Cabinet Member for Environmental Sustainability and Regeneration:

Date: 26th March 2015

Agenda item:

Wards: Graveney, Figge's March/Pollards Hill, St. Helier, Lower Morden, Cricket Green, Wimbledon Park

Subject: Proposed Borough Wide Waiting Restrictions - Statutory consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

Lead member: Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

Forward Plan reference number: N/A

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Recommendations:

The purpose of this report is to seek approval of the Cabinet Member to undertake a statutory consultation to introduce waiting restrictions in roads identified in the table below. Plans showing the extent of the restrictions are attached in Appendix 1:

Site/Location	Drawing No.	
Proposed new double yellow lines		
The Bungalows	Z27-642-02	
St George's Rd Mitcham junc Cedars Ave	Z27-642-05	
Cartmel Gdns	Z27-642-06	
Ashbourne Rd area	Z27-642-07 Z27-642-08	
Garth Close		
Salcombe drive	Z27-642-09	
Miles Rd	Z27-642-10	
Brickfields Rd	Z27-642-11	

A) INTRODUCTION

- B) The purpose of this report is to seek approval to undertake a statutory consultation to introduce yellow line restrictions (double and single yellow lines) as listed in the above table. Plans showing the extent of the restrictions are attached in Appendix 1.
- C) Officers regularly receive complaints and concerns regarding obstructive and dangerous parking from emergency services, local ward members and the local residents. Due to the large number of requests that are received throughout the year, it has been necessary to group these requests with the intention of undertaking a borough wide statutory consultation simultaneously. Each request is added to a rolling programme for investigation and the appropriate recommendations and the proposals are formulated in one report.

- D) Over the last year there have been requests/demands for double yellow lines at specific locations throughout the borough. The majority of the complaints relate to vehicles parking close to/at junctions or communal access points, obstructing sightlines and making it difficult and hazardous for vehicles to enter and exit side roads safely. Concerns have also been expressed over emergency vehicle and the Council's refuse vehicles access being obstructed by inconsiderate parking.
- E) These requests are prioritised by taking into account the location, accident statistics, site observations, access difficulties, speed limit and local environmental amenities and associated activities.
- F) In light of these requests, each site has been investigated to determine the extent of the proposed measures. Every attempt is made to minimise the restrictions without compromising access and safety. For details of the restrictions please refer to appendices 1.

G) BACKGROUND

- H) It is the policy of the Council to improve the environment by making it safer for both motorists and pedestrians. One way this can be achieved is by regulating the number of parked vehicles in the area, particularly at key locations such as at junctions, narrow roads, cul de sacs and at bends. The aims of the proposed double yellow lines waiting restrictions are to improve visibility and to provide clear access for all road users, particularly vulnerable road users such as pedestrians, push chairs and wheelchair users who for example may wish to make proper use of the section of dropped kerb at junctions.
- I) When considering road safety, S.122 of the Road Traffic Regulation Act 1984 places a duty on the Council "to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway" when exercising any of its functions under the 1984 Act. Road safety is therefore a matter that the Council should have proper regard to when considering whether to make an Order under S.6 of the 1984 Act.
- J) The Highway Code stipulates that motorists should not park within 10 metres of a junction. The failure by a person to observe any provision of the Highway Code does not in itself render that person liable to criminal proceedings, such a failure may though be relied upon by any party to proceedings (whether civil or criminal) in order to establish or negate liability (s.38 (7) Road Traffic Act 1988). Although a failure to observe the Code does not then itself amount to a criminal offence, and neither does it create a presumption of negligence, a breach of the code may as a matter of fact amount to strong evidence to prove lack of proper driving. Given that not stopping within 10 metres of a junction or on a bend is an express provision of the Code it is of relevance when considering road safety in this area.

K) PROPOSALS

- L) The following sites have been investigated based on concerns and complaints received. Given the nature of concerns it is considered that the proposals detailed below will improve access, safety, sightlines and visibility at the relevant key locations. It is recommended that a statutory consultation be undertaken for the introduction of the proposed waiting restrictions. The proposals are shown on the attached plans in Appendix 1.
- M) Ward Councillors will be provided with copies of the proposals and will be forwarded a copy of the newsletter prior to the start of the statutory consultation. Given the nature of some of the locations and to remain cost effective not all premises will receive a newsletter.

N) The Bungalows

The Bungalows is a cul-de-sac that has a width of 7.4m. There is currently indiscriminate parking at the junction that restricts access. The council has received representations from the residents of The Bungalows and it is proposed to introduce 'At any time' waiting and loading restrictions at the junction of The Bungalows and Streatham Road. To maintain vehicular access, it is also proposed to introduce 'At any time' waiting restrictions outside properties nos. 12 and 4 The Bungalows.

O) St George's Rd Mitcham Junction with Cedars Avenue

Due to indiscriminate parking at this junction there have been representations from local residents regarding sight lines and access at this junction. It is proposed to introduce 'At any time' waiting restrictions at this junction to maintain sight lines and access.

P) Cartmel Gardens

The proposal is to introduce 'At any time' waiting restrictions in Cartmel Gardens junction with Canterbury Road. Cartmel Gardens (between Canterbury Rd and the green) is not wide enough to facilitate parking on one side and still allow vehicular access. Vehicles parked in this section of the road completely block the footway; therefore pedestrians are compelled walk in the middle of the carriageway. In order to mitigate the safety issue with this manner of parking it is proposed to introduce double yellow lines on both sides of the road. This will allow safe access for emergency vehicles; the councils refuse vehicles and pedestrians.

There is also an issue with parking around the green in Cartmel Gardens. There are vehicles parked on both side of the road which reduces access for emergency vehicles, council refuse vehicles and residents who are trying to enter their properties via their crossovers. 'At any time' waiting restrictions will address these access difficulties.

Q) Ashbourne Rd – Gorringe Park Avenue area

Ward members have requested that the council treat the junctions on Ashbourne Road with waiting restrictions due to indiscriminate parking. If these restrictions are introduced there will be a knock on effect which could create problems at other neighbouring junctions. Therefore all junctions in the area have been investigated. The restrictions proposed are being kept to a minimum in order to minimise the loss of parking. The restrictions are at the junctions of Ashbourne Rd/Heaton Rd, Heaton Rd /Gorringe Park Rd, Ashbourne Rd/Tynemouth Rd, Tynemouth Rd/Gorringe Park Rd, Ashbourne Rd/Thirsk Rd, Thirsk Rd/St Barnabas Rd, Thirsk Rd/Gorringe Park Rd, Ashbourne Rd/Stanley Rd, Stanley Rd/Milton Rd, Stanley Rd/ St Barnabas Rd, St Barnabas/Edenvale Rd, Edenvale Rd /Woodland way, Milton Rd/Edenvale Rd, Ashbourne Rd/Woodland Way, Edenvale Rd/Gorringe Park Ave.

R) Garth Close

It is proposed to introduce 'At any time' waiting restrictions at the cul-de-sac section of Garth Close to ensure access for residents who have been experiencing difficulties in accessing their crossover throughout the day. There is also an issue with parking on the footway. Cars are parking on the footway that is causing an obstruction to pedestrians. If cars were to park on the carriageway on both sides carriageway would be totally blocked and vehicles will not be able to pass. Therefore it is proposed to introduce 'At any time' waiting restrictions (double yellow lines) on one side of Garth close to maintain access.

S) Salcombe Drive

It is proposed to introduce 'At any time' waiting restrictions at the junction of Salcombe Drive and Dunster Avenue; Salcombe Drive junction with Lynmouth Road, and Salcombe Drive junction with Kingsbridge Road. This proposal will ensure that sight lines at the junctions are maintained for all road users including pedestrians.

T) Miles Road

Ward members have requested that the council treat Miles Road with waiting restrictions due to indiscriminate parking. If these restrictions are introduced there will be a knock on effect which could create problems at other neighbouring junctions. Therefore all junctions in the area have been investigated. The restrictions proposed are being kept to a minimum in order to minimise the loss of parking. The restrictions are at the junctions of Miles Rd/Blake Rd, Miles Rd/Venus Mews, Miles Rd/Frimley Gdns, Miles Rd/Edmund Rd, Miles Rd/Lavender Gdns, and Miles Rd/Merlin Close.

U) Brickfield Road

It is proposed to introduce 'At any time' waiting restrictions on the north east side of Brickfield Road. Due to indiscriminate parking on both sides of the road, there are access difficulties for residents who live in the cul-de-sac at the end of Brickfield Road. It is also proposed to mark four advisory bays in the south western corner of Brickfield Road to ensure vehicles park in a reasonable manner. These measures will also provide unhindered access for the refuse collection service and the emergency services.

1 STATEMENT OF REASON

1.1 It would be irresponsible of the Council to ignore the manner of obstructive parking that is currently taking place. The Council has duty of care to ensure the safety of all road users and to maintain access at all times, particularly for the public service vehicles and the emergency services.

2 ALTERNATIVE OPTIONS

Do nothing. This would be contrary to the concerns expressed by the local Members, residents and businesses, and would not resolve the dangerous and obstructive parking that is currently taking place.

3 LEGAL IMPLICATIONS & STATUTORY PROVISION

3.1 The Traffic Management Orders would be made under Section 6, 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.

4 STATEMENT OF REASONS

- 4.1 The proposed measures will improve safety for all road users by ensuring clear visibility and access at all times particularly for the emergency vehicles. The proposed waiting restrictions will provide clear access for all road users, particularly vulnerable road users such as pedestrians, push chairs and wheelchair users who for example may wish to make proper use of the section of dropped kerb at junctions.
- 4.2 It would be irresponsible of the Council to ignore the manner of obstructive parking that is currently taking place. The Council has duty of care to ensure the safety of all road users and to maintain access at all times, particularly for the public service vehicles and the emergency services.

5 HUMAN RIGHTS & EQUALITIES

- 5.1 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 parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.
- 5.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 5.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.
- 5.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 5.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.

6 **RISK MANAGEMENT IMPLICATIONS**

- 6.1 The risk in not introducing the proposed waiting restrictions would be the potential risk to all road users and to the residents, in the case of an emergency, and access difficulties will not be addressed. It would also be contrary to the support and concerns expressed and could lead to loss of public confidence in the Council. It could also place the Council at risk for not exercising its duties in ensuring safety and access.
- 6.2 The risk of introducing the proposed restrictions could lead to possible extra pressure on the current parking demand. However, the proposals will address safety concerns by improving access and visibility for both road users and pedestrians which outweigh loss of parking.

7 FINANCIAL IMPLICATIONS

7.1 To introduce the proposed restrictions will cost approximately £5,000. This includes the making of The Traffic Management Orders. The set up costs will be funded from the Capital budget identified for controlled parking zones within the Capital Programme 2015/2016.

8 TIMESCALES

8.1 If a decision is made to proceed with the implementation of the proposed waiting restrictions, 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. The measures will be introduced soon after.

9 APPENDICES

- 9.1 The following documents are to be published with this report and form part of the report
 - Appendix 1 Definition of restrictions
 - Appendix 2 Drawing proposals

Useful links:

• Merton Council's web site: http://www.merton.gov.uk

Readers should note the terms of the legal information (disclaimer) regarding information on Merton council's and third party linked websites.

<u>http://www.merton.gov.uk/legal.htm</u>

This disclaimer also applies to any links provided here.

APPENDIX 1

Definition of Proposed Waiting Restrictions

Confirm Number, Location, Ward		Definition of proposed waiting restrictions ('at any time' waiting restrictions unless otherwise specified)
Bungalows	visibility and on the footway restricting access for all road users.	The Bungalows, north side from the southeast kerbline of Streatham Rd southeast wards for a distance of 25m.
		The Bungalows, south side from the southeast kerbline of Streatham Rd southeast wards for a distance of 27m.
		Streatham Rd, southeast side from a point 8.5m northeast of the northeast kerbline of The Bungalows southwest wards to a poin 8.5m southwest of the southwest kerbline of The bungalows.
Rd junc	visibility and restricting access for all road users at this point.	St George's Rd Mitcham, northeast side from the southeas kerbline of Cedars Ave southwest wards for a distance of 30m
Cedars Ave		St George's Rd Mitcham, southwest side from the southeas kerbline of Cedars Ave southwest wards for a distance of 31.5m
		Cedars Ave, southeast side from a point 30m northeast of the northeast kerbline of St George's Rd southwest wards to a point 28.5m southwest of the southwest kerbline of St George's Rd
Gdns visibi	3	Cartmel Gdns, north side from the east kerbline of Canterbury Ro east wards to a point 7.5m southwest of the common boundary o nos 5 and 7 Cartmel Gdns
		Cartmel Gdns, south side from the east kerbline of Canterbury Ro east wards to a point 11.5m northwest of the common boundary o nos 6 and 8 Cartmel Gdns
		Cartmel Gdns, cul-de-sac around the inner turning circle
		Canterbury Rd, east side from a point 7.5m north of the north kerbline of Cartmel Gdns south wards to a point 7m south of the south kerbline of Cartmel Gdns
Rd area	visibility and restricting access for all road users at these point points within the area	Ashbourne Rd, south side from a point from a point 7.5m northwes of the northwest kerbline of Heaton Rd southeast wards to a poin 7m southeast of the southeast kerbline of Heaton Rd
		Ashbourne Rd, south side from a point from a point 7m northwes of the northwest kerbline of Tynemouth Rd southeast wards to a point 7m southeast of the southeast kerbline of Tynemouth Rd
		Ashbourne Rd, south side from a point from a point 6.5m northwes of the northwest kerbline of Thirsk Rd southeast wards to a point 7n southeast of the southeast kerbline of Thirsk Rd
		Ashbourne Rd, south side from a point from a point 7.5m northwes of the northwest kerbline of Stanley Rd southeast wards to a poin 7.5m southeast of the southeast kerbline of Stanley Rd
		Ashbourne Rd , south side from a point from a point 7m northwes of the northwest kerbline of Edenvale Rd southeast wards to a poin 7m southeast of the southeast kerbline of Edenvale Rd
		Ashbourne Rd, south side from a point from a point 7m northwes of the northwest kerbline of Woodland Way southeast wards to point 7m southeast of the southeast kerbline of Woodland Way
		Gorringe Park Rd, north side from a point from a point 7.5r

northwest of the northwest kerbline of Heaton Rd southeast wards to a point 7m southeast of the southeast kerbline of Heaton Rd

Gorringe Park Rd, north side from a point from a point 7m northwest of the northwest kerbline of Tynemouth Rd southeast wards to a point 7m southeast of the southeast kerbline of Tynemouth Rd

Gorringe Park Rd, north side from a point from a point 7m northwest of the northwest kerbline of Thirsk Rd southeast wards to a point 7m southeast of the southeast kerbline of Thirsk Rd

Gorringe Park Rd, north side from a point from a point 7m northwest of the northwest kerbline of Edenvale Rd southeast wards to a point 7m southeast of the southeast kerbline of Edenvale Rd

Heaton Rd, from the south kerbline of Ashbourne Rd southwest wards for a distance of 7m

Heaton Rd, northwest side from the northeast kerbline of Gorringe Park Rd northeast wards for a distance of 7.5m

Heaton Rd, southeast side from the northeast kerbline of Gorringe Park Rd northeast wards for a distance of 8m

Tynemouth Rd, from the south kerbline of Ashbourne Rd southwest wards for a distance of 7.5m

Tynemouth Rd, from the northeast kerbline of Gorringe Park Rd northeast wards for a distance of 7.5m

Thirsk Rd, from the south kerbline of Ashbourne Rd southwest wards for a distance of 8m

Thirsk Rd, from the northeast kerbline of Gorringe Park Rd northeast wards for a distance of 7.5m

Thirsk Rd, east side from the northeast kerbline of St Barnabas Rd northeast wards for a distance of 7m

Thirsk Rd, east side from the southwest kerbline of St Barnabas Rd southwest wards for a distance of 7m

Stanley Rd, from the south kerbline of Ashbourne Rd southwest wards for a distance of 8m

Stanley Rd, from the northeast kerbline of St Barnabas Rd northeast wards for a distance of 7.5m

Stanley Rd, east side from a point from a point 7m northeast of the northeast kerbline of Milton Rd southwest wards to a point 7m southwest of the southwest kerbline of Milton Rd

Milton Rd, northeast side from the northwest kerbline of Edenvale Rd northwest wards for a distance of 7m

Milton Rd, southwest side from the northwest kerbline of Edenvale Rd northwest wards for a distance of 6.5m

Edenvale Rd, from the south kerbline of Ashbourne Rd southwest wards for a distance of 7m

Edenvale Rd, from the northeast kerbline of Gorringe Park Rd northeast wards for a distance of 7m

Edenvale Rd, east side from the southwest kerbline of St Barnabas Rd southeast wards for a distance of 8m

Edenvale Rd, west side from the southwest kerbline of St Barnabas Rd southeast wards for a distance of 9.5m

Edenvale Rd, east side from the northeast kerbline of St Barnabas Rd northeast wards for a distance of 7.5m

Edenvale Rd, west side from the northeast kerbline of St Barnabas Rd northeast wards for a distance of 7m

Edenvale Rd, east side from a point 5m northeast of the north east kerbline of Woodland Way southwest to a point 5m southwest of the

			southwest kerbline of Woodland Way
			Edenvale Rd, west side from a point 7m northeast of the north east kerbline of Milton Rd southwest to a point 7m southwest of the southwest kerbline of Milton Rd
			Woodland Way, from the south kerbline of Ashbourne Rd southwest wards for a distance of 7m
			Woodland Way , from the east kerbline of Edenvale Rd southeast wards for a distance of 5m
			St Barnabas Rd, north side from the southeast kerbline of Thirsk Rd southeast wards for a distance of 7m
			St Barnabas Rd, north side from a point 7m northwest of the northwest kerbline of Stanley Rd southeast wards to a point 7m southeast of the southeast kerbline of Stanley Rd
			St Barnabas Rd, north side from a point 8m northwest of the northwest kerbline of Edenvale Rd southeast wards to a point 5m southeast of the southeast kerbline of Edenvale Rd
			St Barnabas Rd, south side from the southeast kerbline of Thirsk Rd southeast wards for a distance of 7m
			St Barnabas Rd, south side from a point 9m northwest of the northwest kerbline of Edenvale Rd southeast wards to a point 5.5m southeast of the southeast kerbline of Edenvale Rd
Ga			Garth Close, east side from a point 8.5m north of the north kerbline of Garth Rd north to the common boundary of nos 71 and 73 Garth Close
			Garth Close, north side from a point 1m east of the partywall of nos12 and 13 Garth Close east wards around the cul-de-sac to the partywall of 27 and 28 Garth Close.
	Drive		Salcombe Drive, southeast side from a point 10m southwest of the southwest kerbline of Dunster Ave northeast to a point 10m northeast of the northeast kerbline of Dunster Ave
			Salcombe Drive, southeast side from a point 10m southwest of the southwest kerbline of Lynmouth Ave northeast to a point 10m northeast of the northeast kerbline of Lynmouth Ave
			Salcombe Drive, southeast side from the northeast kerbline of Kingsbridge Rd southwest wards for a distance of 10m
			Salcombe Drive, northwest side from a point 10m southwest of the southwest kerbline of Lynmouth Ave northeast to a point 10m northeast of the northeast kerbline of Lynmouth Ave
			Salcombe Drive, northwest side from the northeast kerbline of Kingsbridge Rd southwest wards for a distance of 10m
			Dunster Ave, from the southeast kerbline of Salcombe Drive southeast wards for a distance of 10m
			Lynmouth Ave, from a point 10m southeast of the southeast kerbline of Salcombe Drive northwest wards to a point 10m northwest of the northwest kerbline of Salcombe Drive
			Kingsbridge Rd, southwest side from a point 6m southeast of the southeast kerbline of Salcombe Drive northwest wards to a point 6m northwest of the northwest kerbline of Salcombe Drive
		Miles Rd Parking close to junction obscuring visibility and restricting access for al road users at this point.	Miles Rd, south side the east kerbline of Church Rd east wards for a distance of 92.5m
			Miles Rd , south side from a point 6.5m east of the east kerbline of Venus Mews west wards for a distance of 22.5m
			Miles Rd, south side from a point 5mm east of the east kerbline of Frimley Gdns west wards to a point 10m west of the west kerbline of Frimley Gdns
L			Miles Rd, south side from a point 7m east of the east kerbline of

		Edmund Rd west wards to a point 7.5m west of the west kerbline of Edmund Rd
		Miles Rd, south side from a point 5m east of the east kerbline of Merlin Close west wards to a point 7.5m west of the west kerbline of Merlin Close
		Miles Rd Cul-De-Sac, south side from partywall of nos 32 and 34 Miles Rd east wards for a distance of 10.5m around cul-de-sac
		Miles Rd, north side the east kerbline of Church Rd east wards for a distance of 53.5m
		Miles Rd, north side from a point 6mm east of the east kerbline of Blake Rd west wards to a point 6m west of the west kerbline of Blake Rd
		Miles Rd, north side from a point 6mm east of the east kerbline of Furlong Ave west wards to a point 7m west of the west kerbline of Furlong Ave
		Miles Rd, north side the east building line of 95 Aspery House east wards for a distance of 14m
		Miles Rd, north side from a point 26.5mm east of the east kerbline of Lavender Gdns west wards to a point 5m west of the west kerbline of Lavender Gdns
		Blake Rd, west side from the north kerbline of Blake Rd north wards for a distance of 24m
		Blake Rd, east side from the north kerbline of Blake Rd north wards for a distance of 5m
		Blake Rd, east side from the south kerbline of Blake Rd south wards for a distance of 5m
		Blake Rd, south side from a point 6m east of the east kerbline of Blake Rd west wards to a point 6m west of the west kerbline of Blake Rd
		Lavender Gdns, from the north kerbline of Miles Rd north wards for distance of 5m
		Frimley Gdns, east side from the south kerbline of Miles Rd south wards for a distance of 5m
		Frimley Gdns, west side from the south kerbline of Miles Rd south wards for a distance of 7.5m
		Edmund Rd, east side from the south kerbline of Miles Rd south wards for a distance of 7.5m
		Edmund Rd, west side from the south kerbline of Miles Rd south wards for a distance of 6.5m
		Merlin Close, east side from the south kerbline of Miles Rd south wards for a distance of 6.5m
		Merlin Close, west side from the south kerbline of Miles Rd south wards for a distance of 7.5m
		Proposed waiting restrictions Mon – Sat 8am to 5pm
		Miles Rd, north from a point 4.5m east of the east building line of 69 Miles Rd east wards for a distance of 20m
Brickfields Rd	road users.	Brickfield Rd, east side from a point 15m south of the southeast kerbline of Weir Rd south wards around the cul-de-sac of Brickfield Rd.

APPENDIX 2
Proposed Waiting Restrictions















