

Committee: Cabinet Member Report

Date: 30th August 2017

Wards: West Barnes

Subject: WB2 Cavendish Avenue Area Controlled Parking Zone (CPZ) Informal Consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Contact officer: Caroline Stanyon Tel: 020 8545 3214 caroline.stanyon@merton.gov.uk

Recommendations:

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

- A) Notes the result of the informal consultation carried out between 22 May and 19 June 2017 on the proposal to introduce a Controlled Parking Zone (CPZ) in Cavendish Avenue Barnard Gardens, Belmont Avenue, and Errol Gardens.
- B) Agrees to proceed with a statutory consultation to introduce a new CPZ operational Monday to Friday 10am – 4pm in Cavendish Avenue only as shown on Plan Z78-02-340-02 attached as Appendix B.
- C) Agrees to proceed with a statutory consultation to introduce yellow line restrictions as shown on Plan Z78-02-340-03 attached as Appendix B.
- D) Agrees to abandon CPZ proposals for Barnard Gardens, Belmont Avenue and Errol Gardens.
- E) 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 undertaken on the introduction of parking controls in Cavendish Road area in response to the receipt of a petition from residents of Cavendish Avenue requesting the introduction of parking controls.
- 1.2 It seeks approval to proceed with a statutory consultation to introduce a new CPZ (WB2) in Cavendish Avenue only operational Monday to Friday 10am – 4pm as shown on plan Z78-02-340-02 attached as Appendix B.
- 1.2 This report also recommends the exclusion of Barnard Gardens, Belmont Avenue and Errol Gardens from the proposed CPZ but to proceed with the introduction of the proposed yellow line waiting restrictions as shown on plan Z78-02-340-03 attached as Appendix B.

2. DETAILS

- 2.1 The Council has received a number of complaints concerning parking difficulties in this area of the West Barnes ward, including a petition from residents of Cavendish Avenue asking for the introduction of a CPZ.

- 2.2 Generally, residents consider their problems are due to parking by staff from nearby businesses, particularly those along Burlington Road and commuters who park for free in their roads and complete their onward journey by public transport.
- 2.3 As a result, in response to these representations and following discussions with Ward Councillors, it was agreed that the Council would undertake an informal consultation with residents of the Cavendish Avenue and neighbouring roads to seek views on the introduction of parking controls in these roads.

3. INFORMAL CONSULTATION

- 3.1 An informal consultation on the proposed introduction of parking controls was undertaken between 22 May and 19 June 2017. A copy of the consultation documents are attached as Appendix A.
- 3.2 A consultation letter and accompanying plan were delivered by post to a total of 305 properties within the consultation area. Notification of the proposals along with the web link to the online questionnaires (e-form) was also posted on the Council's website.
- 3.3 Residents were asked if they would support the introduction of a CPZ in their road; they were also asked if they would support a CPZ if neighbouring roads were to be included within a CPZ.
- 3.4 The consultation resulted in a total of 121 online responses and 2 paper responses. After removing duplicate/multiple returns from some households this total was reduced to 84, producing an overall response rate of 28%. Table 1 below shows response numbers and rates on a road by road basis.

Table 1 – Summary of Consultation Responses

Road Name	No. of Properties	No. of Responses	Response rate
Barnard Gardens	62	11	18%
Belmont Avenue	92	25	27%
Cavendish Avenue	85	30	35%
Errol Gardens	66	18	27%
TOTALS	305	84	28%

- 3.5 As shown in table 2 overleaf, of the 84 who responded, 38 (45%) supported a CPZ in their road, compared to 44 (52%) who did not and 2 (3%) who were unsure.
- 3.6 Residents were also asked if they would be in favour of a CPZ in their road(s)/or part of their road if the neighbouring roads were included in a CPZ. Table 3 below shows that although 38 (45%) would support a CPZ in their road, 44 (52%) would not with 2 (3%) unsure.
- 3.7 Belmont Avenue and Errol Gardens, where the majority of respondents were opposed to the CPZ proposals at 80% and 78% respectively, also opted against the proposed CPZ even if parking controls were supported in neighbouring roads.

Table 2 – Summary of results - Do you support a CPZ in your road?

ROAD	DO YOU SUPPORT A CPZ IN YOUR ROAD?						
	YES	NO	UNDECIDED	NO REPLY	% YES	% NO	% UNSURE
Barnard Gardens	6	4	1		55	36	9
Belmont Avenue	5	20			20	80	
Cavendish Avenue	24	6			80	20	
Errol Gardens	3	14	1		17	78	5
Total	38	44	2	0	45	52	3

Table 3 – Summary of results – Would you support parking controls if neighbouring roads were included in a CPZ?

ROAD	WOULD YOU SUPPORT PARKING CONTROLS IN YOUR ROAD IF THE NEIGHBOURING ROAD(S) WERE INCLUDED IN A CPZ?						
	YES	NO	UNSURE	NO REPLY	% YES	% NO	% UNSURE
Barnard Gardens	6	3	2		55	27	18
Belmont Avenue	5	18	1	1	20	72	4
Cavendish Avenue	23	6	1		77	20	3
Errol Gardens	3	13	1	1	17	72	6
Total	37	40	5	2	44	48	6

3.8 Residents were also asked which days of operation they would prefer if a CPZ was introduced in their road. Table 4 below shows that 58 (69%) of respondents prefer Mon – Fri and 23 (27%) support Mon – Sat, with only Barnard Gardens opting for Monday to Saturday.

Table 4 – Summary of results – If a CPZ were introduced what days would you prefer?

ROAD	IF A CPZ WAS INTRODUCED WHICH DAYS WOULD YOU PREFER?					
	MON – FRI	MON - SAT	NO REPLY	% MON - FRI	% MON - SAT	% NO REPLY
Barnard Gardens	5	6		45	55	
Belmont Avenue	21	2	2	84	8	8
Cavendish Avenue	16	14		53	47	
Errol Gardens	16	1	1	89	5.5	5.5
Total	58	23	3	69	27	4

- 3.9 Although, there was no clear consensus on preferred operational hours, 33 (39%) and 32 (38%) of respondents respectively, as shown in Table 5 below were in favour of either 10am – 4pm or 11am – 3pm. Both Barnard Gardens and Cavendish Avenue, where respondents supported a CPZ indicated a preference for 10am – 4pm.

Table 5 – Summary of results – If a CPZ were introduced what hours would you prefer?

ROAD	IF A CPZ WAS INTRODUCED WHICH HOURS WOULD YOU PREFER?						
	8.30am-6.30pm	10am-4pm	11am-3pm	No Reply	% 8.30am-6.30pm	% 10am-4pm	% 11am-3pm
Barnard Gardens	0	8	3			73	27
Belmont Avenue	5	3	15	2	20	12	60
Cavendish Avenue	7	15	7	1	23	50	23
Errol Gardens	3	7	7	1	17	39	39
Total	15	33	32	4	18	39	38

- 3.10 A number of respondents, particularly from Belmont Avenue and Errol Gardens where a CPZ is not supported, commented over a perceived loss of parking space should a CPZ be introduced and are concerned that there would be insufficient parking to satisfy residents demands.
- 3.11 Within any parking management design, every effort is made to maximise the number of safe parking spaces; however, it is important to note that safety and access always takes priority over parking.
- 3.12 Due to the proliferation of dropped kerbs in Belmont Avenue it is not possible to provide parking bays at certain locations between adjacent crossovers due to a lack of kerbspace. Although vehicles may currently choose to park here the Council is unable to formalise parking which could contribute to continuing obstruction.
- 3.13 Given that the majority of these areas would only be marked by a single yellow line operational only during the CPZ hours parking would be permitted outside of these times.
- 3.14 Unfortunately in Errol Gardens there is a combination of both narrow carriageway and footway widths. Currently vehicles park part on the footway on both sides of the road to maintain traffic flow. However, this practice obstructs the footway and forces vulnerable road users into the road and potential conflict with moving vehicles.
- 3.15 As a result, under the current proposed design, parking can only be permitted on one side of the road with double yellow lines on the opposite side. This will ensure vehicular access particularly for large vehicles, such as the emergency services at all times whilst also improving pedestrian safety, a concern raised by a number of consultees.
- 3.16 In response to the outcome of the informal consultation, as only majority support has been received for a CPZ in Cavendish Road, it is considered appropriate to proceed with the introduction of a CPZ in Cavendish Avenue only.

- 3.17 Although a single road CPZ is not ideal there is another single road CPZ in the borough that has worked well for the residents. It is considered that a single road CPZ will serve the very residents who have been complaining about commuter parking for some years.
- 3.18 As part of any parking management, the Council will also be progressing the proposed waiting restrictions in the area including possible additional double yellow lines in Barnard Gardens and Errol Gardens as identified during the informal consultation.
- 3.19 Route tests will be carried out by London Fire Brigade and feedback is yet to be received from Waste regarding refuse vehicles and access in certain roads in this area. Residents will be advised of any additional action.

Ward Councillor Comments

- 3.20 The local Ward Councillors have been fully engaged throughout the consultation process and have been advised of the outcome of the consultation and officer's recommendations.
- 3.21 Although some feedback has been received, at the time of writing this report, feedback for the purpose of this report had not been received

4. RECOMMENDATION

- 4.1 Based on the results of the consultation and feedback received it is recommended that the Cabinet Member agrees to proceed with a statutory consultation to introduce a new CPZ operational Monday to Friday 10am – 4pm in Cavendish Avenue only as shown in Plan Z78-02-340-02 attached in Appendix B.
- 4.2 To address access and safety, it is also recommended that a statutory consultation on the proposed waiting restrictions as shown on Plan Z78-02-340-03 also attached in Appendix B is carried out.

Permit issue criteria

- 4.3 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.
- 4.4 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. The levy (in addition to the cost of the permit) is £90 in 2017/18, £115 in 2018/19 and £150 in 2019/20 and there after.
- 4.5 Those residents with an all-electric vehicle will pay a reduced rate of £25 instead of £65.
- 4.6 All-day Visitor permits are £2.50 and half-day permits at £1.50. 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 consultations are planned to be carried out during September/October 2017. The consultations 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. These documents will also be available at the Link, Civic Centre and on the website.
- 5.2 Letters will also be distributed to all consultees detailing the results of the informal consultation; the Council's intention to undertake statutory consultation on the proposed parking controls and a plan indicating the CPZ scheme.

6. ALTERNATIVE OPTIONS

- 6.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed before and during this 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 £10K. This includes the publication of the Made Traffic Management Orders, the road markings and the signs. This will be met by the Environment and Regeneration revenue budget for Parking Management schemes
- 7.2 The Environment and Regeneration revenue budget for 2017/18 currently contains a provisional budget for Parking Management schemes. The cost of this proposal can be met from this budget.

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 IMPLICATIONS

- 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 would continue and it would do nothing to assist residents. It will also do nothing to address obstructive parking.
- 11.2 The proposed measures may cause some dissatisfaction from those who have requested retention of the 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

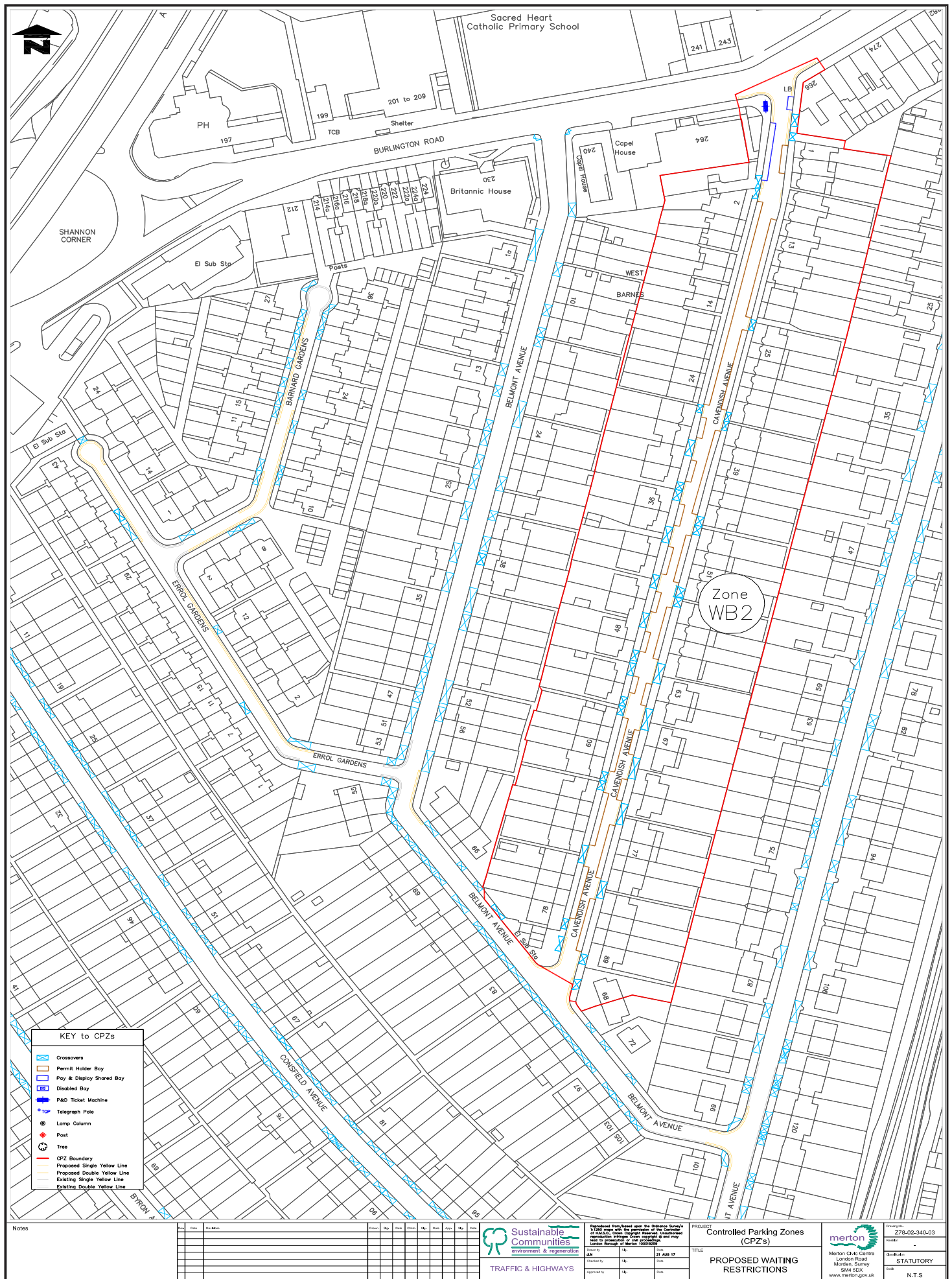
- 12.1 When determining the type of parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties.
- 12.2 In particular, the Council must have regard to: (a) the need for maintaining 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.
- 12.3 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 A – Informal Consultation Documents

Appendix B - Plans of proposed CPZ and Waiting Restrictions for Statutory Consultation



ENVIRONMENT AND REGENERATION DEPARTMENT

Chris Lee - Director



Future Merton
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

Direct Line: 020 8545 3837

My Ref : CPZ/WB2
Please Ask For: Caroline Stanyon
Your Ref:

Date: 17 May 2017

Dear Resident/Business

CAVENDISH AVENUE AREA (WB2)
INFORMAL CONTROLLED PARKING ZONE (CPZ) CONSULTATION

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, the Council will consider the introduction of a Controlled Parking Zone (CPZ) to reach a balance between the needs of residents and businesses and the safety of all road users. A CPZ will usually only be implemented where a majority of households who respond within a proposed area/or road, want one in defined circumstances.

Representations have been received from residents of both Belmont Avenue and Cavendish Avenue who are experiencing parking difficulties in their road(s). Generally, residents feel that the problem is being caused by:

- Commuters who park and complete their journey by public transport; and
- Staff of nearby businesses.

As a result of these representations and following discussion with your Ward Councillors, it has been agreed that the Council will carry out informal consultation on a proposal to introduce a CPZ in the Cavendish Avenue Area. In anticipation of possible parking displacement, should controls only be introduced in Belmont Avenue and Claremont Avenue, the consultation area has been extended to include Barnard Gardens and Errol Gardens.

PROPOSAL

As a resident of the Cavendish Road Area we are writing for your views on the introduction of parking controls in your road. A plan of the proposed CPZ parking bay layout is attached.

The majority bays have been provided as permit holder bays with a small number of shared-use Pay and Display bays proposed at the northern end of Belmont Avenue, to allow non residents to pay for parking for a short period when using the shops on Burlington Road.

To maximise parking for residents, whilst also ensuring safety and access for all road users, it is proposed to allow partial footway parking on both sides of Errol Gardens at its junction with Belmont Avenue. Unfortunately, due to the narrow carriageway and footway widths in Barnard Gardens and the remainder of Errol Gardens, parking can only be provided fully on the carriageway on one side of the road.

What is a CPZ and how does it work?

A CPZ is an area all road space is managed by the introduction of parking to protect the parking needs of residents and their visitors, as well as those of local businesses and 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 where parking would impede the passing of vehicles. Single yellow lines, usually only effective during the CPZ hours, will also be introduced where the kerb is lowered, i.e at crossovers for driveways. However, where a crossover provides access to a number of properties these yellow lines may be upgraded to 'at any time' double yellow lines.

The operational times for the single yellow lines are indicated on zone entry signs. In some cases there may be single yellow lines that may operate at different times and these will be signed separately. Double yellow line restrictions do not require signs.

In a CPZ, residents, local businesses and their visitors are given priority to use the appropriate parking places by displaying a valid permit in respect of that zone. This means that long-term parkers will not be able to park within the CPZ bays during the operational times. However, a parking permit does not give the holder the right to park outside a particular property or guarantee an available parking space.

All parking places within a CPZ are individually signed to ensure that motorists are aware of the operational times and conditions. This ensures that the bays are fully enforceable. To minimise street furniture, every effort is made to ensure signs are placed on existing street furniture, such as lamp columns or signs are combined with other street signs.

Operational Days and Hours

Based on experience of similar schemes already in operation within Merton, the Council is providing you with a number of options as to your preferred hours and days of operation.

A CPZ operating **Monday to Friday**, offers more flexibility to residents and visitors at weekends but may encourage non residents, especially shoppers, to park at the weekends, therefore reducing available parking for you and your visitors. **Monday to Saturday** controls provide maximum protection for residents. However, they are more restrictive on visitors who would require a visitor's permit to park during the controlled times.

With regards to operational hours, **All Day Controls (8.30am - 6.30pm)**, provide maximum protection for residents by removing short and long-term parking. However, they are less flexible.

Part Time Controls (10am - 4pm) and 4 hours controls (11am – 3pm), are less restrictive on residents and their visitors than ‘all day’ controls and still effective in preventing long-term parkers. However, they may encourage short-term parking by non residents or businesses, such as shoppers outside the operating times. As a result, residents returning from work later in the afternoon may find less available parking in their street due to this.

Permit Costs

The standard annual parking permit charges apply regardless of the hours and days the zone operates. The Council has recently agreed the introduction of a new diesel levy for resident, business and trade parking permits and reduced permit charge for electric vehicles. This levy is in addition to the cost of the permit. Further information on how CPZs work and details of permit costs can be found on the Council website at the following links <http://www.merton.gov.uk/transport-streets/parking.htm> and <http://www.merton.gov.uk/transport-streets/parking/cpz>.

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. This informal consultation will ‘go live’ on **Monday 22 May 2017**.

We would ask that you submit your questionnaire online using the following link <http://www.merton.gov.uk/transport-streets/parking/cpz/cpzwb2>.

The online system has been created to keep costs down and allow the Council to process your views more efficiently. Anyone who does not have access to a computer can contact the Council and a hard copy of the questionnaire will be provided. Please let us have any comments or suggestions you may have by **Monday 19 June 2017**.

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.

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/cpzwb2. You may also view the plans in Merton Link at Merton Civic Centre, Morden during our working hours, Monday to Friday between 9am and 5pm or at West Barnes Library.

Yours sincerely,

A C Stanyon

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Environment and Regeneration [London Borough of Merton]
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