

CORPORATE SERVICES DEPARTMENT
Director – Caroline Holland



**Democracy Services
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

**Direct Line: 0208 545 3356/3357
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Date: 22 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 RPC CPZ extension Orchard Lane –Statutory
consultation.**

and will be implemented at **noon on Thursday 25 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

**Lisa Jewell
Democracy Services**

NON-KEY DECISION TAKEN BY A CABINET MEMBER

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 RPC CPZ Extension Orchard Lane – statutory consultation

2. Decision maker

Cabinet member for regeneration, housing and transport

3. Date of Decision

19/10/2018

4. Date report made available to decision maker

19/10/2018

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

N/A

6. Decision

- A) Notes the result of the statutory consultation carried out between 6 and 28 September 2018 on the proposals to introduce a Controlled Parking Zone (CPZ) to extend the existing RPC to include Orchard Lane.
- B) Notes and considers the representations received in respect of the proposals as detailed in Appendix 2.
- C) Agrees to proceed with making of the Traffic Management Orders (TMOs) and the inclusion of Orchard Lane in the existing CPZ RPC that operates Monday to Friday between 11am and 12 noon as shown in Drawing No. Z78-357-01 and attached in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions as shown in Drawing No. Z78-357-01 and attached in Appendix 1.
- E) Agrees to proceed with the making of an Exemption Order to allow footway parking in Orchard Lane to maximise the number of parking spaces (without compromising footway access for pedestrians) as shown in Drawing No. Z78-357-01 and attached in Appendix 1.

Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

- 1) Support shown by residents in the consultation for controlled parking
- 2) Improvement to road safety from the introduction of 'at any time' waiting restrictions
- 3) An exemption order for footway parking will increase the number of parking spaces

8. Alternative options considered and why rejected

- 8.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed in the petition and during the consultation. It will also do nothing to ensure that safety and access can be maintained all times.

9. Declarations of Interest

None

10. 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.



Councillor Martin Whelton

Cabinet member for regeneration, housing and transport

19 October 2018

Committee: Cabinet Member Report

Date: 17 October 2018

Agenda item: N/A

Wards: Raynes Park.

Subject: Proposed RPC CPZ extension Orchard Lane –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: <mailto:paul.atie@merton.gov.uk>

Recommendations:

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

- A) Notes the result of the statutory consultation carried out between 6 and 28 September 2018 on the proposals to introduce a Controlled Parking Zone (CPZ) to extend the existing RPC to include Orchard Lane.
- B) Notes and considers the representations received in respect of the proposals as detailed in Appendix 2.
- C) Agrees to proceed with making of the Traffic Management Orders (TMOs) and the inclusion of Orchard Lane in the existing CPZ RPC that operates Monday to Friday between 11am and 12 noon as shown in Drawing No. Z78-357-01 and attached in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions as shown in Drawing No. Z78-357-01 and attached in Appendix 1.
- E) Agrees to proceed with the making of an Exemption Order to allow footway parking in Orchard Lane to maximise the number of parking spaces (without compromising footway access for pedestrians) as shown in Drawing No. Z78-357-01 and attached in Appendix 1.
- F) 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 extend the existing CPZ (RPC) to include Orchard Lane.

1.2 It seeks approval to implement 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 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. All existing double yellow lines at junctions will remain unchanged.
- 2.4 The CPZ design comprises of permit holder bays to be used by residents, their visitors or business permit holders. The layout of the parking bays is arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.
- 2.5 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.

3.0 BACKGROUND

- 3.1 Following the implementation of the extension to RP CPZ in 2012 the Council received numerous emails from Cambridge Road residents requesting a CPZ in their road. Additionally, representations were submitted to the Council as a petition by one of the Cambridge Road residents.
- 3.2 Following the conclusion of an informal and statutory consultation a CPZ named RPC was introduced which included Amity Grove, Cambridge Close, Cambridge Road, Conway Road, Coombe Gardens, Coombe Lane (between Lambton Road and Durham Road), Devas, Durham Road, Durrington Park Road, Hunter Road, Panmuir Road and Pepys Road, operational Monday to Friday between 11am and 12 Noon. The scheme was introduced in February/March 2015 and became operational on 23

March 2015.

4.0 Orchard Lane statutory consultation

4.1 Following the implementation of RPC CPZ, the council received numerous complaints via email and phone calls from residents of Orchard Lane regarding parking difficulties. In 2016 the Council received a petition requesting the Council to extend the existing RPC CPZ to include Orchard Lane. It was agreed to progress the request by undertaking a statutory consultation.

4.2 The statutory consultation on the Council's intention to extend the existing RPC CPZ to include Orchard Lane 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 3, was also distributed to all those properties included within the consultation area.

4.3 The newsletter detailed the following information:

- The undertaking of the statutory consultation
- A plan detailing the following:
 - Zone operational hours (Monday to Friday between 11am and noon)
 - Double yellow lines operating "at any time" without loading restrictions
 - Permit holders only parking bays
 - Zone boundary

4.4 The statutory consultation resulted in 12 representations which included 7 in support and 5 objections. Of the 5 objections 1 objection is from Orchard Lane and 4 objections from Cottenham Park Road requesting Orchard Lane be included in RPC1 or include nos. 41, 43A & B, 45A & B, 47A & B Cottenham Park Road in RPC. Details of these representations along with officer's comments can be found below in section 4.5 and 4.6 of this report.

4.5 4 representations from households in Cottenham Park Road are objecting to the proposal to include Orchard Lane in the existing RPC CPZ. Their reasons for their objection is as follows:

" We object most strongly to the proposal that Orchard Lane is to be included in the same CPZ zone as Durham and Pepys Roads and Melbury Gardens etc., and not our zone, RPC1. This will preclude those houses with their off-street parking and garages in Orchard Lane that have an address in Cottenham Park Road, from parking in Orchard Lane. Whilst we support the CPZ proposal in principle, we and our neighbours strongly consider that Orchard Lane should be included in the RPC1 Zone and not RPC, as houses nos. 41 to 47b in Cottenham Park Road have vehicle and pedestrian access to our properties from Orchard Lane.

The adoption of Orchard Lane within RPC1 would allow those of us with RPC1 parking permits to park at both the front AND the rear of our properties. We have our main vehicle access at the rear of the property. The proposal seems quite unreasonable to us as it prevents us from parking outside the rear of our property when there are no spaces at the front.

There are far more residents in RPC Zone than RPC 1, so fewer residents would have the ability to park in Orchard Lane were it to be designated RPC1. Very few spaces will be designated, so it follows that more spaces are likely to be available to residents in Orchard Lane as there will be a considerably smaller catchment area. All residents of Orchard Lane enjoy one or more off-street parking spaces. For example no.11 has numerous off street parking spaces.

Orchard Lane is a much safer place to park than outside nos.43A to 47B Cottenham Park Road, especially for those ferrying small children, the elderly or dogs. Cottenham Park Road is the B281 highway and a bus route. Buses pass every 3 1/2 minutes in one direction or the other. There are no traffic calming measures on this stretch of Cottenham Park Road.

We have lived here since 1999 during which period there have been five serious accidents outside our house involving vehicles owned by residents of, or visitors to, nos. 43A, 43B, 45A, and 45B Cottenham Park Road. There has been one fatality, one serious injury, and at least four vehicles written off. The fire service had to remove the roof of one vehicle to rescue the driver (video available upon request). Buses going downhill regularly pass our house so fast that the suction effect sets off the car alarms.

Another solution:

Another solution is either to merge RPC and RPC1 CPZ zones, or just move our section of Cottenham Park Road into the bigger RPC. The reason for this latest thinking is that the residents of Orchard Lane will probably want to park in Durham Road, and not Cottenham Park Road, when there are no spaces.

Please look again at this proposal with a view to taking into account the opinions of the residents of nos. 41, 43A & B, 45A & B, 47A & B Cottenham Park Road, all of whom have garages and both vehicle and pedestrian access to the rear of their properties in Orchard Lane. The majority have RPC I parking permits.

Officer's comment

4.6 The residents of Orchard Lane petitioned the Council to be included in the existing RPC which has a different hours of operation to RPC1. Apart from a natural zone boundary, in the event of insufficient parking in Orchard Lane, residents would be able to park in Durham Road which is easily accessible. Access to Cottenham Park Road which is RPC1 CPZ is inconvenient. Residents of Cottenham Park Road have easy access to on-street parking in Cottenham Park Road; off-street parking and garages in Orchard Lane. Other points to consider with regards to the above objection are as follows:

- Although the residents of Cottenham Park Road are arguing for this road to be included in RPC1 CPZ. Orchard Lane is only accessible from Durham Road and Durham Road is in RPC CPZ.
- One of the options the residents are suggesting is to merge RPC and RPC1. This option was rejected during the consultation process of the zones because the zone would be too big and those residents close to the Raynes Park train station would suffer from internal commuting which would render the CPZ unworkable. In any event, to make any changes to existing zones, the council would need to undertake the

relevant consultations with both zones. This would be expensive and resource intensive and as per normal practice, to make such a substantial change, the Council would require a petition from both zones signed by majority of the residents demonstrating support.

- Properties nos. 41, 43A & B, 45A & B, 47A & B Cottenham Park Road back on to Orchard Lane and they all have off-street parking area and garages via Orchard Lane. Please see attached photo in Appendix 4 and the proposed measures will not interfere with this access.
- The above properties also have benefit of CPZ parking spaces in Cottenham Road which are available to permit holders. Although the residents are arguing they are not able to park in the parking spaces in this road due to safety reasons there is no evidence to suggest that there have been in serious accidents. Additionally it has been noted that parking spaces are utilized by permit holders and until now, the Council has no record of any reports regarding accidents, incidents, safety or parking difficulties.
- Due to the small and narrow nature of Orchard Lane, the number of proposed permit holders' bays are limited and given the level of parking provisions available to Cottenham Park Rd residents, and as per normal practice, the residents of Orchard Lane and their visitors should have priority over these limited spaces during the hours of operation of the zone. Outside of the 1 hour parking restrictions residents of Cottenham Park Road may use the parking spaces if they wish to do so.
- Due to narrow nature of Orchard Lane, it is proposed to introduce double yellow lines adjacent to the entrances to the garages that belong to those Cottenham Park Road properties. This means that the residents who currently park across their garages would not be able to do so even with a permit.

4.6.1 It is, therefore, recommended that Orchard Lane be included in RPC CPZ as consulted and the residents of Cottenham Park Road should remain in zone RPC1. The proposed double yellow lines on this side of the road would keep access to their garages and off-street area clear of parked vehicles.

4.7 In accordance with the Greater London Council (General Powers) Act 1974, parking on any part of a footway is illegal; although there are occasions where provided there is sufficient footway width (minimum 2m) parking on footway can be permitted via an Exemption Order. This exemption, however, does not apply where the footway comprises of a grass verge. Orchard Lane has a sufficient footway width to allow partial footway parking (two wheels on the footway). A footway parking exemption will maximises parking for residents and create sufficient access for all road users including the emergency services. See plan attached as Appendix 1.

4.8 When considering road safety, S.122 of the Road Traffic Regulation Act 1984 places a duty on the Council "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 "when exercising any of its functions under the 1984 Act. Road safety is therefore a matter that the Council should have proper regard to when considering whether to make an Order under S.6 of the 1984 Act.

Ward Councillor Comments

- 4.9 The local Ward Councillors have been fully engaged during the consultation process. Although the Ward Members have been advised of the outcome of the consultation and officer's recommendations, at the time of writing this report, no comments have been received.

5. PROPOSED MEASURES

- 5.1 Based on the feedback received from Orchard Rd residents, it is recommended that the TMO is made to extend RPC CPZ to include Orchard Lane, operational Monday to Friday between 11am and 12 Noon as shown in Drawing No. Z78-357-01 and attached in Appendix 1.

- 5.2 It is recommended that the relevant Traffic Management Orders (TMOs) is made and the proposed 'At any time' waiting restrictions (as consulted) and as shown in Drawing No. Z78-357-01 and attached in Appendix 1 are implemented.

- 5.3 It is recommended to proceed with the making of an Exemption Order to allow footway parking in Orchard Lane to maximise the number of parking spaces as shown in Drawing No. Z78-357-01 and attached in Appendix 1.

5.3 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.

- 5.3.1 In November 2016, the Council introduced 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 all-electric vehicles will only have to pay a reduced rate of £25 instead of £65.

5.4 Visitors' permits

Half-day permits at £1.50. Half-day permits can be used between 11am and 3pm. The allowance of visitor permits per adult in a household shall be 100 half-day permits.

5.5 Trades permits

Trade Permits are priced at £900 per annum. Trades permits can also be purchased for 6 months at £600, 3 months at £375, 1 month at £150 and Weekly at £50.

6. TIMETABLE

- 6.1 If agreed, the TMO will be made soon after the publication of the Cabinet Member's decision and be implemented 6-10 weeks after the Order is made.

7. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 The cost of implementing the proposed measures is estimated at £7k. This includes the publication of the Made Traffic Management Orders, the road markings and signs.

- 7.2 The cost of this proposal can be met from the Environment and Regeneration revenue budget for 2018/19 which contains a provisional budget for Parking Management schemes.

8. ALTERNATIVE OPTIONS

- 8.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed in the petition and during the consultation. It will also do nothing to ensure that safety and access can be maintained all times.

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

- 11.1 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 thereby meeting the Mayor's Vision zero for casualties.
- 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 without any prejudice toward 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. CRIME AND DISORDER IMPLICATIONS

- 11.1 N/A

12. RISK MANAGEMENT IMPLICATIONS

- 12.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties will continue and it would do nothing to assist the residents. It will also do nothing to address the obstructive parking that has been identified.
- 12.2 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

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

Appendix 1 – Statutory consultation document & Drawing No. Z78-357-01

Appendix 2 – representation and officers comment.

Appendix 3 – consultation document

Appendix 4 – photo of off street parking area and garages.

15. BACKGROUND PAPERS

- 15.1 Report dated 29/01/2014 titled proposed RPC CPZ Cambridge Road Area – Informal Consultation.
- 15.2 Reports dated 14/11/2014 and titled proposed RPC CPZ Cambridge Road Area – formal Consultation

Appendix 2

Representations and Officer's Comments

Representation - Support
<p>001</p> <p>I am writing to support the proposal to make Orchard Lane a controlled parking zone for the following reasons. Despite polite notes being left on cars parked on the road, these cars often make accessing our driveway difficult. They have also made it difficult for larger cars and emergency vehicles to get up and down the road.</p> <p>As all the roads around Orchard Lane are controlled parking, and have been for some time, commuters travelling from Raynes Park station regularly park their cars in Orchard Lane as the only road where cars can be left all day. Frequently pavements are blocked leaving pedestrians no choice but to walk in the road, this is particularly dangerous for pedestrians with prams/buggies, those with young children and also for the disabled including wheelchair users.</p>
<p>002</p> <p>I am writing to support the proposal to make Orchard Lane a controlled parking zone.</p> <p>As a resident of Orchard Lane for over 20 years we have suffered from repeated instances of wholly inappropriate and inconsiderate parking in our road for many years. On a regular basis, often several times each week access to our driveway has either been blocked by cars parked on the road on both sides of our drive as well opposite our drive or the parking being such that accessing and exiting from our drive has been extremely difficult. Polite notes left on the windscreens of cars inappropriately parked have been repeatedly ignored as have requests made orally.</p> <p>As all the roads around Orchard Lane are controlled parking, and have been for some time, commuters travelling from Raynes Park station regularly park their cars in Orchard Lane as the only road where cars can be left all day. In addition, residents of adjoining roads which are within the controlled parking zones also use Orchard Lane rather than the roads for which they are eligible for a parking permit. The net effect of this is not only considerable and unnecessary inconvenience to the residents of Orchard Lane but also a significant safety hazard. Frequently pavements are blocked leaving pedestrians no choice but to walk in the road, this is particularly dangerous for pedestrians with prams/buggies, those with young children and also for the disabled including wheelchair users. Orchard Lane is also regularly used by schoolchildren walking to the local primary and secondary schools who are also forced to walk in the road. At times parking has been such that access for an emergency vehicle such as a fire engine would not have been possible.</p> <p>For all of these reasons I support the proposal which has been requested by the residents of the road for some considerable time.</p>
<p>003</p> <p>We support the proposed CPZ for Orchard Lane SW20. We live at Orchard Lane. The current situation where the street is used as a parking area for commuters makes it difficult to get access - and very dangerous.</p>
<p>004, 005</p> <p>I am in agreement with the extension of RPC CPZ to include Orchard Lane for the following reasons:</p> <p>as resident of Orchard Lane entering and exiting my own property is frequently impeded by cars parking too close to the driveway and/or on the opposite side of the road. This makes manoeuvring in and out difficult, dangerous and, sometimes, impossible. More generally, the number of cars parking in the road is ridiculous. Anyone from commuters, local tradesman (e.g. builders working in the area), visitors to Holland Gardens and Cottenham Park, those picking up and dropping off children at school, residents of Cottenham Park Road and adjoining roads, use Orchard Lane on a regular basis. Cars have been left in the road for weeks on end by owners (not resident in Orchard Lane) who are on holiday. This makes the road over congested and difficult to use for vehicles owned by residents, the council (such as refuse collection vehicles) and regular delivery vans to the local homes.</p> <p>I would also request that for the reasons given above that the parking be limited to residents of Orchard Lane only</p>
<p>006</p> <p>After having to put up with the inconsiderate and dangerous parking on Orchard Lane. The Council's proposal is most welcome. Orchard Lane has long suffered through not being included in one of the neighbouring CPZs with the street being regularly used as overflow parking for local residents from neighbouring streets, commuters using Raynes Park Station and visitors to nearby Holland Gardens. The narrowness of the lane combined with the frequent pavement-parking means that pedestrians are regularly forced into the road as they are unable to negotiate the pavements. Of course these problems are magnified to a dangerous degree when those users are pushing buggies, are in wheelchairs or are trying to</p>

manage small children. Given the nature of the problems - which do not present themselves in wider streets in the area - more restrictive hours of operation would be of greater benefit to residents of Orchard Lane as would the restriction of permits specifically to residents with addresses on the street. A solution that does not include the provision for pavement parking would also seem sensible and safe. However we recognize that such proposals cannot always be tailored to specific streets and we are grateful for The Council's recognition of the issue and its willingness to deliver a solution.

007

I am writing to express my support for the proposed parking scheme in Orchard Lane. My wife and I are the owners of * Orchard Lane and have lived in the property for nearly 25 years. Parking problems in the road have worsened over the years, particularly as parking restrictions in adjacent roads have been introduced. Some drivers park their cars beside the very short stretch of pavement in Orchard Lane causing us difficulty and potential danger when entering or leaving our driveway. I would therefore be particularly anxious to ensure that parking in that location be prohibited. As the road is narrow it is clearly realistic that parking should be restricted to one side of the road

Representation Against

008

I would like to make an official objection to the proposal of making Orchard Lane, SW20, a RPC Zone for the following reasons:

1. Orchard Lane is a residential culdesac and not a main thoroughfare such as Durham Road.
2. There is a diverse setting of dwellings - flats, detached houses and terraced houses with access to both Orchard Lane and Cottenham Park Road for example
3. Parking spaces for the residents of Orchard Lane, particularly those in the flats, are limited to the number of spaces available.
4. Enforcing a RPC zone due to the opinion of a minority of residents of Orchard Lane (whom themselves have large off-street parking is not only unfair it is also divisive and breeds a negativity amongst residents.

Should you request any further information please don't hesitate to contact me.

Officers Comment

See section 5.6 of this report

009, 011

We object most strongly to the proposal that Orchard Lane is to be included in the same CPZ zone as Durham and Pepys Roads and Melbury Gardens etc., and not our zone, RPC1. This will preclude those houses with their off-street parking and garages in Orchard Lane that have an address in Cottenham Park Road, from parking in Orchard Lane.

Whilst we support the CPZ proposal in principle, we and our neighbours strongly consider that Orchard Lane should be included in the RPC1 Zone and not RPC, as houses nos. 41 to 47b in Cottenham Park Road have vehicle and pedestrian access to our properties from Orchard Lane.

The adoption of Orchard Lane within RPC1 would allow those of us with RPC1 parking permits to park at both the front AND the rear of our properties. We have our main vehicle access at the rear of the property. The proposal seems quite unreasonable to us as it prevents us from parking outside the rear of our property when there are no spaces at the front. There are far more residents in RPC Zone than RPC I, so fewer residents would have the ability to park in Orchard Lane were it to be designated RPC1. Very few spaces will be designated, so it follows that more spaces are likely to be available to residents in Orchard Lane as there will be a considerably smaller catchment area. All residents of Orchard Lane enjoy one or more off-street parking spaces. For example no.11 has numerous off street parking spaces.

Orchard Lane is a much safer place to park than outside nos.43A to 47B Cottenham Park Road, especially for those ferrying small children, the elderly or dogs. Cottenham Park Road is the B281 highway and a bus route. Buses pass every 3 1/2 minutes in one direction or the other. There are no traffic calming measures on this stretch of Cottenham Park Road. We have lived here since 1999 during which period there have been five serious accidents outside our house involving vehicles owned by residents of, or visitors to, nos. 43A, 43B, 45A, and 45B Cottenham Park Road. There has been one fatality, one serious injury, and at least four vehicles written off. The fire service had to remove the roof of one vehicle to rescue the driver (video available upon request). Buses going downhill regularly pass our house so fast that the suction effect sets off the car alarms.

Another solution:

Another solution is either to merge RPC and RPC1 CPZ zones, or just move our section of Cottenham Park Road into the bigger RPC. The reason for this latest thinking is that the residents of Orchard Lane will probably want to park in Durham Road, and not Cottenham Park Road, when there are no spaces.

Please look again at this proposal with a view to taking into account the opinions of the residents of nos. 41, 43A & B, 45A & B, 47A & B Cottenham Park Road, all of whom have garages and both vehicle and pedestrian access to the rear of their properties in Orchard Lane. The majority have RPC I parking permits.

Thank you in anticipation of your attention to this objection.

Officers Comment

See section 5.6 of this report

010

I did not receive any consultation on this matter and was unaware until alerted by my neighbour last night. I would be grateful if you could review the planned zoning for the CPZ Extension. Designating Orchard Lane within the RPC zone will prevent home owners (within Cottenham Park Road properties) who have an entrance on Orchard Lane being able to park outside/close to their property. The designated bays on the north side of Cottenham Park Road are limited & hence the need to park on Orchard Lane. I believe that Orchard Lane should be included within the RPC1 zone & would be grateful if you would review.

Officers Comment

See section 5.6 of this report

012

I'm writing in response to proposed changes to parking in orchard lane. I am the owner of 47a Cottenham park road which backs onto orchard lane. We access our home from orchard lane and need to be able to park here to unload groceries and let out children. Cottenham Park Road is extremely busy and dangerous for little e children so orchard lane is safer. Please consider extending our RPC1 zone to cover this lane so that we may use permit parking here if necessary. There is not enough parking on Cottenham Park road in any event for all the properties there.

Officers Comment

See section 5.6 of this report

Officers general Comment

CPZ's was considered in Orchard Lane again as a direct request (petition) made by residents in the road who are experiencing parking difficulties. The statutory consultation concluded overwhelming support from majority of the residents of this road.

In accordance with the Greater London Council (General Powers) Act 1974 & DDA, parking on any part of a footway is illegal; although there are occasions where provided there is sufficient footway width (minimum 1.5m) parking on footway can be permitted via an Exemption Order. This exemption, however, does not apply where the footway is not wide enough as is the case here. Within any parking management, every effort is made to maximise parking but as long as access and safety is not compromised.

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 therefore, access for all road users take priority over parking.

Proposed Controlled Parking Zone (CPZ) RPC - Orchard Lane.



ISSUE DATE : 6 SEPTEMBER 2018

Dear Resident,

The purpose of this leaflet is to advise you that following letters, emails and a petition received from some residents of your road complaining about parking difficulties, the Council is now carrying out a statutory consultation on its intention to extend the existing Controlled Parking Zone (CPZ) to include Orchard Lane. This will be an extension to the existing RPC CPZ in Raynes Park. The controls will operate Monday to Friday between 11 am and 12 Noon.

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" restriction where the kerb is lowered, i.e. at crossovers for driveways.

The key objective of managing parking is to reduce and control non-essential parking and assist residents, short-term visitors and the local businesses. Within any CPZ, only those within the zone are entitled to permits. An incremental pricing structure for 2nd and subsequent permits also assists in minimising the number of permits issued to individual residents and help discourage multiple car ownerships. CPZs comprise of various types of parking bays such as permit holder bays (for use by resident or business permit holders and those with visitor permits); shared use bays (for permit holders and pay and display) and pay

and display only bays (permits are not valid).

Council appointed Civil Enforcement Officers will enforce the controls by issuing Penalty Charge Notices (PCNs) to vehicles parked in contravention of the restrictions. Outside the controlled times the restrictions are not enforced. However, Civil Enforcement Officers will issue PCNs for any other parking contravention such as parking on double yellow lines, footways and parking across individual crossovers without the property owner's consent.

In the event that the majority of those consulted do not support a CPZ in your road officers will recommend that only the proposed double yellow lines identified at key locations are introduced to improve safety and maintain access. This would be subject to the approval of the Cabinet Member for Regeneration, Housing and Transport.

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 by no later than **28 September 2018** quoting reference **ES/RPCex**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation. we would also welcome representations in support.

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 Raynes Park Library. This information is also available on Merton Council's website www.merton.gov.uk/cpzrpcex.

All representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Housing and Transport. **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.

Further information on how CPZs work, details of permit costs can be found in our Frequently Asked Questions (FAQ's) at www.merton.gov.uk/cpzrpcex It is essential that you view these documents prior to making your representation.

RAYNES PARK WARD COUNCILLORS**Cllr Adam Bush**

Tel - 020 8545 3396

Email: adam.bush@merton.gov.uk**Cllr Stephen Crowe**

Tel - 07931 650 424

Email: stephen.crowe@merton.gov.uk**Cllr Omar Bush**

Tel - 020 8545 3396

Email: omar.bush@merton.gov.uk**Cabinet Member for Regeneration,
Transport and Housing.**

Cllr Martin Whelton

Phone: 020 8545 3425

Email: 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
- **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