

**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**

**Date: 15 October 2018**

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 SW1 CPZ (Rodney Place) – Statutory Consultation**

and will be implemented at **noon on Thursday 18 October 2018** 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 and reason for exemption (if any)**

Proposed SW1 CPZ – formal consultation

**2. Decision maker**

Councillor Martin Whelton, cabinet member for regeneration, housing and transport

**3. Date of Decision**

12 October 2018

**4. Date report made available to decision maker**

11 October 2018

**5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel**

**6. Decision**

- A) Notes the results of the statutory consultation carried out between 6 and 28 October 2018 on the proposal to introduce a Controlled Parking Zone (CPZ) SW1 in Rodney Place.
- B) Notes that no representation was received in respect of the proposal as detailed in Appendix 2.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of a proposed SW1 CPZ to Rodney Place, operational Monday to Friday, between 8.30am and 6.30pm as shown in Drawing No. Z78-353-01 in Appendix 1.
- D) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in various roads if the CPZ does not go ahead.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

**7. Reason for decision**

- 1) Support shown by residents for the introduction of controlled parking on Rodney Place
- 2) To prioritise parking spaces for local resident given the loss of spaces as a result of the forthcoming start of building in the Lampworks site.
- 3) To improve road safety on the road.

**8. Alternative options considered and why rejected**

Do nothing. This would not address the current parking demands 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.

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

**10. Declarations of Interest**

**11. 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.



**Councillor Martin Whelton**

**Cabinet member for regeneration, housing and transport**

**12 October 2018**

# **Committee: Cabinet Member Report**

**Date:** 2 October 2018

**Agenda item:**

**Wards:** Abbey

**Subject:** Proposed SW1 CPZ (Rodney Place) – 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: Paul Atie; Tel 020 8545 3337

[Email: paul.atie@merton.gov.uk](mailto:paul.atie@merton.gov.uk)

## **Recommendations:**

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

- A) Notes the results of the statutory consultation carried out between 6 and 28 October 2018 on the proposal to introduce a Controlled Parking Zone (CPZ) SW1 in Rodney Place.
- B) Notes that no representation was received in respect of the proposal as detailed in Appendix 2.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of a proposed SW1 CPZ to Rodney Place, operational Monday to Friday, between 8.30am and 6.30pm as shown in Drawing No. Z78-353-01 in Appendix 1.
- D) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in various roads if the CPZ does not go ahead.
- 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 statutory consultation carried out on the Councils' proposals to introduce a CPZ in Rodney Place of Abbey Ward.
- 1.2 It seeks approval to progress the above recommendations.

## **2 DETAILS**

- 2.1 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 [www.merton.gov.uk](http://www.merton.gov.uk) 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 permit holder bays to be used by residents, their visitors or business permit holders. 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.

### **3. ALTERNATIVE OPTIONS**

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

### **4 INFORMAL CONSULTATION**

- 4.1 The informal consultation on proposals to introduce parking controls in Rodney lace took place between 8 June and 6 July 2018. Consultation documents containing a newsletter explaining the proposal, an associated plan showing the proposed parking layout and a sheet of frequently asked questions were distributed to all 18 properties. Residents were directed to the Council website to fill in the online questionnaire. The consultation document was posted to all properties within the boundary of the proposed scheme.
- 4.2 The consultation resulted in a total of 10 questionnaires returned representing a response rate of 55%. The results show that 80% support a CPZ, compared to 20% who are unsure or did not comment. Residents were also asked which hours of operation they would prefer should the CPZ be introduced. Results show 70% of respondents prefer 8.30am – 6.30pm, 10% prefer 11am – 3pm and 20% prefer 10am – 4pm. On the days of operation, the results show that 60% of respondents prefer Mon – Fri and 40% support Mon – Sat.
- 4.3 The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Housing and Transport on the 27 July 2018, after which the Cabinet Member approved the undertaking of the statutory [www.merton.gov.uk](http://www.merton.gov.uk) consultation for the SW1 CPZ to

operate Monday – Friday, between 8.30am and 6.30pm.

## **5. STATUTORY CONSULTATION**

- 5.1 The statutory consultation on the Council's intention to introduce the Sw1 CPZ in Rodney Place was carried out between 6 and 28 September 2018. 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. Consultation documents were available at the Link, Merton Civic Centre and on the Council's website. A newsletter with a plan, as shown in Appendix 2, was also distributed to all those properties included within the consultation area.
- 5.2 The newsletter detailed the following information:
- The outcome of the informal consultation
  - Cabinet Member decision
  - The undertaking of the statutory consultation
  - A plan detailing the following:
    - Zone operational hours (Monday to Friday between 8.30am and 6.30pm)
    - Double yellow lines operating "at any time" without loading restrictions
    - Permit holders only parking bays
    - Zone boundary
- 5.3 The statutory consultation did not receive any representations.

### **Ward Councillor Comments**

- 5.4 The Ward Councillors have been engaged during the consultation process. They are supportive of the recommendations made in this report and have no further comments to make.

## **6 RECOMMENDATION**

- 6.1 It is recommended that the Cabinet Member agrees to the making of the TMO and the implementation of the proposed SW1 CPZ, in Rodney, operational Monday to Friday between 8.30am and 6.30pm as shown in Drawing No.Z78-353-01 in Appendix 1.
- 6.2 The CPZ design comprises of mostly 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.
- 6.3 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.
- 6.4 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicle will only

have to pay a reduced rate of £25 instead of £65.

## 6.5 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 12 noon – 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.

## 7 **TIMETABLE**

- 7.1 If agreed the TMO will be made soon after a decision and the measures will be implemented six weeks after the publication of the Made Order.

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

- 8.1 The cost of implementing the proposed measures is estimated at £7k. 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.

## 9. **LEGAL AND STATUTORY IMPLICATIONS**

- 9.1 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.
- 9.2 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.
- 9.3 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.

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

- 10.1 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.
- 10.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.
- 10.3 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.
- 10.4 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.

## **11.0 CRIME AND DISORDER IMPLICATIONS**

N/A

## **12.0 RISK MANAGEMENT IMPLICATIONS**

- 12.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties would continue and it would do nothing to assist the residents.
- 2.2 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.

## **13. ENVIRONMENTAL IMPLICATIONS**

- 13.1 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.
- 13.2 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.

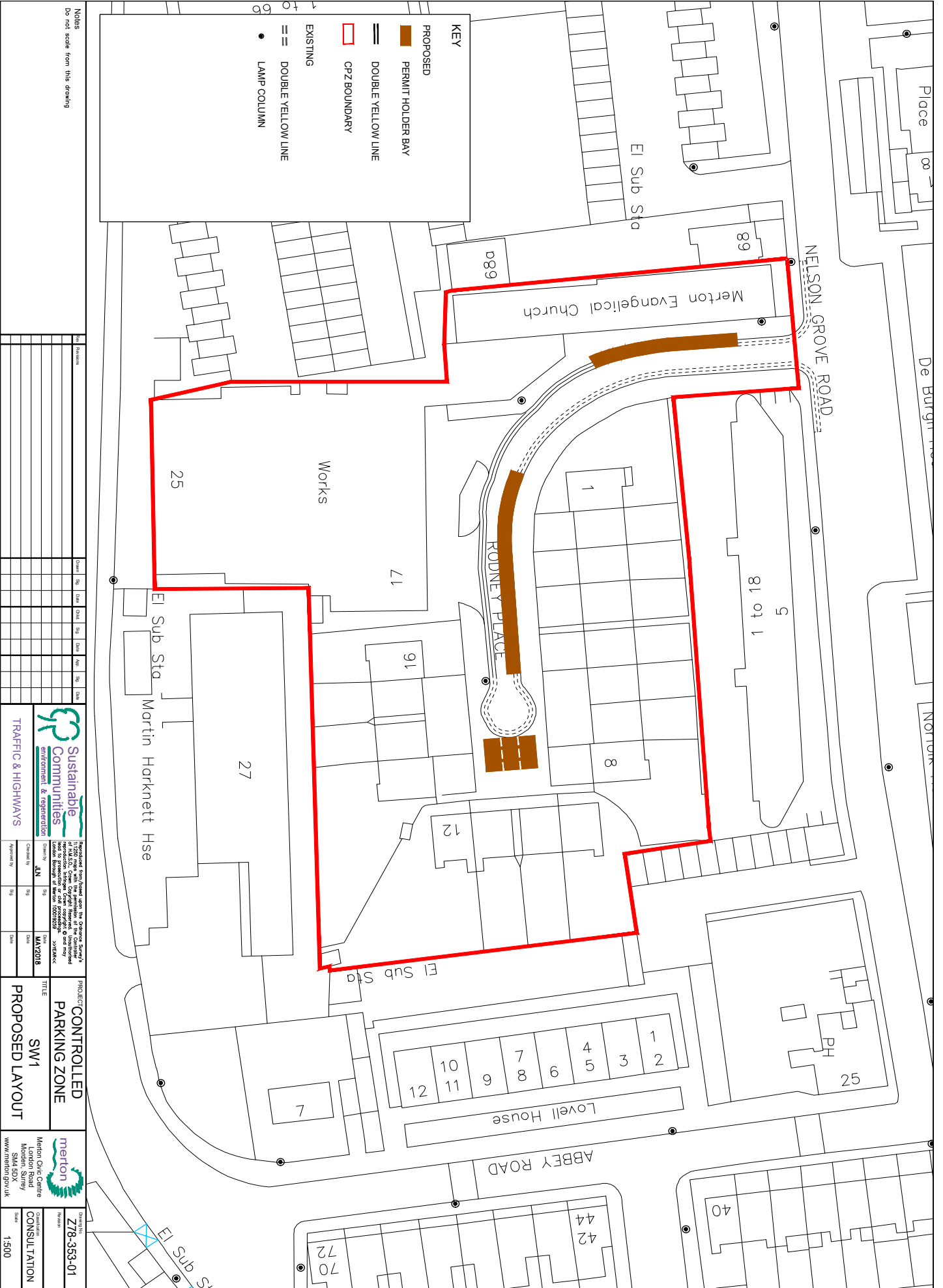
## **14. APPENDICES**

- 14.1 The following documents are to be published with this report and form part of the report.
- a) Appendix 1 - Statutory consultation Drawing No.Z78-353-01
  - b) Appendix 2 - Statutory consultation document.

## **15. BACKGROUND PAPERS**

- 15.1 Informal consultation report.





**KEY**

	PROPOSED PERMIT HOLDER BAY
	DOUBLE YELLOW LINE
	CPZ BOUNDARY
	EXISTING DOUBLE YELLOW LINE
	LAMP COLUMN

Notes  
Do not scale from this drawing

NO	REVISION	DATE	BY	CHECKED	DATE	BY	CHECKED	DATE	BY	CHECKED



Prepared from/ based upon the Distance Strategy 11/2005 and the London Borough of Merton Local Plan 2007/2011	Checked by		
Approved by			

**PRODUCT CONTROLLED PARKING ZONE**  
SW1  
**PROPOSED LAYOUT**



Drawn by  
**Z78-353-01**  
Consultation  
1:500

## Proposed Controlled Parking Zone (CPZ) SW1 Rodney Place



ISSUE DATE: 06 SEPTEMBER 2018

### Dear Resident/Business

The purpose of this leaflet is to let you know the outcome of the informal consultation that was carried out between 8 June and 6 July 2018 on the proposal to introduce a controlled parking zone (CPZ) in your road.

### SW1 CPZ CONSULTATION RESULTS

The consultation resulted in a total of 10 questionnaires returned from your road for the proposed CPZ representing a response rate of 55%. The results show that 80% support a CPZ, compared to 20% who are unsure or did not comment. Residents were also asked which hours of operation they would prefer should the CPZ be introduced. Results show 70% of respondents prefer 8.30am – 6.30pm, 10% prefer 11am – 3pm and 20% prefer 10am – 4pm. On the days of operation, the results show that 60% of respondents prefer Mon – Fri and 40% support Mon – Sat.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Cabinet Member for Regeneration, Housing and Transport on the 27 July 2018. The report and the decision can be viewed on our website. [www.merton.gov.uk/cpzsw1](http://www.merton.gov.uk/cpzsw1).

After careful consideration of the consultation results and officers' recommendations, the Cabinet Member has agreed to proceed with a statutory consultation to include Rodney Place into the proposed SW1 CPZ, operational Monday to Friday between 8.30am and 6.30pm. **Please see attach plan.**

### WHAT HAPPENS NEXT

Notice of the Council's intention to introduce the above measures will be published in a local newspaper (The Guardian), London Gazette and posted on lamp columns in the vicinity. Representations against the proposals described in this Notice must be made in writing or email [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) by no later than **28 September 2018** quoting reference **ES/SW1**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm or at Colliers Wood Library.

This information is also available on Merton Council's website [www.merton.gov.uk/cpzsw1](http://www.merton.gov.uk/cpzsw1).

All representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. **Please note that responses to any representations received will not be made until a final decision is made by the Cabinet Member.**

The Council is required to give weight to the nature and content of your representations and not necessarily the quantity. Your reasons are, therefore, important to us.

#### ABBEY WARD COUNCILLORS

Cllr Nigel Benbow  
Phone - 20 8545 3396  
Email: [nigel.benbow@merton.gov.uk](mailto:nigel.benbow@merton.gov.uk)

Cllr Ben Bulter  
Phone - 020 8545 3425  
Email: [ben.bulter@merton.gov.uk](mailto:ben.bulter@merton.gov.uk)

Cllr Eleanor Stringer  
Phone - 020 8545 3424  
Email: [eleanor.stringer@merton.gov.uk](mailto:eleanor.stringer@merton.gov.uk)

#### Cabinet Member for Regeneration, Transport and Housing.

Cllr Martin Whelton  
Phone: 020 8545 3425  
Email: [martin.whelton@merton.gov.uk](mailto:martin.whelton@merton.gov.uk)

(The contact details of Ward Councillors are provided for information purposes only)

## Merton Council - call-in request form

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

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### 2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

### 3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

**4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

**5. Documents requested**

**6. Witnesses requested**

**7. Signed (not required if sent by email): .....**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
- **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

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