

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
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Date: 20 August 2019

Dear Councillor

**Notification of a Decision taken by the Cabinet Member for
Regeneration, Housing and Transport**

The attached non-key decision has been taken by the Cabinet Member for
Regeneration, Housing and Transport with regards to:

) Proposed CH CPZ Cannon Hill Area - Statutory Consultation

and will be implemented at **noon** on **Friday 23 August 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

**Lisa Jewell
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 CH CPZ Cannon Hill 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

19 August 2019

5. Date report made available to decision maker

15 August 2019

6. Decision

- A) Notes the result of the statutory consultation carried out between 9th May and 31st May 2019 on the proposals to introduce a Controlled Parking Zone (CPZ) 'CH' (Cannon Hill) to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22 and the implementation of the 'At any time' waiting restrictions (double yellow lines).
- B) Notes and considers the representations received in respect of the proposal as detailed in Appendix 3.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed CH CPZ to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22, and operational Monday to Friday between 11am and 3pm as shown in Drawing No. Z78-358-01 in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the 'At any time' waiting restrictions as shown in Drawing No. Z78-358-01 except at the junction of Ashridge Way and Martin Way in Appendix 1.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Documents relied on in addition to officer report

Representations from local businesses about the 'at any time' waiting restrictions at the junction of Martin Way and Ashridge Way – the yellow lines are sufficient without the need for double yellow lines

8. Declarations of Interest

None

Cllr Martin Whelton

Cabinet member for regeneration, housing and transport

19 August 2019

Committee: Cabinet Member Report

Date: 15th August 2019

Agenda item:

Ward: Cannon Hill

Subject: Proposed CH CPZ Cannon Hill area – statutory consultation.

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

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

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 result of the statutory consultation carried out between 9th May and 31st May 2019 on the proposals to introduce a Controlled Parking Zone (CPZ) 'CH' (Cannon Hill) to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22 and the implementation of the 'At any time' waiting restrictions (double yellow lines).
- B) Notes and considers the representations received in respect of the proposal as detailed in Appendix 3.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed CH CPZ to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22, and operational Monday to Friday between 11am and 3pm as shown in Drawing No. Z78-358-01 in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the 'At any time' waiting restrictions as shown in Drawing No. Z78-358-01 in Appendix 1.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the statutory consultation carried out on the Councils' proposals to introduce the CH CPZ in Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22 and the implementation of the 'At any time' waiting restrictions (double yellow lines).
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed CH CPZ in Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington

Avenue between odd nos. 1 – 37 and even nos. 2 – 22, operational Monday to Friday between 11am - 3pm and the 'At any time' waiting restrictions (double yellow lines), as shown in Drawing No. Z78-358-01 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 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. 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 refuse collection service vehicles.

CONSULTATION UNDERTAKEN

4. INFORMAL CONSULTATION

- 4.1 The Council carried out an informal consultation between 18th January and 8th February 2019 on the proposal to introduce a CPZ to include Arundel Avenue, Ashridge Way, Hillcross Avenue, Leamington Avenue, Maycross Avenue, Monkleigh Road, Mossville Gardens, Northernhay Walk, Sheldon Drive, Westcroft Gardens and Woodland Way.
- 4.2 The informal consultation concluded support for a CPZ in Arundel Avenue, Maycross, Mossville Gardens and Woodland Way. To achieve a single zone layout with one boundary, when reporting the results to the Cabinet Member, it was recommended to include the section of Leamington Avenue between odd nos. 1 – 27 and even nos. 2 – 22 into the proposal; additionally, this section of Leamington Avenue showed a majority in favour of a proposed CPZ. This avoided two disconnected CPZs by linking Arundel Avenue and Woodland Way with Maycross Avenue and Mossville Gardens.
- 4.3 The feedback to the informal consultation showed 85% preferred Monday – Friday, 14% Monday – Saturday and 1% no-response for the proposed CPZ operational days and 48% preferred 11am – 3pm, 30% 8.30am – 6.30pm, 20% preferred 10am – 4pm and 2% no-response to the hours of operation.

5. STATUTORY CONSULTATION

- 5.1 The statutory consultation on the Council's intention to introduce the CH CPZ to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22 and the implementation of the 'At any time' waiting restrictions was carried out between 9th May and 31st May 2019. The consultation included erecting Notices on lamp columns in the vicinity of the proposals and the publication of the Council's intentions in the Wimbledon Times 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 Friday between 11am – 3pm),
- Double yellow lines operating “at any time’ without loading restrictions,
- Scheme design layout and zone boundary.

- 5.3 The statutory consultation resulted in 17 representations to the proposal, which include 8 representations from properties within the proposed CPZ and 9 representations from properties outside the proposed zone. All the representations object to the proposal. Details of these representations along with officer’s comments can be found in appendix 3.
- 5.4 The salient points raised in representations from properties within the boundary of the proposed CPZ are the costs associated with parking permits; the waiting restrictions (yellow lines) reducing available parking and the view that although the majority of those who were initially consulted objected to the proposed scheme and yet the scheme is still being progressed with the roads in favour of the scheme.
- 5.5 The implementation and administrations costs for the CPZ and subsequently the cost for routinely enforcing the scheme is paid with the revenue generated through the sale of parking permits, effectively the CPZ pays for itself. Any surplus funds generated is legally required to be ring fenced to be invested back into the highway or fund concessionary travel schemes.
- 5.6 Several points were made regarding the positioning of proposed waiting restrictions (yellow lines) in the proposed scheme. The layout of the parking restrictions are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic; additionally, within the CPZ all kerbside must either be controlled with yellow line waiting restrictions (such as at junctions or across vehicle dropped kerbs / access) or designated parking places and it is not normal practice to introduce parking places across dropped kerbs (driveway) therefore single yellow lines are marked to provide clearance during CPZ operational hours.
- 5.7 In the initial consultation it states that subject to responses received it may be recommended to only include those roads where there is a majority in support of the proposal, this coupled with the consultation questionnaire asking the community if they support the introduction of a CPZ in their road should the neighbouring road be in favour aims at providing scope to consider parking displacement from a neighbouring road and submit their views to that event.
- 5.8 The prominent issues raised in representations by properties outside of the boundary of the proposed scheme is concern for the potential parking displacement into non parking controlled roads in the event the CPZ becomes operational and the introduction of ‘at any time’ waiting restrictions (double yellow lines) in roads not within the proposed CPZ, the sentiment that residents of these roads will receive a ‘double blow’ with increased parking pressure by being outside the adjacent CPZ and having reduced kerbside parking availability.
- 5.9 The Council’s refuse collection service regularly report that their vehicles are unable to access and carry out refuse collection in the area, especially in Westcroft Gardens and Leamington Avenue; due to service vehicles inability to drive through narrow sections of the carriageway because of vehicles parked both sides. It is the aim of the proposed ‘at any time’ waiting restrictions along one side at narrow sections of the carriage way to ensure access for moving traffic especially larger vehicles such as emergency and refuse collection services.

- 5.10 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.
- 5.11 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.

Ward Councillor Comments

- 5.12 Ward Councillors have been engaged during the consultation process and have been advised of the outcome of the consultation and officers' recommendations; at the time of writing this report, no comments have been received against the proposed measures.

6. PROPOSED MEASURES

- 6.1 It is recommended that the Traffic Management Orders TMOs be made to implement the CH CPZ to include Arundel Avenue, Maycross Avenue, Mossville Gardens, Woodland Way and the section of Leamington Avenue between odd nos. 1 – 37 and even nos. 2 – 22 operational Monday to Friday between 11am – 3pm as shown in Drawing No. Z78-350-01 and attached in Appendix 1.
- 6.2 It is recommended that the Traffic Management Orders TMOs be made to implement the 'At any time' waiting restrictions as shown in Drawing No. Z78-350-01 and attached in Appendix 1.
- 6.3 The CPZ design comprises of permit holder bays to be used by residents, businesses and their visitors. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.
- 6.4 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.
- 6.5 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. The Levy of £150 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.
- 6.6 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.

6.7 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.

- 6.8 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicle will only have to pay a reduced rate of £25 instead of £65.

6.9 **NEW CHARGES**

The Council has recently completed a statutory consultation on making a number of changes to parking charges throughout the borough including the permit tariff structure. Although the residents have been consulted on the existing permit prices, should the proposed parking charges be implemented, residents would need to pay the new charges upon the renewal of their permits. The information can be found on the Council's website using the following web link,

<https://www.merton.gov.uk/streets-parking-transport/parking/charges-consultation-2019>

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 Wimbledon Times 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 £12k. 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 2019/20 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 is that the existing parking difficulties would continue and it would do nothing to assist the residents and local community and not address the obstructive parking that has been identified.

12.2 The risk in not addressing the issues from the consultation exercise would be the loss of confidence in the Council. The proposed measures may cause some dissatisfaction from those who have requested status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

13. ENVIRONMENTAL IMPLICATIONS

13.1 When determining the type of parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.

13.2 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters;

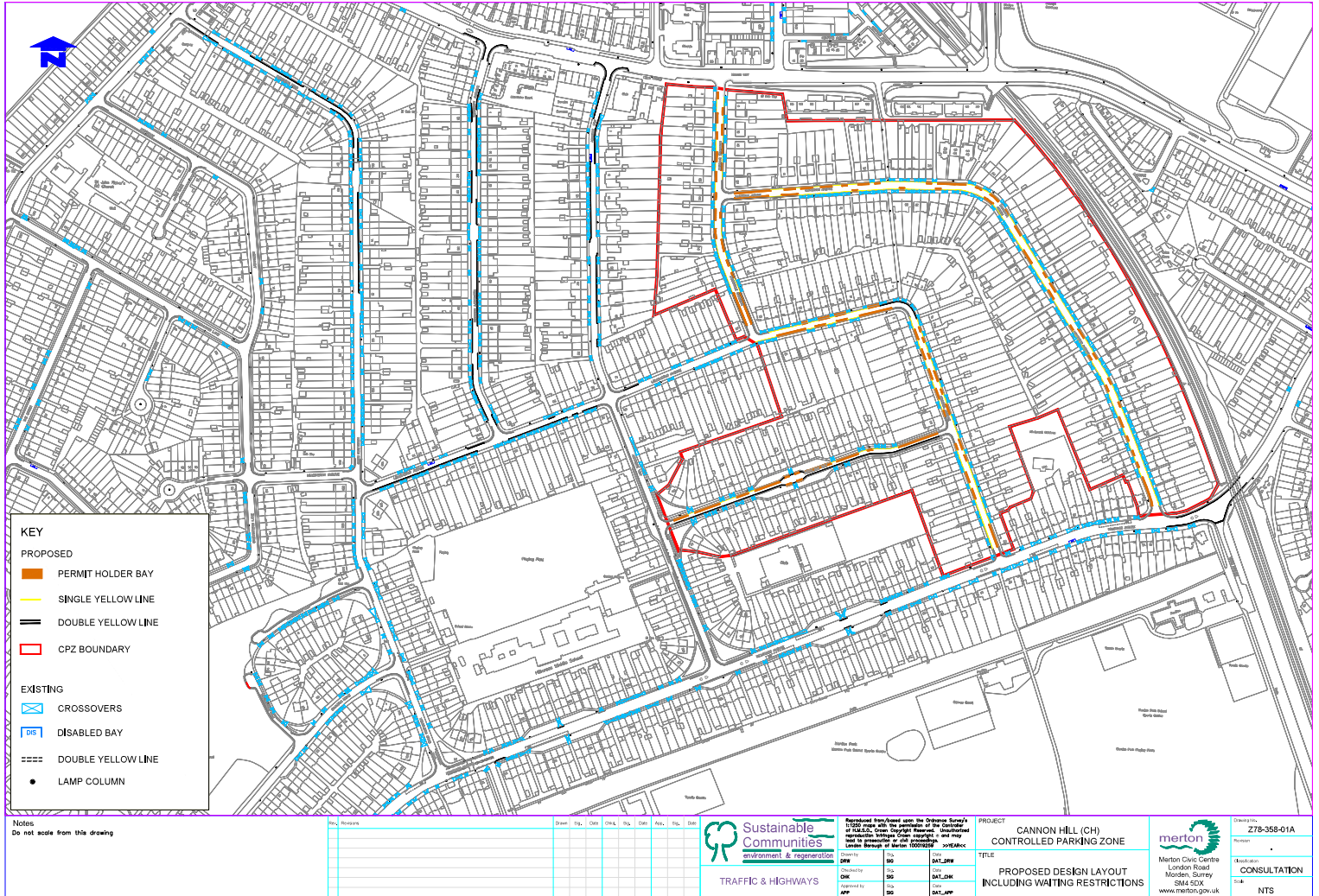
(a) the desirability of securing and maintaining reasonable access to premises,

- (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity,
- (c) the national air quality strategy,
- (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers,
- (e) any other matters appearing to the Council to be relevant.

14. APPENDICES

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

- Appendix 1 - Drawing No.Z78-358-01,
- Appendix 2 - Statutory consultation document newsletter,
- Appendix 3 – Representations and Officer’s Comments.



Appendix 2 - Statutory consultation document newsletter

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 to trafficandhighways@merton.gov.uk by no later than **31 May 2017** quoting reference **ES/CH**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm or at Raynes Park Library. This information is also available on Merton Council's website www.merton.gov.uk/cpzch

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

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

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/cpzch

The Council is currently carrying out a statutory consultation on making a number of changes to parking charges throughout the borough including the permit tariff structure. Although the residents have been consulted on the existing permit prices, should the proposed parking charges be implemented, residents would need to pay the new

charges upon the renewal of their permits. The information can be found on the Council's website using the following links.

- www.merton.gov.uk/parkingconsultation2019

CANNON HILL WARD COUNCILLORS

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Cabinet Member for Regeneration, Housing and Transport.

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

www.merton.gov.uk

Proposed Controlled Parking Zone (CPZ) CH - Mossville Avenue Area



ISSUE DATE: 09 MAY 2019

Dear Resident/Business

The purpose of this leaflet is to let you know the outcome of the informal consultation carried out between 18th January and 8th February 2019 on the proposals to introduce a CPZ 'CH' to include Arundel Avenue, Ashridge Way, Hillcross Avenue, Leamington Avenue, Maycross Avenue, Monkleigh Road, Mossville Gardens, Northernhay Walk, Sheldon Drive, Westcroft Gardens and Woodland Way.

CH CPZ CONSULTATION RESULTS

The consultation resulted in a total of 393 questionnaires returned (after removing duplicates/multiple returns from households, staff and members of businesses), representing a response rate of 42%.

Of the 393 who responded, the majority of roads within the consulted area do not support the proposed scheme; only 3 roads, Arundel Avenue, Mossville Gardens and Woodland Way have demonstrated majority support

Taking the responses to the question "would you support parking controls if neighbouring roads did?" It is also acknowledged that Maycross Avenue has considered the impact of displacement and the majority view shifts in support of parking controls. This indicates majority in favour of parking controls from Arundel Avenue, Maycross Avenue, Mossville Gardens and Woodland Way with all other roads with a majority against the proposed parking controls.

Further analysis of the responses from Arundel Avenue, Maycross Avenue, Mossville Gardens and Woodland Way, the results for the preferred days of operation of the proposed CPZ scheme show 85% of respondents prefer Monday – Friday,

14% prefer Monday – Saturday and 1% unsure or no response.

Residents were also asked which hours of operation they would prefer should the CPZ be introduced in their road, 48% of respondents prefer 11am – 3pm, 30% prefer 8.30am – 6.30pm, 20% 10am – 4pm and 2% unsure or no reply.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Transport and Housing on the 3 April 2019. The report and the decision sheet can be viewed on our website, www.merton.gov.uk/cpzch. The following recommendations which were made to the Cabinet Member have now been agreed:

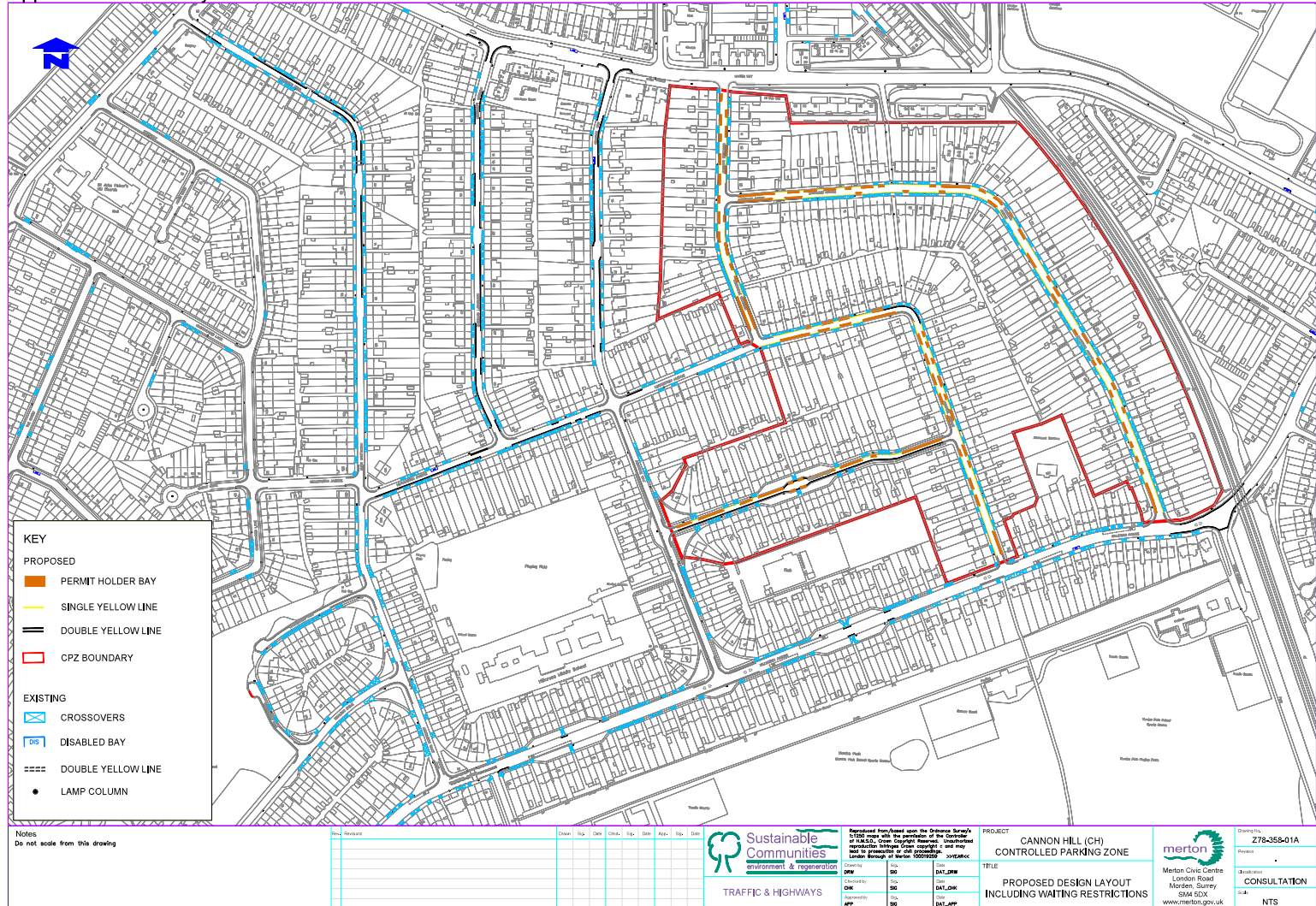
- to proceed with a statutory consultation to include Arundel Avenue, Maycross Avenue, Mossville Gardens and Woodland Way into the proposed CH CPZ, operational Monday to Friday between 11am and 3pm.
- to proceed with a statutory consultation to include the section of Leamington Avenue between, odd nos, 1 – 37 and even nos, 2 – 22 into the proposed CH CPZ.
- to proceed with the statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions.
- to exercise his discretion not to hold a public inquiry on the consultation process.

WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local

www.merton.gov.uk

Appendix 2 - Statutory consultation document newsletter



Appendix 3 - Representations and Officer's Comments

From properties within the proposed CPZ boundary

ES/CH/006

I would like to express my disgust at the underhand and devious way Merton Council has forced this proposal through. I doubt if the low ratio of residents that did vote for it would have done so if they had been made aware of your proposal to double the cost immediately after the consultation date had passed.

Like Brexit there should be another vote now that residents are aware of the drastic changes you have made in the initial terms and conditions.

I also anticipate that there will be a huge annual hike in permit costs that you do not advertise.

I sincerely hope that more people have woken up to your stealth tax on motorists and expressed their dissatisfaction with the whole consultation process.

ES/CH/010

I'm writing to object to the proposed controlled parking zone in Mossville Gardens

I live in Mossville gardens and I have several problems with this proposal. I believe that the CPZ will not solve the parking issues we have and that the survey was miss-leading in the way the questions were asked.

The CPZ will not solve the issue because parking is almost never a problem in Mossville gardens during the hours that the CPZ will operate. Parking is only a problem in the evenings. This due to a small number of residents who operate small businesses and have several very large cars and vans which they park in Mossville Gardens and surrounding roads. These residents mostly already have business parking permits and also only tend to park up in the evenings so the CPZ will have no effect. Even when these residents have to buy expensive permits this is not going to deter them from keeping their vehicles.

While the survey showed a majority support for the CPZ in my road I believe that residents were somewhat miss-lead by this survey. The survey did not encourage people to think about the times when parking is a problem and the times when the CPZ will come into effect. The questions about supporting a CPZ and the questions about the hours of operation were quite separate. Residents answering the survey know there is a parking issue (in the evenings) so they support the CPZ. Only later are they given options for times. Since no option covers the hours when there is a serious problem they choose the shortest hours to prevent long term parking (a much smaller issue).

The prices for permits were also listed on a separate piece of paper and many respondents may not have noticed them.

The cost of permits for residents is extortionately high. Many families may not be able to bear the cost of residents' permits and visitor permits. Having to pay these prices to park outside my own house because of a problem I did not cause and will not be fixed is unfair.

Even though I have a driveway I will still need to buy a permit for the few times when I have to briefly park my car on the road. Often this is when I can't get into my driveway due to the position of other resident's large vehicles. This is very expensive and unfair.

The CPZ will encourage more people to pave over their gardens to provide more car parking. This is extremely bad for the environment, reduces air quality, intensifies the urban heat island effect, increases flood risk and pressure on drains.

It is unclear if I will be permitted to park across the entrance of my own driveway with or without a permit. How can any enforcement officer tell if a car is parked across a driveway with the resident's permission or not?

Please do not introduce a CPZ in my road and create another tragedy of the commons.

ES/CH/011, ES/CH/16 & ES/CH/17

I am wholeheartedly against your decision to introduce this. I have no problem with other residents parking in my road for whatever reason.

You state in your letter that the majority of roads do not support the proposed scheme so why therefore are you following through with the proposal. It makes a mockery of democracy if you ask people for their opinions and go against the majority.

Your follow up question "would you support parking controls if neighbouring roads did" should not be asked as it is not relevant if we have said no. The question is misleading and forces people to give an opinion to a proposal they didn't want. You then follow up with 85 per cent prefer Monday to Friday, but you have taken this from residents that didn't want controlled parking at all so therefore your further questions are insignificant and not necessary .

Despite the majority of residents opposed to this, you then go on to state a proposed operational controlled parking between 11am and 3pm. If the purpose of this is to stop commuters parking and improve parking for the residents then a 1 hour restriction during the day would be sufficient and in fact the most logical so as not to inconvenience the residents who have people visiting, making deliveries, services and care agencies .

You state that you can exercise your discretion and not hold a public enquiry...why? If your plan is to go against the majority and proceed anyway then the only conclusion is that it generates more money for the council and adds inconvenience and extra costs in permits to all the residents.

My elderly (grand) mother lives with me and has regular visits from relatives, who are also elderly. I cannot expect them to pay for parking when they visit and equally do not want to pay for a permit as I am already opposed to this scheme. We have a large elderly population in these roads and the same would apply to all of them.

Furthermore, this scheme will produce less parking spaces than are available now so we have a situation where less cars can park than could previously, the difference though is that they will all be charged to do so, ultimately a benefit to the council but not to the residents who will all be worse off and for whom you should be acting in their best interests.

Finally I conclude that your information leaflet is misleading and biased and that you have worded it so that it seems a forgone conclusion that this proposal will go through regardless of objection.

I am not in favour of this proposal and neither is the majority.

ES/CH/012

Having read your letter as of 9 May 2019 about the Proposed Controlled Parking Zone I am surprised to find out that you are considering introducing a Controlled parking zone at Maycross Avenue despite of the fact that the majority of residents did not support your proposal (which is stated in the 3rd paragraph of your letter).

I don't understand how the controversial question "would you support parking controls if neighbouring roads did?" could have been answered positively as, it is my understanding, the majority of residents were against the proposal.

Your letter is quite ambiguous and does not provide a clear statement as to whether Maycross Avenue residents supported the proposal or not. I discovered a mistake in your letter (such as that our response should be made "no later than 31 May 2017" whilst the letter is dated as of 9 May 2019). Hopefully it is the only one...

In the view of stated above arguments I consider your letter slightly misleading and vague.

I would like to acknowledge to you that I am against the introduction of the proposed controlled parking zone due to a variety of reasons, amongst which:

- waiting and loading restrictions that are unfavourable towards residents of our street, many of whom are elderly.
- I don't want my visitors to pay for parking;
- the purpose of this proposal is to increase council's profit;
- I would not be able to park on the road for a quick pick-up of something;
- It will increase traffic generated by drivers looking for parking...

In conclusion I do not support the proposed controlled parking but if the decision is made to implement this than 1 hour (or a very short operating time) in the middle of the day is enough to deter the commuters using the road for parking. Anything longer than this will be to the detriment of the

residents of Maycross Avenue, and as the reason for implementing this is to improve the parking situation, this is the only reasonable and sensible option.

ES/CH/013

I find your letter (from 9 May 2019) quite vague as it is unclear to me how the proposal was supported by majority of Maycross Avenue residents. It is my understanding that the majority of our residents did not demonstrate any support (based on the 3rd paragraph of your letter).

I would like to let you know that I am against the Proposed Controlled Parking Zone at Maycross Avenue.

The following comments formed the ground of my objection:

- I don't want for my visitors (friends and members of the family) to pay, who will park on the road;
- Exposure to unsatisfactory waiting and loading restrictions;
- It does not serve the common good of residents.

If Proposed Controlled Parking Zone is to be introduced I only will support the short hours (such as 1 hour (or 4-hours, as the worst case) from Monday to Friday.

I would like to point out that you made a mistake on the last page of your letter about the response, which should be made "by no later than 31 May 2017". Hopefully it is the only mistake.....

ES/CH/014

I am writing to oppose the proposed CPZ on Maycross Avenue on the basis that residents already pay steep council tax rates and high rent/house prices. We therefore should not, on top of this, be asked to pay increasing fees to park outside our homes. What is more, some houses have drives, which means that those who do not have them will be penalised for this by having to pay to park in the street.

Additionally, more information regarding visitor passes would be appreciated.

Please consider this objection or suggest another way of dealing with the fees of the parking permits.

Officer's comments

Before the Council considers any possible resident parking schemes, it requires a demonstration of support from the residents for the concept of controlled parking. In the initial consultation it stated that subject to responses received it may be recommended to only include those roads where there is a majority in support of the proposal, this coupled with the consultation questionnaire asking the community if they support the introduction of a CPZ in their road should the neighbouring road be in favour aims at providing scope to consider parking displacement from a neighbouring road and submit their views to that event.

During the informal consultation stage the majority of respondents of the local community expressed support for operational hours of Monday to Friday between 11am and 3pm. After consideration of the informal consultation results and officers' recommendations the Cabinet Member approved the undertaking of the statutory consultation for a CH CPZ to operate at the majority's supported operational times.

The implementation and administration costs for the CPZ and subsequently the cost for routinely enforcing the scheme is paid with the revenue generated through the sale of parking permits, effectively the CPZ pays for itself. Any surplus funds generated is legally required to be ring fenced to be invested back into the highway or fund concessionary travel schemes.

Regarding the positioning of proposed waiting restrictions (yellow lines) in the proposed scheme. The layout of the parking restrictions are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic, additionally within the 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 and it is not normal practice to introduce parking places across dropped kerbs (driveway) therefore single yellow lines are marked to provide clearance during CPZ operational hours.

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.

From properties outside the proposed CPZ boundary

ES/CH/001

As residents of ** Leamington Avenue we strongly object to the proposal to put sections of Leamington Avenue into the CPZ because this will displace parking into the rest of Leamington Avenue.

It is completely unclear why Leamington Avenue has been included at all in this CPZ. There was no majority in favour in the road and as it is not mentioned in the results, it seems that no majority was in favour even if neighbouring roads had the CPZ. Only Arundel, Mossville and Woodland are in favour if neighbouring roads do have the CPZ. The results therefore do not support the inclusion of any section of Leamington Avenue in the CPZ and we believe it should be removed.

ES/CH/002

I wish to register my strong objection to your proposal to introduce controlled parking to only some streets. All you will do is make the problem worse on those roads that don't have it.

I was a strong supporter of the scheme but had to object because of your hidden proposal to profit from a diesel levy. Like many people I drive a diesel because I was encouraged to and incentivised to buy one. I now know this was based on dodgy science and will replace it when I can afford to. I cannot just go out and buy another car. If you dropped the profiteering you might find more people accepted your proposal.

Final suggestion for Councillor Whelton. Do something about all the illegal multiple occupancy houses that have sprung up on Hillcross Avenue. Each of them accommodate over 10 people every night. Most of these people drive vans for construction work or taxis. They are all parked on Hillcross Avenue. This makes it impossible for locals and their visitors as well as district nurses and other professionals to visit my neighbours.

ES/CH/003

As a resident of Hillcross Avenue (on the corner of Ashridge Way in close proximity to Woodland Way and Maycross Avenue) I would like to express a serious concern about the proposed CPZ on Arundel Avenue, Maycross Avenue, Mossville Gardens and Woodland Way.

The key issue with parking in the area is caused by commuters parking their cars around here in the morning in order to use Northern Line and possibly South Merton stop and also parents/carers arriving during the school pick up and drop off times.

While I appreciate the reasons for residents of some streets being in support of the CPZ I am concerned about the impact the implementation of CPZ on just a few streets will inevitably have on my street and the immediate area. Ultimately those who park on the street (commuters, parents) will still want to come into the area and park here. If CPZ is introduced on only those streets mentioned above the overflow will have an extremely negative impact on the nearby streets which are not under the CPZ.

I suppose this will then in turn lead to the neighbouring streets demanding CPZ at a later date as the parking situation will become impossible, especially for those who have a large grass verge and are therefore unable to have a dropped kerb. Introducing CPZ in "waves" by section of three or four streets at a time will no doubt be much more costly to the council than introducing CPZ over a larger area at once.

Furthermore CPZ in the mentioned roads is very likely to have a negative impact on the Morden Park users and visitors as it is likely commuters/parents will end up using the park entrance car park (by Monkleigh road).

It is not clear from the information provided to residents whether residents in the immediate vicinity of the newly introduced CPZ (if it goes ahead) will also be entitled to purchase resident and resident visitor permits? I would expect we should be allowed to purchase them as the proposed CPZ will

impact on the parking availability near our home. I would be grateful if this could be clarified.

The best solution would obviously be to provide sufficient free parking for commuters by the mentioned stations. In the absence of this, I feel strongly that the CPZ will either have to be introduced over much larger area (to disperse the impact/deter commuters) or not at all.

ES/CH/004

I reside at ** Westcroft Gdns. and as a Taxpayer and Council Tax payer to Merton Council,

I object to the proposed Controlled Parking Zone outlined in your leaflet for the following reasons :

1. You do not state justifiable reasons for this proposal, is it for safety reasons or purely financial i.e. a source of revenue to the Council.
2. You do not clearly state if the roads mentioned are the only roads to have controlled parking i.e. are the side roads of the mentioned roads affected.
3. I strongly believe the displacement parking onto the surrounding roads to the proposed Zone has not been addressed despite the muddled argument in Paragraph 3 under the heading CH CPZ Consultants Results. Maycross Ave is within the Zone, it's the views of the roads adjacent to the Zone that should be considered with regard to displacement parking.
4. I am concerned about the displacement of additional parking onto Westcroft Gdns. and surrounding roads as a direct result of your proposals and you are only shifting the problem elsewhere.
5. This consultation was 'informal' and judging by the returns (393) very informal and low key. This is a very poor representation for something as serious as this proposal which has far reaching consequences. As we know from past experience this is only the thin end of the wedge with the way councils implement regulations.
6. I feel a more thorough and better publicised consultation should be considered for matters of this nature, 42% is not enough representation to enforce such measures.

ES/CH/005

I am emailing to express my abhorrent at the new proposed Traffic Management Orders which in my opinion is far worse than having a controlled parking zone. Having a double yellow line outside my house 16 Ashridge Way totally eliminates the parking facility at all times! I do not understand the reason as there was never any problem with traffic since living here for over 30 years. Parking in my driveway is usually a last resort as I need access to drive our second car which is parked inside the garage. This will also pose a problem for visiting family and friends. I have retained some unpaved area to ensure better drainage and be environmentally friendly. It would indeed be a shame to have to pave all the front as a solution.

ES/CH/007

I have just fished the notice of controlled parking zone Mossville Avenue Area from the junk mail within which it was delivered.

The first part of this missive confirms the number of responses received. This may be low because of the underhand way in which the consultation is handled and delivered. Any blank envelopes addressed to occupier are usually marketing or estate agents begging to sell your house. This one did state important consultation enclosed. However buried amongst Hilariys blinds and other local trader bumpf it hardly carries any importance.

As a resident of Westcroft gardens that opposed paying to use roads that I already pay road tax for and looking at the new map of the rd in which I've lived for 28 years, I now see that we have been penalized for not giving the council extra money by them giving us double yellow lines for at least 80% of the road. No mention of when those lines will be enforced? Will they have the same period as the CPz permit roads and if not why? How will local carers get near to residents e.g. my elderly mother etc?

Once again very unsatisfactory and unfair

ES/CH/008

I'm not sure what could be the purpose of any representation at this point considering that, even if the very majority of the resident opposed to the introduction of the CPZ (although you have stated that the proposal actually came from the residents themselves, which is extremely dubious) you still decided to

carry out statutory consultation, which pretty much means you will probably go ahead with the introduction of the scheme possibly without holding any public inquiry.

The introduction of this scheme in an residential area with virtually no shops around where traffic is very low (most of the residents use public transport and owned cars only over the weekend) will have a very insignificant impact on pollution so it could be easily assumed that this is just a way to penalise the residents by forcing them to pay the parking permit and benefit the council only rather than the community as a whole.

You still have time to stop this unnecessary scheme, please consider the needs and long terms benefit of the community as a whole not the Council short terms cash benefit.

ES/CH/009

1) The tiny bit of double yellow lines proposed across the crossover at our rear alleyway in Leamington Avenue seems pointless. Having discussed the issue with Mr and Mrs **** of ** Leamington Avenue we feel that a solid white line across our garage, the alleyway and the crossover of 83 Leamington Avenue would be of more use and be more pleasant visibly. Please can we request this instead of the little bit of double yellow lines.

2) The extension of the double yellow lines at the junction of Westcroft Gardens/Leamington Avenue going towards Monkleigh Rd on the right hand side of Leamington appears a bit excessive bearing in mind there is proposed double yellow lines opposite. This will take out more parking spaces which will be even more restrictive now.

3) We are surprised that no double yellow lines are being proposed in the part of Leamington Avenue from Mossville Gardens to Ashridge Way. When cars are double parked down this stretch of road vehicles cannot get through and we have witnessed this happening. Being on the very edge of the CPZ this will get even more heavily parked. Should this not be treated the same as the rest of Leamington Avenue outside the CPZ by being double yellowed down one side?

We would be pleased to see your comments on these representations.

ES/CH/015

The first thing I would like to point out is that on the final page of the consultation document we received in the post it states the closing date for comments is 31st May 2017 (not 2019). I do not know if this invalidates the consultation?

In principle I oppose Controlled Parking Zones as I believe they reduce the number of overall kerbside parking spaces available for residents and visitors (both during/outside the hours of restriction); cause there to be additional street furniture/signage; and place a further expenditure burden on households by requiring people to purchase residents' and visitors' permits. (Since the council has announced plans to increase the cost of residents permits since the informal consultation was conducted, it is possible residents might also now have a different opinion about the proposed CPZ if charges for permits were to be increased.) I have also seen evidence elsewhere in the borough of CPZs being introduced at huge inconvenience to local workers and businesses, but then the majority of kerbside parking spaces being unused because residents don't actually need them (because they have off-street parking or are not at home when restrictions in force), so the council also does not make any revenue despite the cost of carrying out consultations and implementing the CPZ (not the best use of council taxpayer's money). I do not believe CPZs should be introduced unless there is genuine proof that residents are being prevented from parking near their homes. Information in the document published to support the Cabinet Decision to proceed with this consultation suggests around 94% of properties in Mossville have off-street parking, so one does wonder whether there is a genuine need for a CPZ or people are simply irritated by commuters parking in their street? Unfortunately I do have time to analyse all the statistics in that document, and the 'selective' comments from residents published in the annexes, but I am always concerned that so called 'majority' decisions are often based on a relatively low response rate and it is quite complicated for most people to fully understand the implications of what is proposed without walking the streets; working out how many off-street and kerbside parking spaces there are; consulting the council's website to understand parking charges and observing streets at various times of day to work out whether there is a parking problem or not. Certainly the small scale map provided is tricky to interpret!

While I have sympathy with residents of Mossville Gardens and adjoining roads if parking difficulties have been created by the council changing parking facilities in Mostyn Gardens, living in Ashridge Way (which was not pro the CPZ) it seems inevitable that there will be displacement of commuter

parking into our street if the CPZ in Mossville Gardens, Arundel Avenue, Maycross Avenue and Woodland Way is approved.(While I do not support the CPZ, if it goes ahead I would endorse the 11.00am-3.00pm time period.) Given the proposed TMOs (double yellow lines) and introduction of 'At any time' waiting restrictions in Ashridge Way, which I believe could lead to a reduction 9-10 kerbside parking spaces for residents, as well as the loss of 4 spaces by the café, the combination of cars being displaced by the CPZ together with the TMO could put significant pressure on spaces in this road and impact adversely on Ashridge Way residents – especially those who have no off-street parking (e.g. nos 46,48,50 & 52). While I strongly support the introduction of double yellow lines on at least one side of the road at the junction of Ashridge Way and Martin Way, since there are significant problems for vehicles entering and exiting the road when there are cars on both sides and for pedestrians crossing the junction, I am not totally convinced of the need to have all the double yellow lines proposed between Martin Way and Leamington Avenue. I do agree there need to be some near Leamington Avenue/Ashridge Way junction to allow pedestrians/cars to cross this junction safely. Undoubtedly the TMOs would improve the unobstructed movement of vehicles in this road, but it would also enable some vehicles to drive faster in a road which is used as a cut-through to Hillcross Avenue and also has a school. The parked cars do at least slow traffic down! However, there are occasions where thoughtless parking does make it difficult for people to manoeuvre on to their drives and makes it difficult for larger vehicles (ambulances, fire engines, refuse lorries) to get down the road. Consequently I have mixed feelings about the TMOs. I note that the person who lives at what must be no.8 Ashridge Way mentioned the difficulties they have parking on their drive (because their paved front garden is accessed from shared drive dropped-kerb) and do agree that I have seen large cars almost overhanging their drive because the adjacent disabled space is quite large and occupies more than 50% of what would normally be sufficient kerb for 2 cars. So possibly the TMOs needs further/specific discussion with residents in Ashridge Way and some minor modifications? (I think the point is here that Ashridge Way residents were asked if they wanted a CPZ and 63% percent of respondents said 'No' , yet now we are not part of the CPZ but still face losing kerbside parking spaces as part of some TMOs that most people probably thought were part of the CPZ proposal they had 'voted against' . I do not think there was proper clarity/consultation at the informal stage about the possibility of these TMOs being introduced without a CPZ.)

In summary:

- I oppose the introduction of the proposed CPZ (but would support 11.00am-3.00pm operation if the majority of respondents favour a CPZ);
- If the CPZ is approved, I am concerned about the CPZ displacing commuter parking (and possibly residents from adjoining roads if the number of kerbside spaces are reduced)) into Ashridge Way;
- I agree with some of the TMOs proposed for Ashridge Way, specifically at the junction of Ashridge Way and Martin Way, and near the Ashridge Way/Leamington Avenue junction, but have concerns about the overall reduction in kerbside spaces for residents in Ashridge Way if double yellow lines are introduced 'alternately' between Martin Way and Leamington Avenue (a situation that may be aggravated if parking from CPZ displaced to Ashridge Way). I believe these proposals need further discussion with residents to try to balance the needs of those with and without off-street parking, while allowing vehicles to travel safely along this road.

Officer's comments

Before the Council considers any possible resident parking schemes, it requires a demonstration of support from the residents for the concept of controlled parking. In the initial consultation it stated that subject to responses received it may be recommended to only include those roads where there is a majority in support of the proposal.

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.

The Council's refuse collection service regularly report that they are unable to gain access which means that they are often prevented from collecting the refuse - especially Westcroft Gardens and Leamington Avenue where service vehicles are unable to access through narrow sections of the carriageway because of vehicles parked both sides. It is the aim of the proposed 'at any time' waiting restrictions along one side at narrow sections of the carriage way to ensure access for moving traffic especially larger vehicles such as emergency and refuse collection services.

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