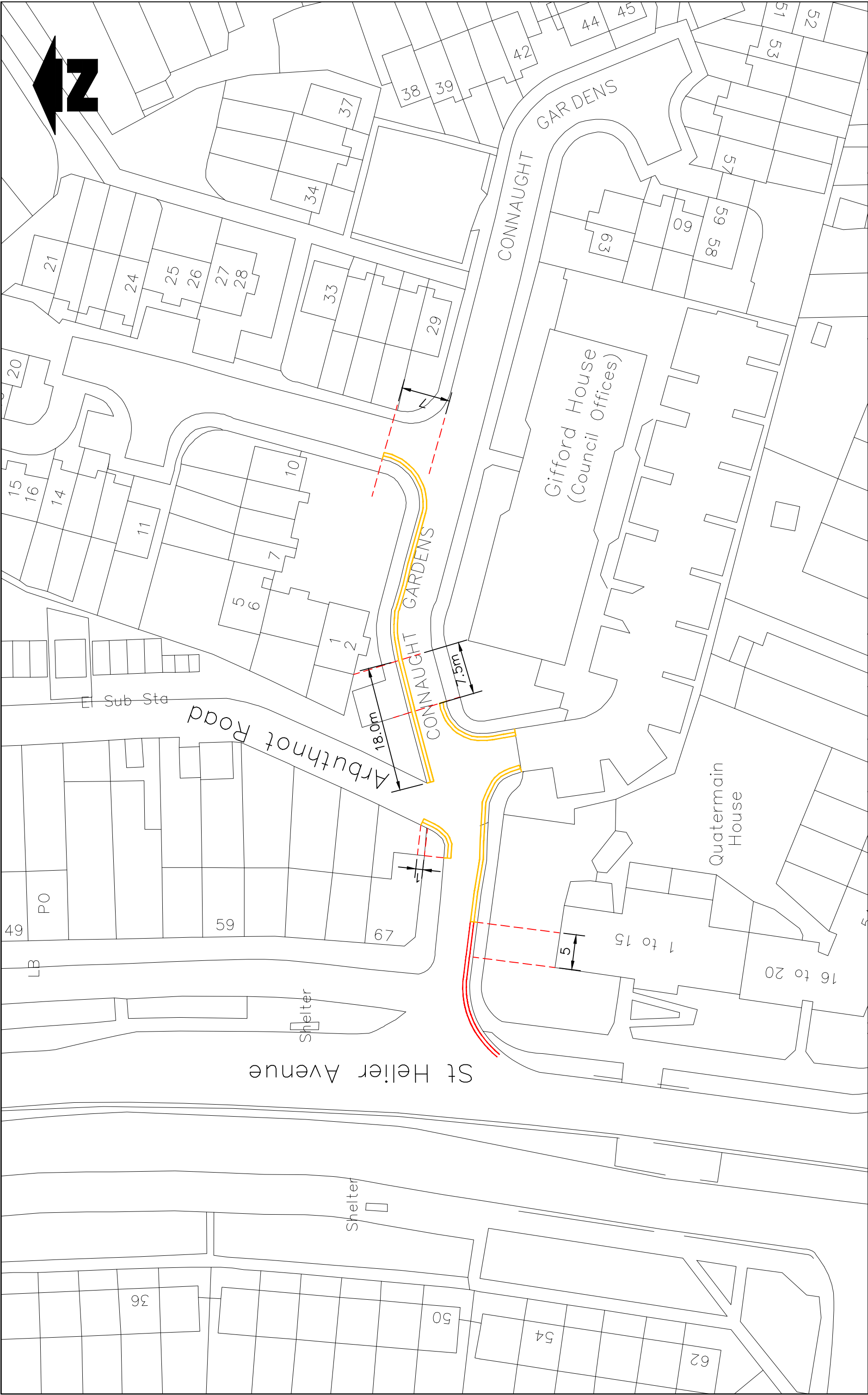
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SC		NOV 16						

PROJECT	WAITING RESTRICTIONS
TITLE	CALONNE ROAD

Merton Civic Centre
London Road
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www.merton.gov.uk


Drawing No.	Z27-001-09
Revision	-
Classification	DRAFT
Scale	1:200



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PROJECT
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TITLE
CONNAUGHT GARDENS

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

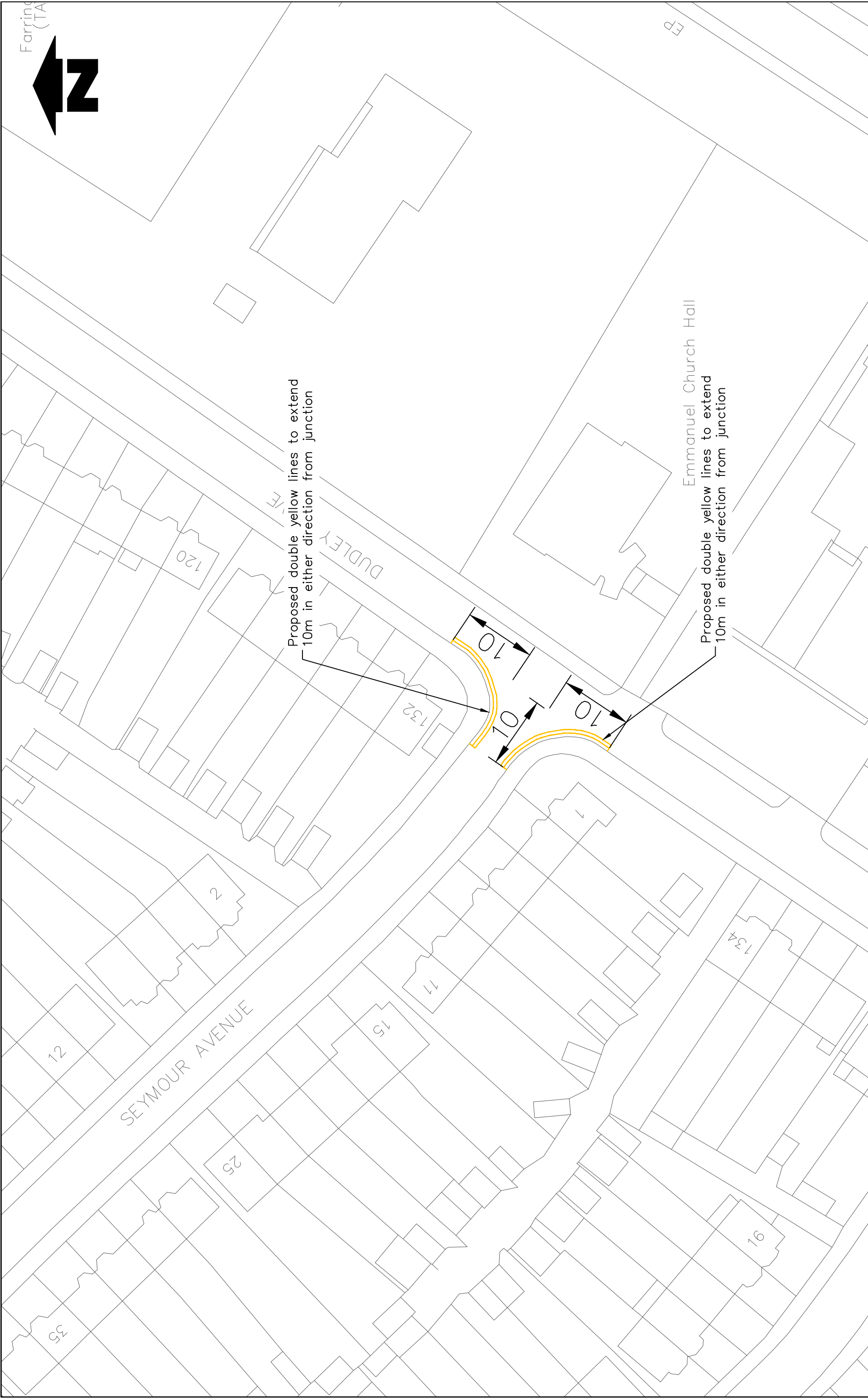
Drawing No.
Z27-001-11

Revision
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Classification
DRAFT

Scale
1:500

A3




Proposed double yellow lines to extend
10m in either direction from junction

Proposed double yellow lines to extend
10m in either direction from junction

Notes
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PROJECT

WAITING RESTRICTIONS

TITLE

DUDLEY DRIVE
JCT SEYMOUR DRIVE



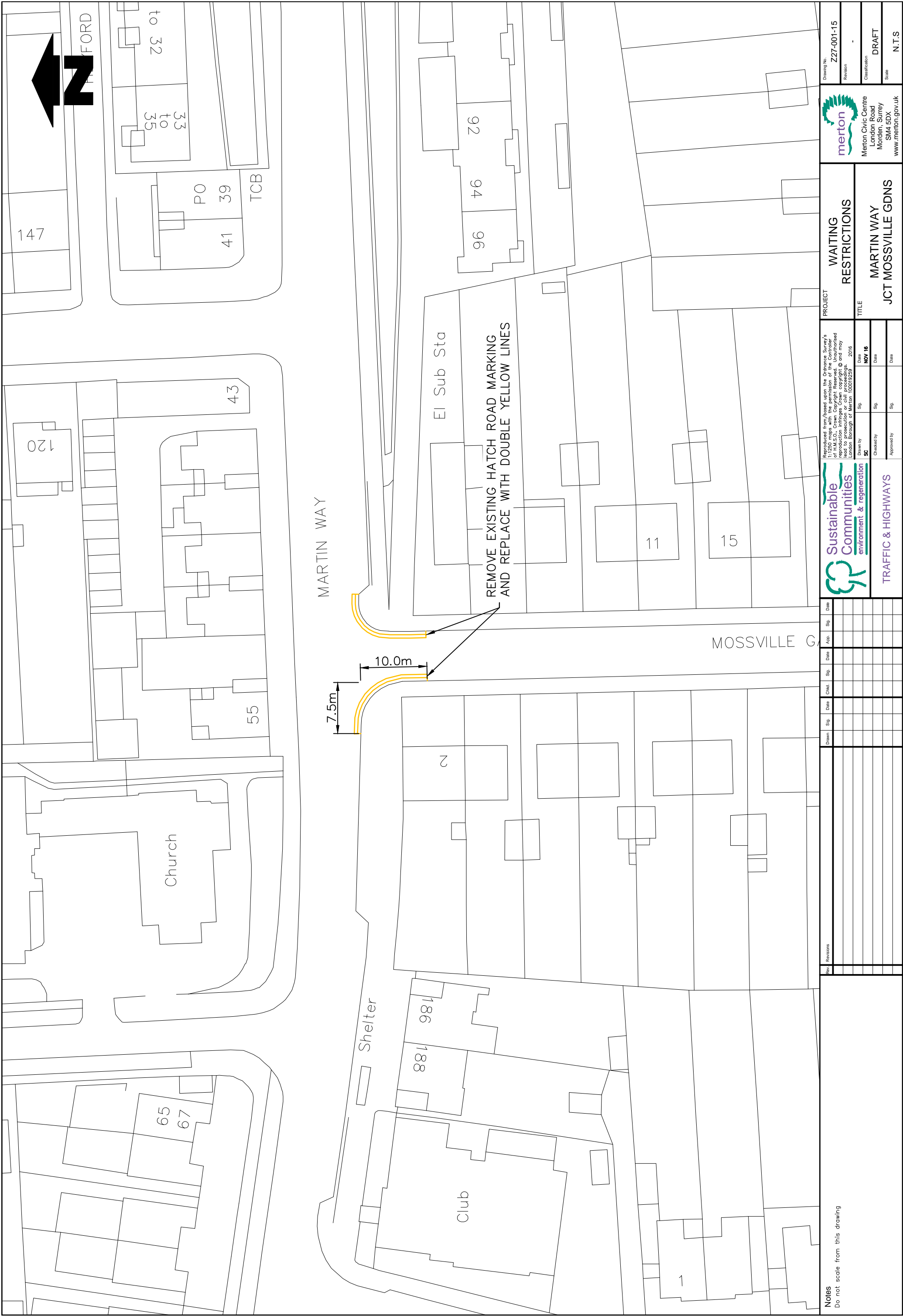
Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
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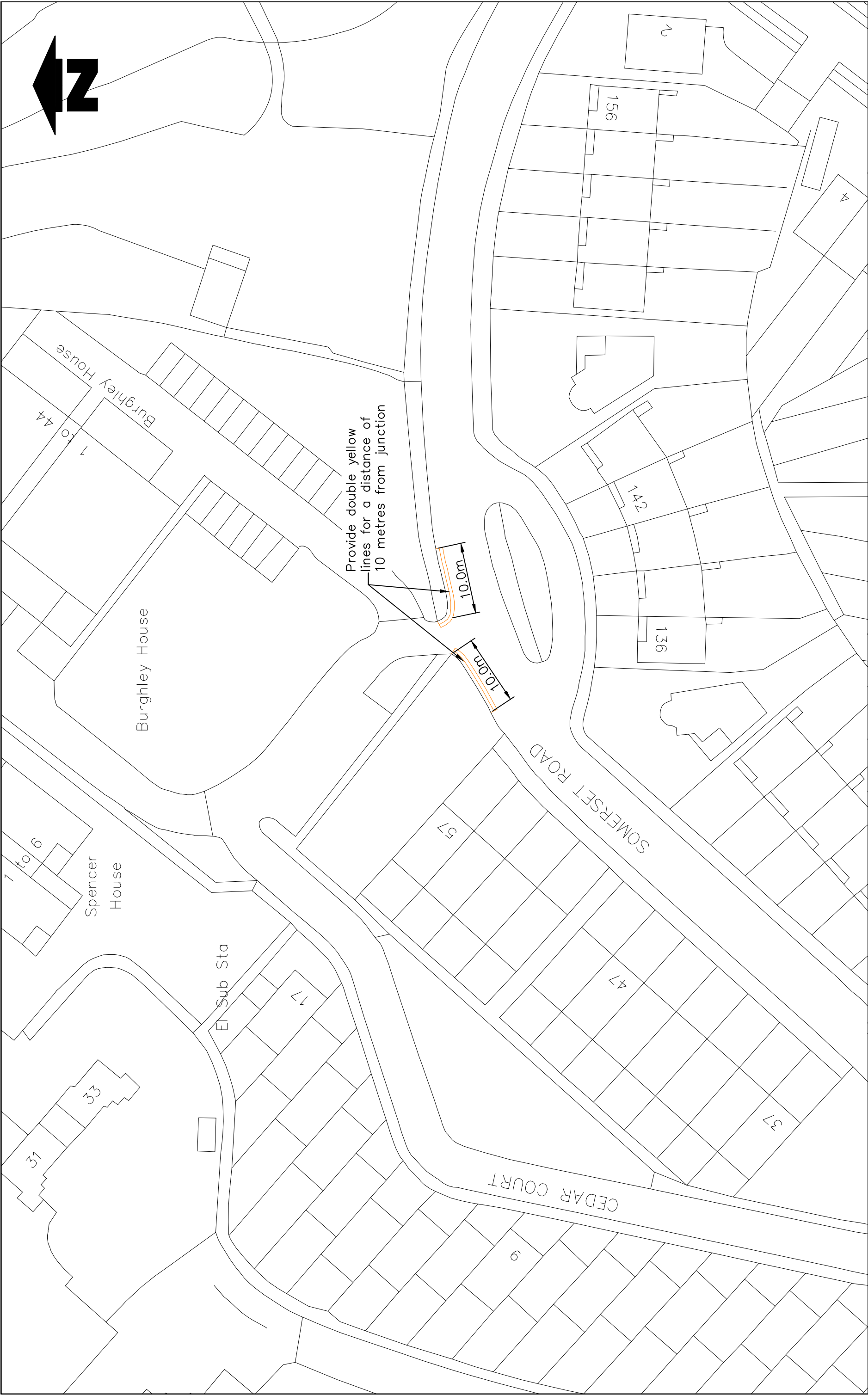
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Revision -

Classification DRAFT

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PROJECT

WAITING RESTRICTIONS

TITLE
SOMERSET ROAD (OAKFIELD ESTATE)

Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
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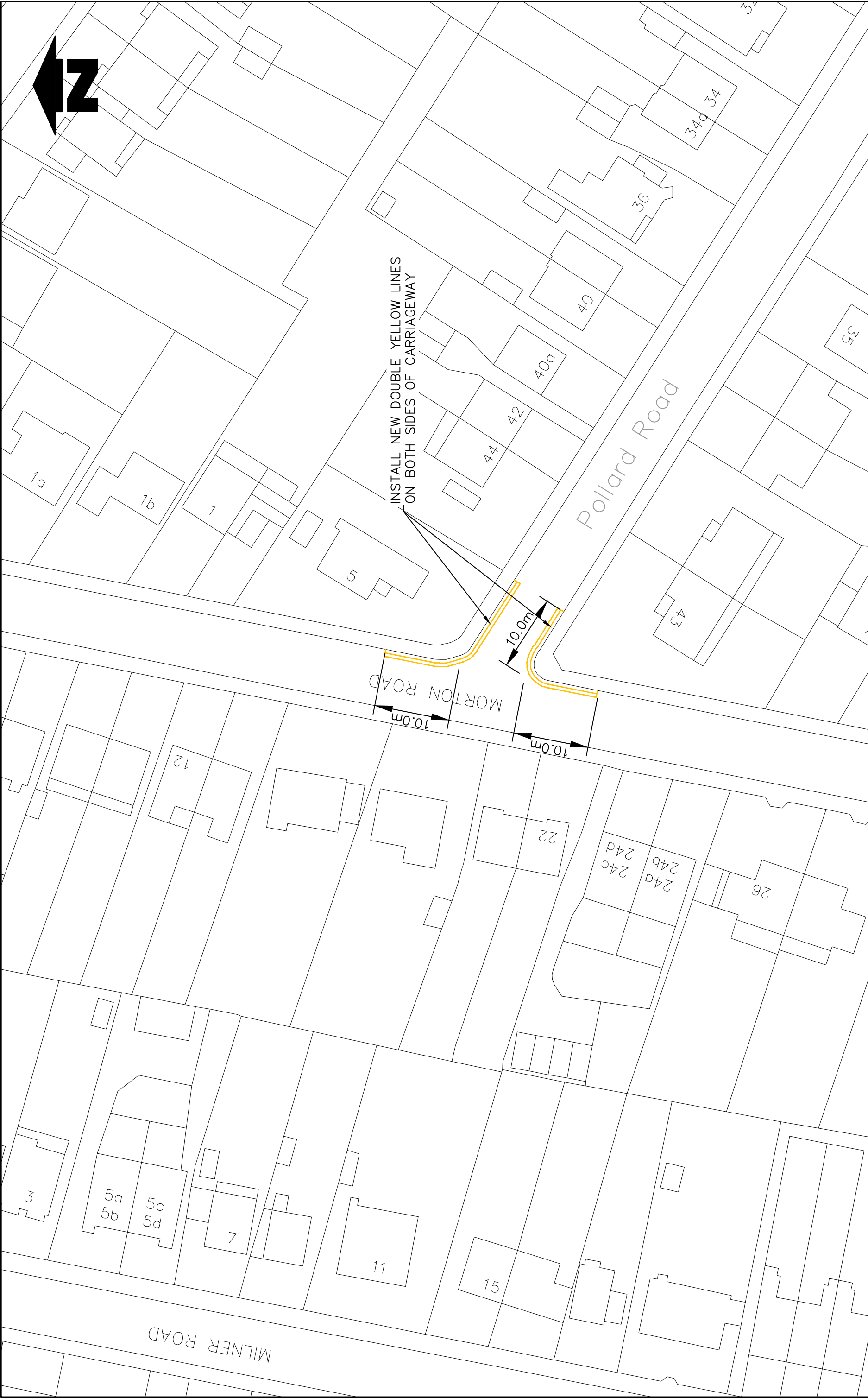
Drawing No.
Z27-001-19

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A3




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PROJECT

WAITING RESTRICTIONS

TITLE

POLLARD ROAD JCT MORTON RD

Drawing No.

Z27-001-20


Revision

Classification

DRAFT

Scale

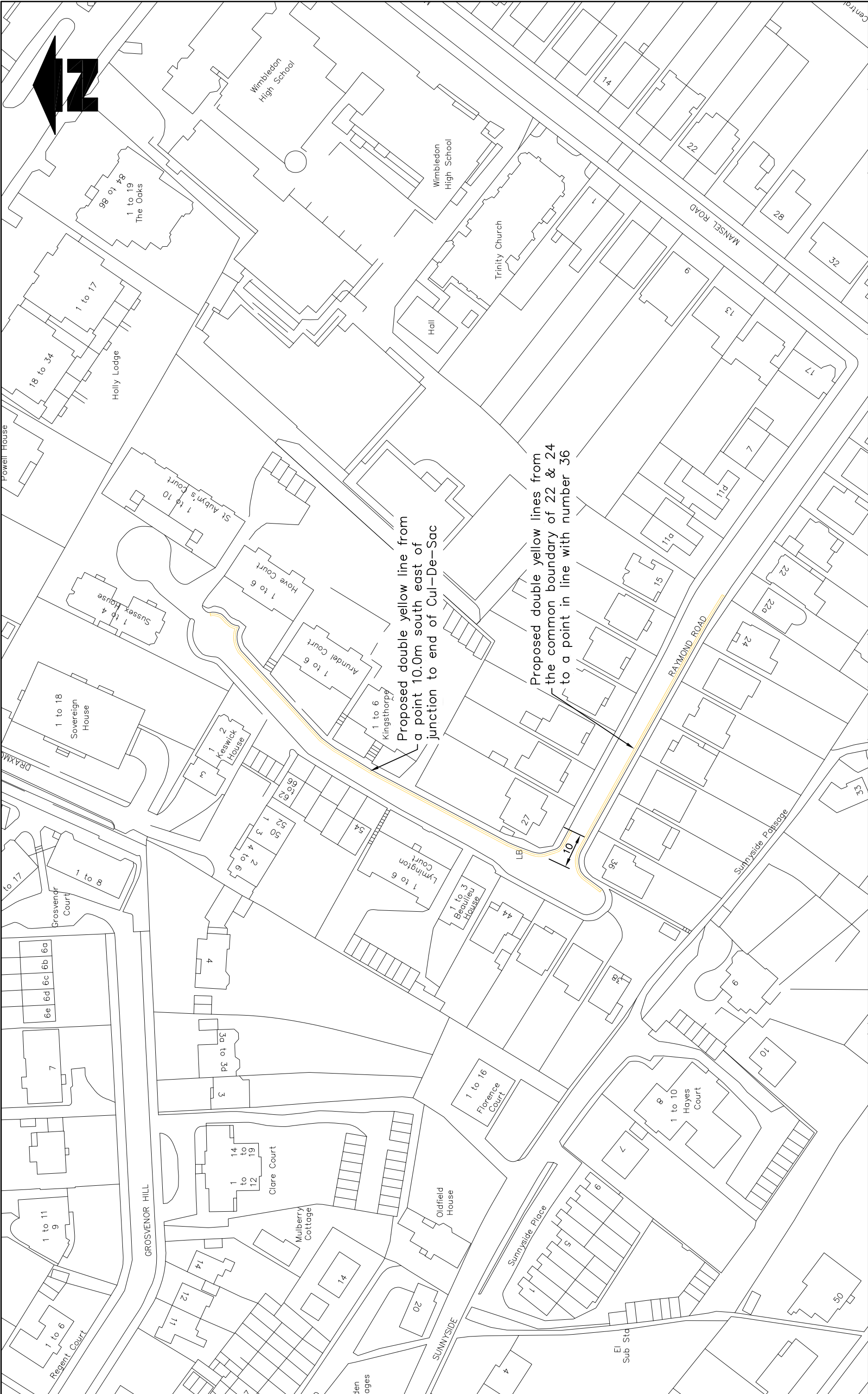
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Merton

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TITLE

RAYMOND ROAD
WIMBLEDON

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Drawing No.

Z27-001-21

Revision

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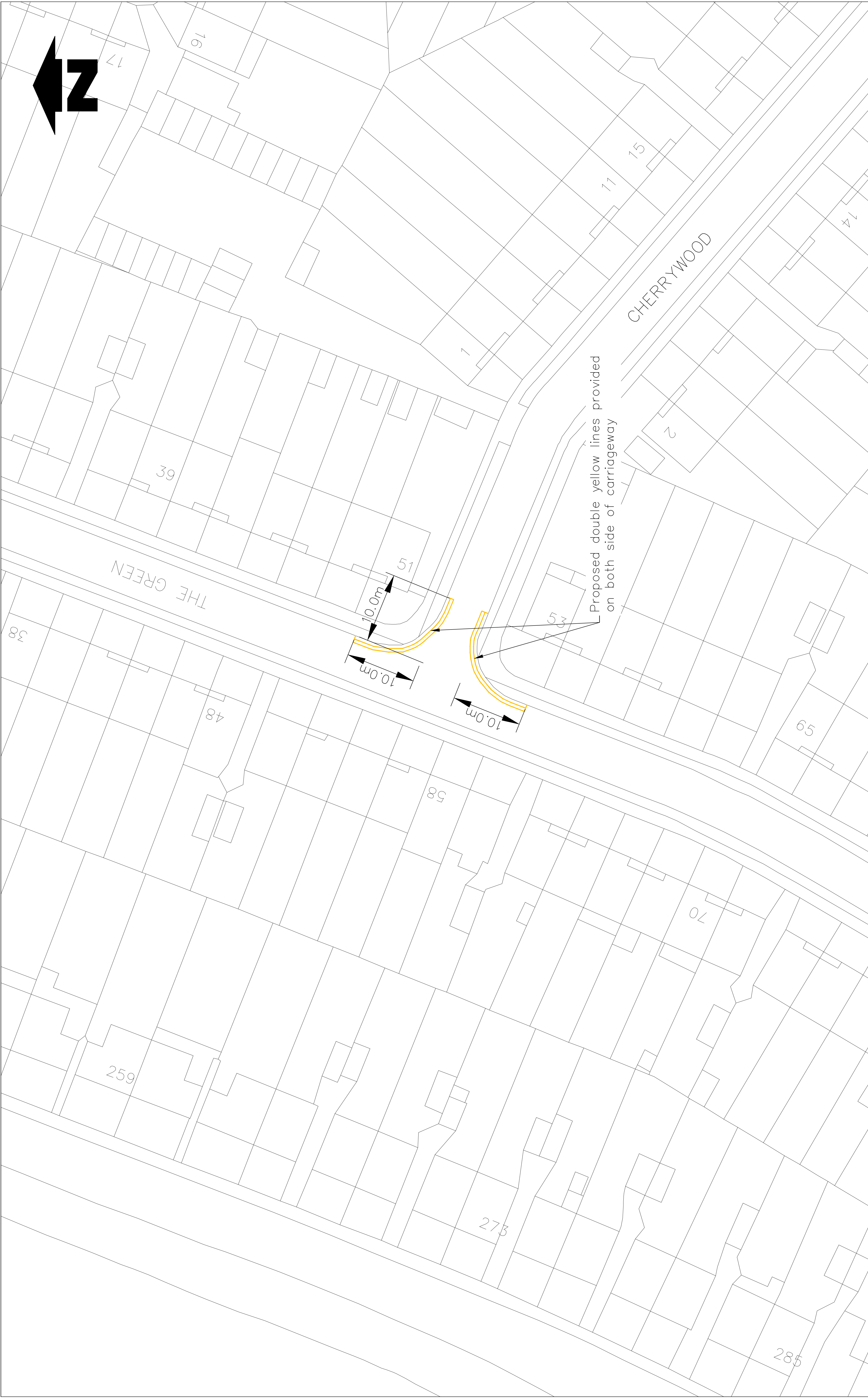
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PROJECT

WAITING RESTRICTIONS

TITLE

THE GREEN
JCT WITH CHERRYWOOD



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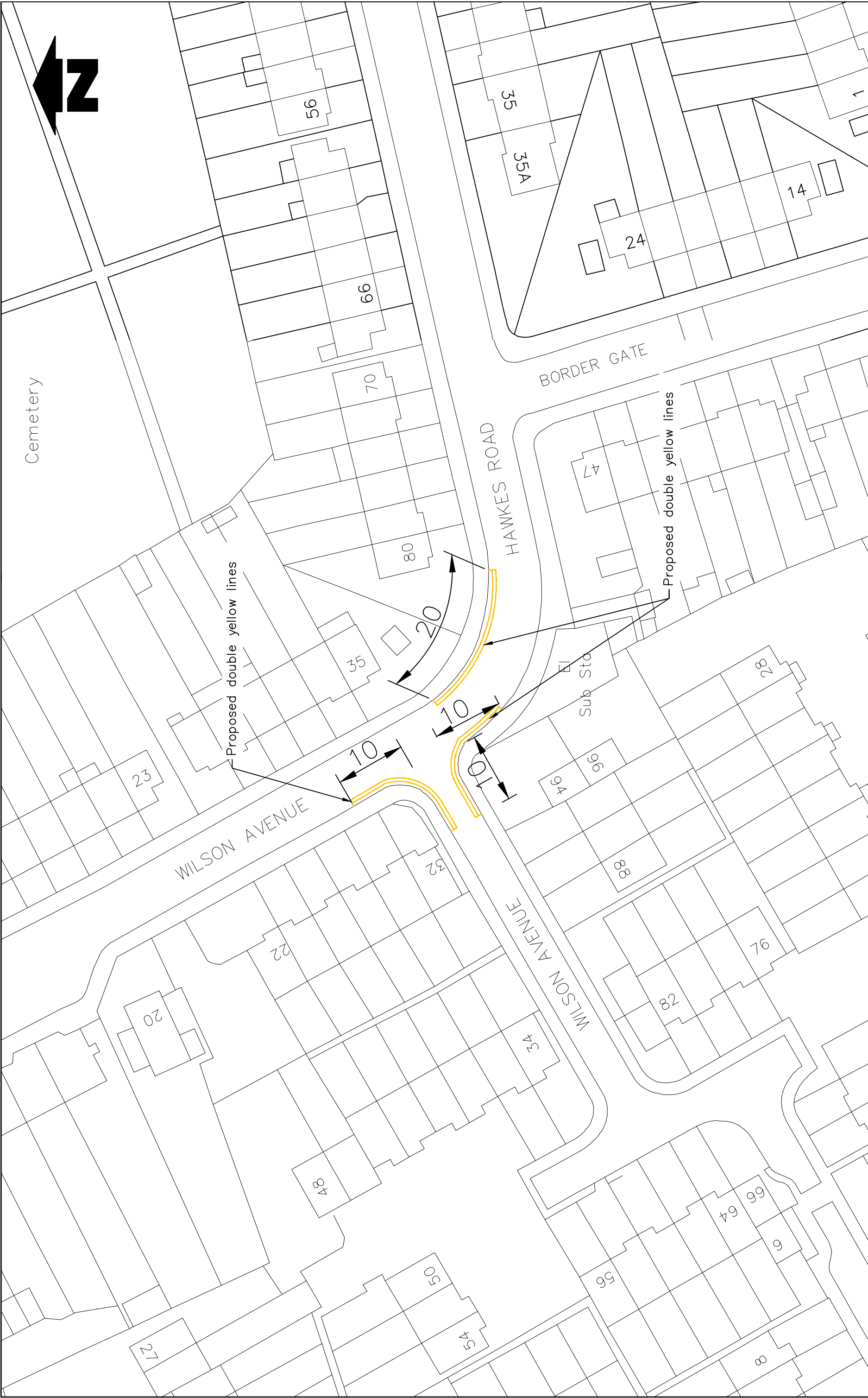
Drawing No.
Z27-001-23

Revision
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Classification
DRAFT

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Revisions

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Date

PROJECT

WAITING RESTRICTIONS

TITLE

WILSON AVENUE
JCT HAWKES ROAD

Drawing No.

Z27-001-24


Revision

Classification

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Scale

1:500



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A3

Appendix B - Representations and Officers' Comments

Raymond Road, SW19

ES/WR7/001

I support the proposed restrictions for the following reasons:

- *the roadway is too narrow in places for parking on both sides of the road*
- *recent emergency services incidents highlight the need for continuous, unobstructed access*
- *during evening events at Wimbledon High School, the roadway is frequently obstructed or unnecessarily congested with parked vehicles*
- *an increase in construction and delivery vehicles using the road*

As with all restrictions, their success will depend on effective enforcement action.

ES/WR7/002

I object to the proposed restrictions for the following reasons:

1. *The "anytime restrictions" will mean I can't have deliveries made to my house or have a skip placed near my property severely restricting any future works I may wish to undertake.*
2. *These restrictions will detract from the value of my property as future buyers will be put off by such harsh restrictions.*
3. *It seems unfair that residents in properties 24 - 36 should be unduly affected. How was the decision reached to put the double lines down the south side of the road rather than continue it down the north side?*
4. *These measures seem unnecessary and overly harsh, just better "police" the existing arrangements particularly during school drop off/pick up times.*
5. *Alternatively have brakes in the double yellow lines to allow affected residents the same rights to deliveries/skip licences etc as all other residents.*

For the above reasons I cannot support the proposal.

Officer's Comments:

The proposed parking restrictions are 'no waiting at any time' meaning that vehicles are unable to park on the yellow lines, however there are not restrictions to loading, therefore loading and unloading is permitted on the double yellow lines for a maximum of 40 minutes; loading activities must be observed, a PCN will not be issued subject to loading activities visibly taking place. Skip licences may be applied for following the normal process and placement of the skip will be assessed as part of the application process.

The 'at any time' waiting restrictions (double yellow lines) are proposed along the sections of the carriageway on one side where road width is insufficient to support parking on both sides of the road and to assist with sightlines and access / flow of traffic, especially emergency service vehicles and the Council's refuse collection services. Consideration of the total length of existing dropped kerb (driveway access) versus available kerbside parking (non-dropped kerb) was given to decide the placement of 'at any time' restrictions in the road in an effort to maximum available parking places. There is no conclusive evidence that parking controls in a neighbourhood devalue or increase the value of a property.

ES/WR7/003

We live in Raymond Road SW19 and we are writing to voice our concerns over the proposed parking restrictions in our road. We are in favour of the double yellow lines proposed to Raymond Road but we would like to see it include all of Raymond Road and not just from #24 upwards. As is, parking is very difficult in Raymond Road and more and more people encroach on our driveways when they park and it's very difficult for us to drive into and off of our own driveways in the evenings and Sundays. By putting double yellow lines halfway up Raymond Road, you will only make lives more difficult for those residents in houses #22 and below. I would very much like you to reconsider including all of Raymond Road in the double yellow line scheme and we would definitely like our house to be included.

Officer's Comments:

The 'at any time' waiting restrictions (double yellow lines) are proposed only along the sections of the carriageway on one side where road width is insufficient to support parking on both sides of the road and to assist with sightlines and access / flow of traffic, especially emergency service vehicles and the Council's refuse collection services.

The remainder of Raymond Road will be monitored and if further double yellow lines are required to address parking obstruction issues the requests can be added for consideration as part of the Council's rolling programme for

borough-wide introduction of waiting restrictions.

Connaught Gardens, SM4

ES/WR7/004

As a resident and operator of an company, we normally have either an emergency ambulance or emergency response unit parked directly outside No56 and would like to seek information on parking these would be effected with the new parking restrictions.

If your department are considering placing the double yellow lines to replace those faded "keep clear" white lines, then it is not a problem, however but could it also be considered that additional double yellow lines are placed on the corner from No.63 to No.61 on the corner, as some staff and others from the Circle company at the bottom of St. Helier Avenue and Central Road deem it ok to park on the corner, causing an obstruction and blindness on that corner.

Therefore, as our vehicles are emergency vehicles and also have their own blue badge, could I apply for a marked parking bay "emergency vehicle" or "authorised vehicle" to be installed, a bit like the "doctor" or "diplomat" bays seen around.

Although I support the parking restrictions as all dwellings have their own private parking arrangements, I do not support the parking of office staff that have their own on-site parking causing obstructions in Connaught Gardens.

There have been times that the only entrance I exit to Connaught Gardens have had vehicles parked both sides of the road making it impossible for large vehicles such as ambulances, fire engines or delivery vehicles getting from the junction of St Helier Avenue, Connaught Gardens by the car park to Gifford House car park.

Officer's Comments:

The aim of the proposal is to maintain clear access and sightlines at the junctions and to especially assist waste collection services as well as provide clear access for emergency services and delivery vehicles. The proposal is for waiting restrictions only and does not include the provision of parking places / CPZ.

For vehicle owners who are Blue Badge holders with no usable off-street parking space and have difficulty in parking on the street near their home, the Council may be able to provide a disabled parking bay. For further information and to apply for a disabled residents parking bay please use the following link www.merton.gov.uk/disabledbays

Rookwood Avenue, SW20

ES/WR7/005

Whilst I am in favour of the restrictions being imposed in our cul-de-sac might I ask if there is any possibility of the road becoming a 'zoned' area. Is it possible to seek the wishes of the residents within the cul-de-sac so that these measures may perhaps be put in place. I have been a resident of Rookwood some 33 years now and would quite happily seek the views of the residents of the above if this was possible.

Officer's Comments:

The Council is unable to discriminate against particular vehicles as any vehicle as long as taxed etc is able to park on the public highway (private roads have their own conditions) however a way the Council can provide priority parking to residents is with the introduction of a Controlled Parking Zone (CPZ) which would prioritise parking for residents through the use of parking permits and remove all day commuter / long term visitor parking to provide more parking space for residents, although there is a cost to introduce and maintain the enforcement of the scheme which is funded through parking permits. The process for consideration of new CPZ schemes is driven by the community and therefore with the provision of evidence of support for parking controls in the immediate community (evidence such as a signed petition from residents in the road and neighbouring roads). A CPZ consultation is progressed once a petition is received.

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