

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: 19 March 2019

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 MTC1 CPZ Love Lane area – statutory consultation

and will be implemented at **noon on Friday 22 March 2019** unless a call-in request is received.

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

Yours sincerely

**Amy Dumitrescu
Democracy Services**

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

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

1. Title of report

Proposed MTC1 Controlled Parking Zone Love Lane area (statutory consultation)

2. Reason for exemption (if any)

3. Decision maker

Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport

4. Date of Decision

18 March 2019

5. Date report made available to decision maker

13 March 2019

6. Decision

A) Notes the results of the statutory consultation carried out between 18th January 2019 and 22nd February 2019 on the proposal to introduce the proposed MTC1 Controlled Parking Zone (CPZ) to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue, operational Monday to Saturday between 8.30am and 6.30pm.

B) Notes and considers the representations 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 the proposed MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No. Z78-350-01 in Appendix 1.

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

7. Documents relied on in addition to officer report

None

8. Declarations of Interest

None



Cllr Martin Whelton

Cabinet member for regeneration, housing and transport

18 March, 2019

Committee: Cabinet Member Report

Date: 12th March 2019

Agenda item:

Ward: Cricket Green

Subject: Proposed MTC1 CPZ Love Lane area – statutory consultation.

Lead officer: Chris Lee, Director of Environment & Regeneration.

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

Forward Plan reference number: N/A

Contact Officer: Barry Copestake, Tel: 020 8545 3840

Email: <mailto:barry.copestake@merton.gov.uk>

Recommendations:

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

- A) Notes the results of the statutory consultation carried out between 18th January 2019 and 22nd February 2019 on the proposal to introduce the proposed MTC1 Controlled Parking Zone (CPZ) to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue, operational Monday to Saturday between 8.30am and 6.30pm.
- B) Notes and considers the representations 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 the proposed MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No. Z78-350-01 in Appendix 1.
- D) 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 the MTC1 CPZ in Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) for the proposed MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue, operational

Monday to Saturday between 8.30am - 6.30pm as shown in Drawing No. Z78-350-01 in Appendix 1.

2. DETAILS

2.1 The key objectives of parking management include:

- Tackling of congestion by reducing the level and impact of traffic in town centres and residential areas;
- making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures;
- Managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy;
- Improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas;
- encouraging the use of more sustainable modes of transport;

2.2 Controlled Parking Zones aim to provide safe parking arrangements, whilst giving residents and businesses priority access to available kerbside parking space. It is a way of controlling the parking whilst improving and maintaining access and safety for all road users. A CPZ comprises of yellow line waiting restrictions and various types of parking bays operational during the controlled times. These types of bays include the following:

Permit holder bays - For use by resident permit holders, business permit holders and those with visitor permits;

Shared Use - Pay and display (P&D) / permit holder bays - For use by P&D 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 The CPZ design comprises mainly of permit holder bays to be used by residents, their visitors or business permit holders and a limited number of pay and display shared use bays, which are mainly located near businesses. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.

2.5 Within any proposed CPZ, 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 the appropriate measures if and when there is 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.

- 2.6 Residents in the Love Lane, Mitcham area petitioned the Council requesting the introduction of a CPZ in their roads due to parking difficulties caused by commuter / long term visitor parking.

3. ALTERNATIVE OPTIONS

- 3.1 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.
- 3.2 Not to introduce the proposed double yellow lines. In the event of an incident, however, this would put the Council at risk and the Council could be considered as failing in its duties by not giving safety and access priority, especially for emergency and service vehicles.

CONSULTATION UNDERTAKEN

4. INFORMAL CONSULTATION

- 4.1 The Council carried out an informal consultation between 13th September and 5th October 2018 on the proposals to introduce a CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue.
- 4.2 266 premises were consulted via documents containing a newsletter explaining the proposals and an associated plan showing the proposed parking provisions. The consultation resulted in 65 questionnaires returned from the roads within the proposed CPZ area representing a response rate of 24%. Of the 65 responses, 83% supported a CPZ in their road with 88% preferring Monday – Saturday and 89% preferring 8.30am – 6.30pm.
- 4.3 The results of the consultation along with officers' recommendations were presented in a report to the Cabinet Member for Regeneration, Environment and Housing in November 2018, after which the Cabinet Member approved the undertaking of the statutory consultation for the MTC1 CPZ to operate Monday – Saturday, between 8.30am and 6.30pm.

5. STATUTORY CONSULTATION

- 5.1 The statutory consultation on the Council's intention to introduce the MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue was carried out between 18th January 2019 and 22nd February 2019. The consultation included erecting 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, see Appendix 2, was also distributed to all those properties included within the consultation area.
- 5.2 The newsletter detailed the following information:

- Outcome of the informal consultation and the Cabinet Member decision,
 - The undertaking of the statutory consultation.
 - A plan detailing the following;
 - Zone operational hours (Monday to Saturday between 8.30am – 6.30pm),
 - Double yellow lines operating “at any time’ without loading restrictions,
 - Scheme design layout and zone boundary.
- 5.3 The statutory consultation resulted in 9 representations which include 4 in support, 2 objections and 3 raising concern with the proposed scheme should it be introduced. Details of these representations along with officer’s comments can be found in appendix 3.
- 5.4 The 2 objections stated that there is not an issue of difficulty with parking in the area and that there is no need for a CPZ but only that the Council handle the parking issues and that there was a low response rate to the informal consultation. The primary objectives of the proposed CPZ are to better manage parking and prioritise resident parking; with regards to the consultation, the Council encourages all members of the community to take part, whether in support or opposed to the proposals. When collating the feedback from the community the Council can only consider the responses of those who have made a representation.
- 5.5 Current concerns raised include vehicles parking on the footway obstructing passage for pedestrians consequently forcing those pedestrians to walk in the carriageway, which is a safety risk especially for children and the elderly. The Council shares these concerns and the proposed measures have been designed accordingly. The roads within the boundary of the proposed CPZ are not wide enough to accommodate parking on both sides, and the footways are not wide enough to accommodate partial footway parking and pedestrian access, therefore ‘at any time’ waiting restrictions (double yellow lines) have been proposed along one side of the carriageway in these roads.
- 5.6 Also concerns have been raised regarding the number of commercial vehicles parking in the roads within the consultation area contributing pressure to residential parking demand. A 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 and large commercial vehicles are not entitled to a permit.
- 5.7 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 for all road users always take priority over parking. It is normal practice to introduce double yellow lines even if a CPZ is not introduced and this was detailed in both informal and statutory consultation leaflets.
- 5.8 Full details of all representations along with Officer’s comments can be viewed in Appendix 3.

Ward Councillor Comments

- 5.9 Ward Councillors have been engaged during the consultation process and advised of the consultation outcome and officer's recommendations. Councillors do raise concern that regular and effective enforcement is paramount for the CPZ to achieve its aim and remain effective and also concern where surplus residential parking can be accommodated.

6. PROPOSED MEASURES

- 6.1 It is recommended that the Traffic Management Orders TMOs be made to implement the MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens, Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue operational Monday to Saturday between 8.30am – 6.30pm as shown in Drawing No. Z78-350-01 and attached in Appendix 1.

- 6.2 The CPZ design comprises of mainly permit holder bays to be used by residents, businesses and their visitors with some P&D and shared use facilities made available for P&D customers. 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. The Diesel Levy will be in addition to the cost of permits. Permit holders will be advised accordingly when making their permit application. Those residents with all-electric vehicles will only pay a reduced rate of £25 instead of £65.

6.5 Visitors' permits

Due to the scheme operating 11am – 3pm Visitor permits are £1.50 (half-day permits not being necessary). 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.

6.6 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.

6.7 Pay and display (P&) tickets

It is recommended that the charge for parking within the shared use - P&D / permit holder bays reflect the standard charges applied to these types of bays in the borough, at the time of consultation. The cost will be £1.20 per hour.

- 6.8 In March 2019, the Council intends to undertake a statutory consultation on a permit and on street parking tariff structure which intends to increase the current permit prices.
- 6.9 Due to the fact that the CPZ statutory consultation had started prior to Cabinet decision regarding Council's intention to increase parking fees, residents were not advised of Council's intentions. If the CPZ is implemented, residents will pay the permit fees that were advertised during the consultation process as set out in sections 6.3-6.7 of this report. However, should the price increase be implemented, residents would have to pay the new charges on the first anniversary of their permit renewal.

7. TIMETABLE

- 7.1 If a decision is made to proceed with the implementation of the proposed CPZ, Traffic Management Orders could be made within six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. A newsletter will be distributed to all the premises within the consulted area informing them of the decision. The measures will be introduced soon after.

8 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 8.1 The cost of implementing the proposed measures is estimated at £11k. This includes the publication of the Made Traffic Management Orders, the road markings and the signs.
- 8.2 The Environment and Regeneration revenue budget for 2018/19 currently contains a provisional budget for Parking Management schemes. The cost of this proposal can be met from this budget.

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 without 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 would be against the wishes of the majority who support the proposed measures and will cause loss of confidence in the Council in delivering their wishes. It is that the consultees will not have a further opportunity to air their views and the Council would not be able to progress toward implementation which is supported by majority as demonstrated via the informal consultation. Not to progress the proposed measures will do nothing to address existing parking difficulties and will not assist the residents and the local business community. 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

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

- Appendix 1 - Drawing No.Z78-350-01,
- Appendix 2 - Statutory consultation document newsletter,
- Appendix 3 – Representations and Officer’s Comments,



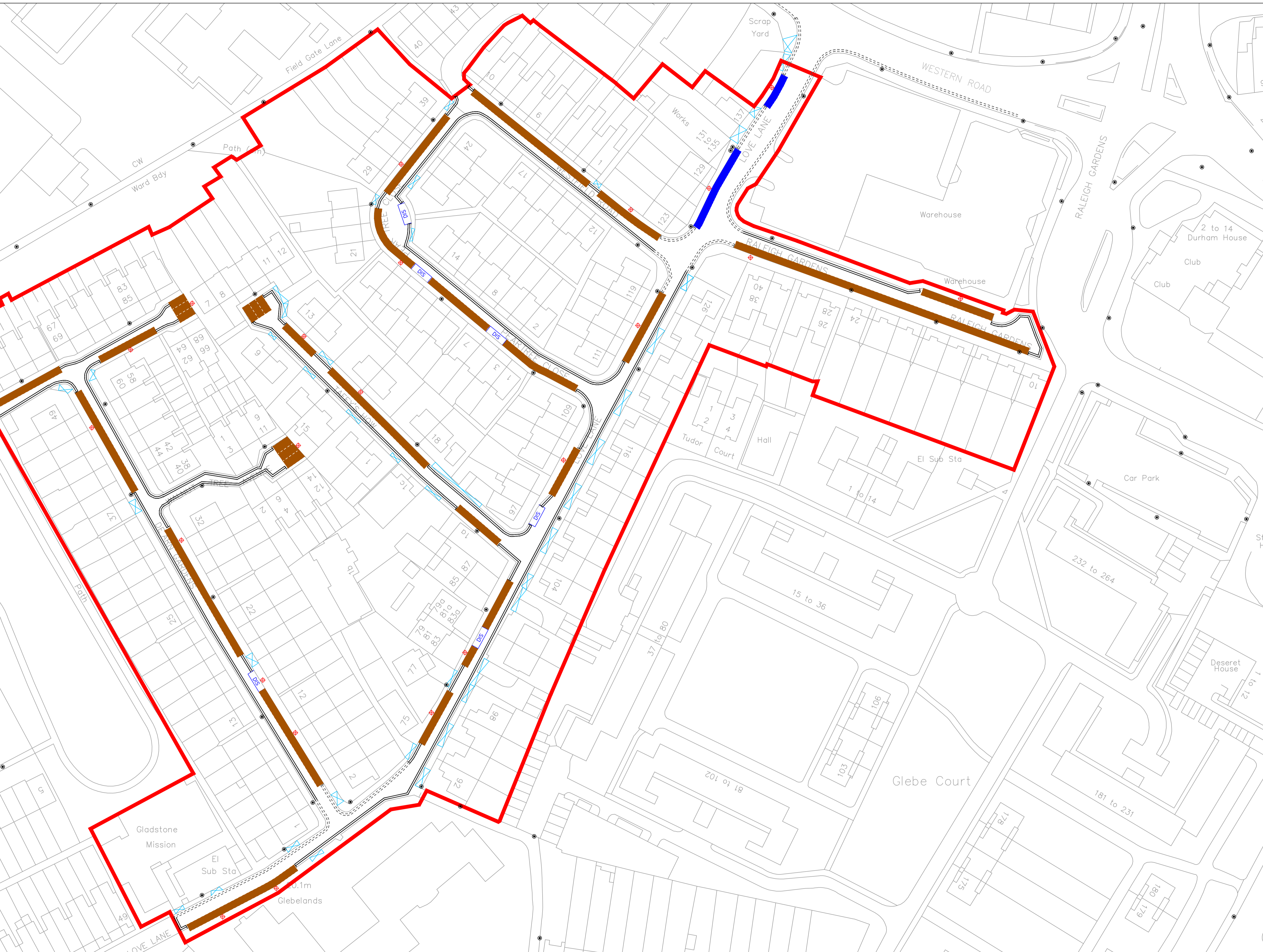
KEY

PROPOSED

- PERMIT HOLDER BAY
- SHARED USE BAY
- DOUBLE YELLOW LINE
- SIGN POST
- CPZ BOUNDARY

EXISTING

- CROSSOVERS
- DISABLED BAY
- SINGLE YELLOW LINE
- DOUBLE YELLOW LINE
- LAMP COLUMN
- PRIVATE ROAD



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

TRAFFIC & HIGHWAYS

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Drawn by JLN	Sig.	Date Aug 2017
Checked by	Sig.	Date
Approved by	Sig.	Date

PROJECT
CONTROLLED PARKING ZONES

TITLE
MTC1 DESIGN LAYOUT

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

Drawing No. Z78-350-01
Revision
Classification IMPLEMENTATION
Scale NTS

Please note that responses to any representations received will not be made until after 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/cpzmtc1. It is essential that you read this information

CRICKET GREEN WARD COUNCILLORS

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Cllr Russell Makin
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Cllr Owen Pritchard
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Cabinet Member for Regeneration, Transport and Housing.

Cllr Martin Whelton
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Email: martin.whelton@merton.gov.uk

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

Controlled Parking Zone (CPZ)

Proposed Zone MTC1 - Love Lane area.



ISSUE DATE : 1 FEBRUARY 2019

Dear Resident/Business

The purpose of this leaflet is to let you know the outcome of the informal consultation carried out between 13 September and 5 October 2018 on the proposal to introduce a controlled parking zone (CPZ) in your road.

MTC1 CPZ CONSULTATION RESULTS

The consultation resulted in a total of 65 questionnaires returned representing a response rate of 24%. Of the 65 who responded, 83% support a CPZ, compared to 15% who do not and 2% who are unsure. Residents were also asked which days of operation they would prefer if a CPZ was introduced. Results show that 88% of respondents prefer Monday – Saturday, 12% prefer Monday – Friday. Residents were further asked which hours of operation they would prefer should the CPZ be introduced. Results show 89% of respondents prefer 8.30am – 6.30pm, 9% prefer 11am – 3pm and 2% prefer 10am – 4pm.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Housing and Transport in November 2018. The report and the decision sheet can be viewed on our website. www.merton.gov.uk/cpzmtc1.

After careful consideration of the consultation results and officers' recommendations, the Cabinet Member has agreed:

- To proceed with a statutory consultation to introduce the proposed MTC1 CPZ to include Love Lane (between its junction with Western Road and No.47 Love Lane), Raleigh Gardens,

Westfield Road, Pear Tree Close, Taffy's How, De'Arn Gardens and Walnut Tree Avenue operational Monday to Saturday between 8.30am and 6.30pm.

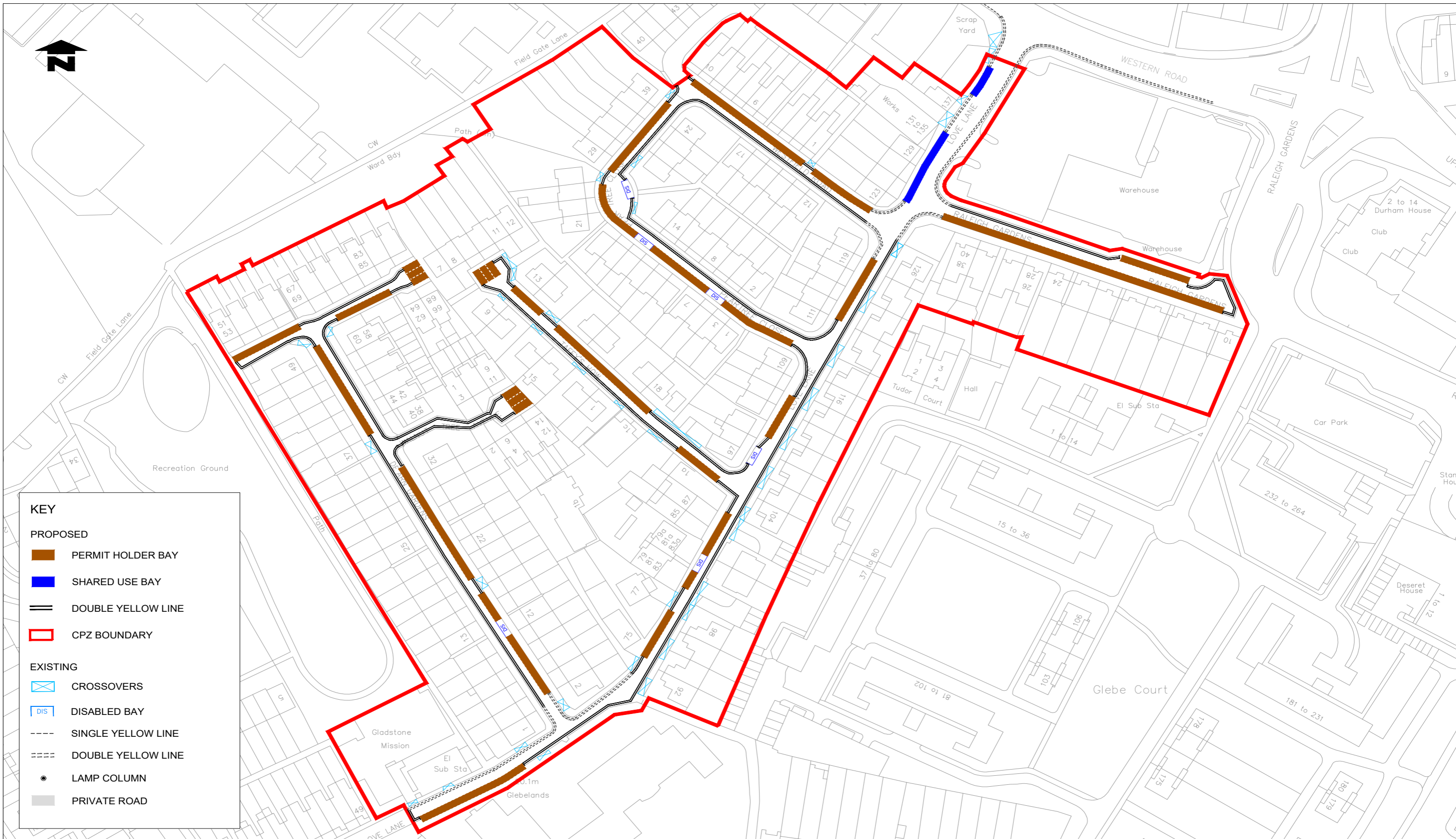
- To proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone.

WHAT HAPPENS NEXT

A 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. All objections and other representations relating to the proposals described in this Notice must be made in writing or email to trafficandhighways@merton.gov.uk by no later than 22 February 2019 quoting reference **ES/MTC1**. 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 and Mitcham Library during the Council's normal office hours Monday to Friday, 9am to 5pm. This information is also available on Merton Council's website www.merton.gov.uk/cpzmtc1

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



KEY

PROPOSED

- PERMIT HOLDER BAY
- SHARED USE BAY
- DOUBLE YELLOW LINE
- CPZ BOUNDARY

EXISTING

- CROSSOVERS
- DISABLED BAY
- SINGLE YELLOW LINE
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- LAMP COLUMN
- PRIVATE ROAD

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Sustainable Communities
environment & regeneration

TRAFFIC & HIGHWAYS

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Drawn by JLN	Sig.	Date Aug 2017
Checked by	Sig.	Date
Approved by	Sig.	Date

PROJECT
CONTROLLED PARKING ZONES

TITLE
MTC1 DESIGN LAYOUT

merton

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

Drawing No. Z78-350-01
Revision
Classification CONSULTATION
Scale NTS

Appendix 3 - Representations and Officer's Comments

IN SUPPORT AND CONCERNS

ES/MTC1CPZ/003

I feel the idea to do controlled parking zone on Love Lane, Mitcham is a very good idea but will cause a lot of problems. There is not enough parking for the amount of houses and the majority are people in flats which would leave most houses as a two car households.

The double yellow lines, need to be thought about down each street as a few more parking bays could be made in a few spots down each road. What I feel is people's safety will be at risk due to people becoming angry that they can't park down their own road. Which could cause arguments which might lead to physical violence. Please look in to creating more car spaces down each road.

I object to the amount of parking you are going to put in to place in the area when the permits arrive. During the day the streets are empty but by night they are full, often with many residents having to park on other roads.

Please could you consider upping the number of car spaces you intend to put in to place? There is already trouble in the area. Arguments between neighbours over parking spaces. I feel this will get worse if the space on the streets are not used well to provide residents with a car space.

Yes I do agree to the permits but please provide the area with more parking spaces.

ES/MTC1CPZ/005

As a resident of De'Arn Gardens for many years. I personally welcome the Merton Council's initiative to introduce CPZ on De'Arn Gardens and all the connecting Roads as mentioned on the Proposal Ref: ES/ MTC1 under Proposed Zone MTC1 – Love Lane Area. The same thoughts have also been shared by many of my neighbours on the same Road. I am writing this Email to draw your urgent attention to Parking Related issues currently faced by the residents of this Road on daily basis. These issues are underlined with some suggestions:

Issue -1 (Private Kerb Ramps & No Parking Signs)

During the past few days, many of the residents on De'Arn Gardens have privately installed "Car Kerb Ramps" (easily available online) on the Road in front of their properties with warning signs in Red to Read "Polite Notice - Do not Park". This includes (2, 4, 20, 22 and 43 - De'Arn Gardens) so far and the list may extend in coming days as the Council will introduce the CPZ on our Road. My only concern if I or some other Residents would pay for the Resident Permit for their car to be parked somewhere on this Road on one of the assigned "Permit Holder Bay" by the Council. I or any other Resident won't be able to park on those proposed Bays in front of the above listed Properties due to the warning signs & kerb ramps. I request to Council to please take an appropriate action (Warning Letters & the Removal of Kerb Ramps & Private warning Signs) in order to ensure that the Payee Residents holding the Permits should not be denied their legal right to park on these Bays.

Issue – 2 (Footway Parking)

Few of the residents/ non- residents park their Cars & Vans on the Footway in front of De'Arn Gardens 3, 13, 15, 25 & so on without any regards to the passer-by's on foot including elderly and/or children. They do not leave 1meter gap as required by the Council's Footway Parking Enforcement. I would appreciate, if the Council introduce Footway's restriction Policy to enforce it for 24/7 with appropriate Signs on this Road in order for the resident/s to freely walk on these Pavements.

Suggestion (Parking Permits)

Quite few houses on De'Arn Gardens have been converted properties for many years and hence there are 2 or more households occupy those properties. Taking this fact into account, it would be wise to issue max of 2 Resident Permits per property and besides this not allowing any permit/s for heavy Vehicles/ Vans (similar to Medium Size Commercial Transit Vans).

Your urgent attention & subsequent actions on the aforesaid matters will be highly appreciated.

ES/MTC1CPZ/007

As you noticed De'Arn Gardens, CR4 is quite a narrow Road itself. I would like to draw your attention to the following issues being faced by myself & my family with 3 small kids:

It seems De'Arn Gardens becoming a favourite Parking Place for Resident/ Non- Resident to bring their commercial Vans/ vehicles to park. I am a Bus Driver by profession. I found it very difficult most of the times at night, when I finish my job at nights to bring my car in and park on the Street.

It is also very evident in the evenings after 7pm that Residents/ Non- Residents park their cars sometimes Vans on the footway without leaving any gaps at all for anyone to walk on. This way they forced the passer-by's to use the carriageway, which is dangerous especially for kids and elderly and illegal as per the Council Footway Policy.

I appreciate your stance to try and introduce the Permit Bays in the Street, which I fully support but at the same time I also appreciate to look into the issues mentioned above to ease off the difficulty faced by me and I am sure being faced by the other Law abiding residents of this Street.

ES/MTCCPZ/009

Many of our neighbours living at Houses starting from No.2 De'Arn Gardens (& onwards) have placed temporary car kerb ramps on the road. They have also fixed signs on their driveway to warn & prevent any one parking their cars in front of their houses. Please advise if it is legal for them to do it.

Few of the resident/ non-resident of this street find it very convenient to park their cars on the footway stretching from House 5 De'Arn Gardens – 27 De'Arn Gardens onwards. They cause obstruction to on foot pedestrians, forcing them to use the road instead of the footway. This is dangerous particularly for kids, people with buggies, wheel chair users & visually impaired. Most of the time their vehicles are parked in such way that it blocks full or partial access to our own home. To get a clear picture of the difficulties faced by us by such irresponsible acts, you can visit this street in the evening after 6.30pm and / or on weekends.

I am confident that your proposed control parking zone for this street & the nearby streets will ease some of our difficulties off but I beg you to consider enforcing usage of the footpath by pedestrians without any obstruction and also to address how we park our cars in the proposed permit holder bays in future.

ES/MTC1CPZ/008

There are major problems with the current proposition of the MTC1 CPZ and I am hoping someone will take them in count and make the necessary changes prior to the implementation of it.

We have a car that we mainly use it during the weekend as I am at work during the week. I have a vehicle from work that I use MON-FRI and obviously I park it outside on the street. We live in De'Arn Gardens and this flat is the upstairs one, with no parking at the front for us. The space at the front belongs to the bellow flat.

We have moved in 2012 in here and yes, we had some problems with the parking but because we leave on a no through road / dead end street, we started to know our neighbors and we park in certain spaces. This was OK until we had started to have people living on other streets (i.e. Walnut Tree) literally dumping their cars for weeks in here.

In May 2016 we have being informed that we cannot park on the footpath and after a visit from the Parking Enforcement Manager, a decision was made to not enforce the footpath parking in the "T bar" end of De'Arn Gardens. An email dated 16/05/2016 was sent to confirm this.

I understand a petition was started few years ago to add CPZ in our streets but nothing has happened until around October when were asked to participate in an online survey with very limited options to choose from. Following this survey, we have received a letter to be informed of the decision to introduce the CPZ on our street.

I am for a CPZ on our street, however this needs to be carefully considered to not cause more problems than solving:

1. Time wise the main problem it is not during the proposed time of 8.30 – 18.30 Mon – Sat. I leave at around 8am and I can see most days most of the cars are gone. The main problem is in the evenings and weekends including Sunday. There is also a church on Love Lane and you can see people coming and parking on our street.

I am not happy about this as we normally go out over the weekends and what are we supposed to do when we come back from church on Sunday evening around 20-21 and not being able to find any space available to park? As I have mentioned, I am with 3 children, my wife and 75 years old mother in law. We live at the end of De'Arn Gardens and if we don't find space what to do next?

Also, if there is no restriction on Sundays, what are we supposed to do when we go out and come back to not find any spaces available to park?

It is very easy to say, you should not have a car then, but we are fully active and the children and we do need the car as it is much cheaper compared with a cab / taxi for the amount of people required and also about the flexibility.

I would say if this was to be changed to Mon - Sun between the hours of 8.30 – 20.00 (or even 22), this will allow the residents on the street to park only in here.

2. You are proposing to cut down the available parking space to approx. 50% and introduce double yellow lines for the rest of the area where no one can park at any times.

I am not happy about this as the options you have suggested does not correspond with the needs of the residents living on this street. It is not a through road and the vehicles that are not having a business on this road should not come around.

I am suggesting looking again at the plans and maximise the available spaces for residents, including on the T bar at the end where there can be doubled up the space.

3. Also, the suggested double yellow lines are not good as it will not allow us to park at all even on the out of hours, at night or over the weekend.

I can see this being a major problem unless you make the parking from Mon – Sun, 8.30 – 22.00 and this will allow us to use the spaces when we come home.

The main point I am making is that I am for a way of controlling the situation, but the proposed one does not reflect the needs of the residents and should be altered in such a way to reflect this.

I am not for a new controlled zone that will restrict parking and also make a bigger problem to us, the residents. As I have said, we are the one living on this streets and we should be the ones using this streets to park. It is not a thought road so we should come up with a very good plan to tackle this. I am looking forward to see a much better plan introduced.

ES/MTC1CPZ/001

I live in De'Arn gardens and parking at the best of times is a complete joke. We have a burger van that has been parked on the road over a year. People who go to work and leave bins and cones out to save parking. And know you are planning on reducing the parking by half down these roads. I won't be able to park in front of my house as this will be yellow lined. The council won't grant permission for a dropped curb as my neighbours have been refused. So I will have to pay to not guarantee a parking space?

Officer's comments

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 parking permits. Residents can purchase 'Visitor Parking Permits' for their visitors which entitles them to park within any permit holder bays throughout the zone. Businesses are unable to purchase Visitor Parking Permits for use by customers.

The Council shares these concerns and the proposed measures have been designed accordingly. The roads within the boundary of the proposed CPZ are not wide enough to accommodate parking on both sides, and the footways are not wide enough to accommodate partial footway parking and pedestrian access, therefore 'at any time' waiting restrictions (double yellow lines) have been proposed along one side of the carriageway in these roads.

The public highway is for the use of all members of the public and residents cannot 'reserve' parking places on the public highway. Also driving a vehicle across the footway in the absence of a dropped kerb (vehicle crossover) is illegal and the placement of small ramps to assist a vehicle to mount the kerb is not authorised by the Council. Within a CPZ all kerbside must either be controlled with yellow line waiting restrictions (such as at junction corners or across vehicle dropped kerbs / access) or designated parking places.

During the informal consultation the majority of respondents expressed support for operational hours of Monday to Saturday between 8.30am and 6.30pm. After consideration of the informal consultation results and officers' recommendations the Cabinet Member approved the undertaking of the statutory consultation for MTC1 CPZ to operate Monday to Saturday between 8.30am and 6.30pm.

ES/MTC1CPZ/004

I see from the plan of proposed scheme drawing No.Z78-350-01 of CPZ MTC1 in the area that outside No.6 Taffy's How there is a dropped paving, which is marked on plan and also No.1 Westfield Road. There is also a dropped paving outside No.9 Taffy's How, which is not marked or shown in the plan at all. I have attached some photos of the dropped paving outside No.9. The plan shows a few parking bays outside No's 9 & 10. I was wondering how it is possible to have a parking bay at a point of dropped paving.

Outside No.14 Taffy's How there is a single yellow line on the dropped paving. But on Taffy's How outside No's 11 & 13 there is double yellow lines, in my opinion this restriction of double yellow lines is excessive in the cul-de-sac area where there is no passing traffic and single yellow would suffice and make it easier for residents to go about their daily car routines with safety and ease.

Pay & display shared bays are also placed at the start of Love Lane. Many residents will have unexpected visitors or tradesman. If say you lived at No. 22 De'Arn Gardens or nearby, visitors will have to park a far distance away to use pay & display. As they are shared pay & display bays can these bays not be placed strategically along or some spots of Love Lane, so that all roads leading off Love Lane have fair access to them. Please consider my viewpoints mentioned whilst making you final decisions.

Officer's comments

The Council shares these concerns and the proposed measures have been designed accordingly. The roads within the boundary of the proposed CPZ are not wide enough to accommodate parking on both sides, and the footways are not wide enough to accommodate partial footway parking and pedestrian access, therefore 'at any time' waiting restrictions (double yellow lines) have been proposed along one side of the carriageway in these roads.

With regards to the dropped kerb outside No.9 Taffy's How, it is recognised there is no off-road hardstanding parking area and the dropped kerb is not sufficient size to accommodate a vehicle. It is acknowledged the dropped kerb was previously introduced for a wheelchair and no longer in use, lack of

funding the Council has been unable to reinstate the footway. In view to maximising parking places the proposed design is to place a parking bay as providing clearance with yellow lines at this location will result in loss of a parking place.

Within the CPZ only those within the zone are entitled to parking permits. Residents can purchase 'Visitor Parking Permits' for their visitors which entitles them to park within any permit holder bays throughout the zone.

OBJECTIONS

ES/MTC1CPZ/002

Thank you so much for imposing another expense on us. You have only received 24% response and you decided that you are going to proposed CPZ. Time you choses from 8:30 to 6:30 is wrong but once you decide it's decided, I bet you will never change it otherwise you do not make money.

One thing is very clear that it is all council decision just to make money, If you have really worried about parking then you should listen to us since 2009. Time issue is in the night and you are proposing parking in the morning, what kind a people you have to work in the department? Do you ever visited personally that what parking issues we have?

Why you do not come personally in your own cars and I will show you what issues we have for parking? There is no need for CPZ, only need to teach you how to handle the parking issues. Think again before putting CPZ, there is no need. 24% response is the failure of your proposal.

ES/MTC1CPZ/006

I strongly object to this plan as I have lived here for just over 40 years and during that time we have never had any parking problems with regards to parking by commuters, shoppers etc. which I am led to believe is what CPZ was introduced for in the first place, my road is a cul-de-sac and I live at the end and when the London wide pavement parking rules were brought in last year or just before, objections were made on the grounds that residents had to park on the pavement as on one side in particular the pavement is not wide enough to walk on so Merton council informed us that this particular part of the road would be exempt from these new laws after an inspection by the relevant council officers so introducing CPZ in my part of the road goes against the previous council ruling.

I am disabled and a blue badge holder which was issued by Merton Council so being able to have parking outside my house is essential, currently my neighbours are aware of my disability and very kindly usually leave the space opposite my house for me to park, but with your proposals parking will be very difficult with half the spaces going after double yellow lines have been painted so it will be very difficult for me to park as everyone will have to park in what is left, could I maybe be allocated a disabled bay where I currently park if your plans do go ahead?

I appreciate there were not as many forms returned to you when you first informed us as maybe you were expecting, but I personally believe the majority of those "for" the scheme live in Love Lane where outsiders do park for Mitcham shopping including the car repair premises at the junction of Western Road and the Lidl store, that I can understand, but, De'Arn Gardens and Walnut Tree avenue do not have any such problems so I feel should not be included in the proposed scheme, I am probably one of the longest residents in De'Arn Gardens so can be a very fair judge of any problems that may warrant the introduction of a CPZ scheme as it will NOT in any way help residents in our road at all but will have the opposite effect from what I am led to believe the introduction of such a scheme is all about, to help not hinder those who live here. May I add that the restricted hours of parking from 09:30 to 18:30 Monday to Saturday are certainly inappropriate if CPZ is introduced as I already feel that no shoppers or commuters would want to park in our road, too far away from buses and or shops?

I hope that my communication will maybe make you aware of problems you may not already be aware of during

your planning stage?

Officer's comments

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. Businesses are unable to purchase Visitor Parking Permits for use by customers.

The implementation, maintenance, enforcement and administrations costs for a CPZ must be paid with the revenue generated through the income generated by parking management – that is to say a CPZ should pay for itself. Any surplus funds generated is legally required to be ring fenced to be invested in transport and fund concessionary travel schemes.

Before the Council considers any possible resident parking schemes, it requires a demonstration of support from the residents for the concept of controlled parking. The Council encourages all members of the community to take part, whether in support or opposed to the proposals. When collating the feedback from the community the Council can only consider the responses of those who have made a representation.

During the informal consultation stage the majority of respondents of the local community expressed support for operational hours of Monday to Saturday between 8.30am and 6.30pm. After consideration of the informal consultation results and officers' recommendations the Cabinet Member approved the undertaking of the statutory consultation for a MTC1 CPZ to operate Monday to Saturday between 8.30am and 6.30pm.

Current concerns raised include vehicles parking on the footway obstructing passage for pedestrian use consequently forcing those pedestrians to walk in the carriageway, especially risking safety for children and elderly. The roads within the boundary of the proposed CPZ are not wide enough to accommodate parking on both sides, and the footways are not wide enough to accommodate partial footway parking and pedestrian access, therefore 'at any time' waiting restrictions (double yellow lines) have been proposed along one side of the carriageway in these roads.

Blue Badge holders can apply for a CPZ resident permit free of charge. Blue Badge holders without access to off-street parking may be entitled to a disabled parking bay subject to meeting Council criteria.

For further information and to apply for a disabled parking bay please see <http://www.merton.gov.uk/disabledbays>

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