

Cabinet Member for Environmental Sustainability and Regeneration:

Date: 18th September 2015

Agenda item: N/A

Ward: St. Helier

Subject: Proposed M3 CPZ (Chalgrove Avenue Area – 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:

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

- A) Notes the result of the statutory consultation carried out between 23 June and 15 July 2015 on the proposals to introduce a Controlled Parking Zone (CPZ) M3 to include Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Redclose Avenue to be operational Monday to Sunday between 8.30am and 6.30pm.
 - B) Notes and considers the representations received in respect of the proposals as detailed in Appendix B.
 - C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the proposed 'M3' CPZ to include Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Redclose Avenue, operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-225-01 in Appendix A.
 - D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the result of the statutory consultation on the Councils' proposals to introduce a CPZ M3 in the Chalgrove Avenue area of Morden to include Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Redclose Avenue.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMOs) to include Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Redclose Avenue into the proposed M3 CPZ, operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-225-01 in Appendix A

2. DETAILS

- 2.1 The key objectives of parking management include:
 - Tackling 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.

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. Due to the residential nature of this proposed zone, only permit holder bays is being proposed for zone M3. These bays can be used by resident permit holders, business permit holders and those with visitor permits

2.5 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 where parking impedes the flow of traffic or would create an unacceptable safety risk e.g. obstructive sightlines or unsafe areas where pedestrians cross.

2.6 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. INFORMAL CONSULTATION

3.1 The Council received a petition submitted by residents from Chalgrove Avenue area requesting a CPZ in their roads. Two public meetings were held on 10 October and 12 November 2014 by the ward Councillors for this area, which officers attended.

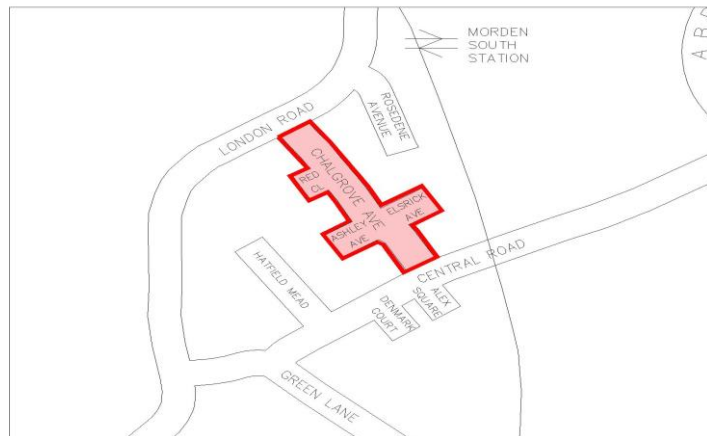
3.2 The informal consultation on proposals to introduce parking controls in the Chalgrove Avenue area commenced on 13 March 2015 and ended on 10 April 2015. 64 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking layout and a sheet of frequently asked questions. Residents were directed to the Council website to fill in the online questionnaire. The consultation document was posted to all households and businesses within the catchment area.

3.3 Notification of the proposals along with an online questionnaire (e-form) was also posted on the Council's website showing the parking controls within the zone including the following:

- Double yellow lines at key locations, such as junctions and culs-de- sacs,
- Single yellow lines (between parking bays and across dropped kerbs),

- Permit holder bays for use by residents, businesses and their visitors,
- Removal of a section of the central island in Chalgrove Avenue, close to its junction with London Road to maximise the number of parking spaces in the road.

3.4 The consultation resulted in a total of 32 questionnaires returned (after removing duplicates / multiple returns from some households), representing a response rate of 50%. See plan below showing the extent of the consultation.



3.5 As shown in table 1 below, of the 32 who responded, 78.1% support a CPZ in their road, compared to 15.3% who do not and 6.3% who are unsure.

(Table 1)

Road Name	Do you support a CPZ in your road?						
	Yes	No	Undecided	No Response	% Yes	% No	% Unsure
Ashley Avenue	1	0	2	0	33.3	0	66.6
Chalgrove Avenue	18	4	0	0	82	18	0
Elsrick Avenue	5	1	0	0	83	17	0
London Road	1	0	0	0	1	0	0
Redclose Avenue	0	0	0	0	0	0	0
Central Road	0	0	0	0	0	0	0
Total	25	5	2	0	78.1	15.6	6.3

3.6 Residents were also asked which days of operation they would prefer if a CPZ was introduced in their road. Results show that 34.4% of respondents prefer Mon – Fri, 28.1% who support Mon - Sat and 37.5% prefer Mon – Sun as shown in table 2.

(Table 2)

Road Name	If a CPZ was introduced which days would you like the controls to operate?						
	Mon - Fri	Mon - Sat	Mon - Sun	No Response	% Mon - Fri	% Mon - Sat	% Mon - Sun
Ashley Avenue	2	1	0	0	66.6	33.3	0
Chalgrove Avenue	8	6	8	0	36.4	27.2	36.4
Elsrick Avenue	1	1	4	0	33.3	16.6	50
London Road	0	1	0	0	0	100	0
	11	9	12	0	34.4	28.1	37.5

- 3.7 Residents were also asked which hours of operation they would prefer should the CPZ be introduced in their road. Results show that 84.4% of respondents prefer 8.30am – 6.30pm, while 12.5% prefer 11am – 3pm and 3.1% prefer 10am – 4pm. As shown in Table 3 below.

(Table 3)

Road Name	If a CPZ was introduced which hours would you like the controls to operate?						
	8.30am-6.30pm	10am-4pm	11am-3pm	% 8.30am-6.30pm	% 10am-4pm	% 11am-3pm	Undecided
Ashley Avenue	3	0	0	100	0	0	
Chalgrove Avenue	18	1	3	82	4	14	
Elsrick Avenue	5	0	1	83	0	17	
London Road	1	0	0	100	0	0	
	27	1	4	84.4	3.1	12.5	

3.8 Chalgrove Avenue central island

There is a high level of demand for on street parking from residents and their visitors in Chalgrove Avenue. There is a central island with mature trees. The carriageway on both sides of the central island is too narrow to accommodate parking and maintain the minimum required road width of 3m that is necessary for the Fire brigade. Currently if there is an emergency, the fire brigade would have to over run the central island if vehicles are parked on the carriageway or stop and carry the fire equipment which is far from ideal with serious safety ramifications. With vehicles parked on the carriageway on either sides of the island, the average available carriageway space for access is reduced on both sides to 2.4 metres which is an unacceptable carriageway width. The option of partial footway parking was considered but rejected due to the narrow nature of the footway width. It is necessary to remove parking from majority sections of the carriageway where the central island accommodates mature trees. 'At any time' waiting restrictions will, therefore, be introduced along these sections as well as along other areas where parking cannot be achieved in a safe manner or where access would be obstructed. It is considered that the proposals will assist residents and improve access for traffic including the Council refuse vehicles, delivery vehicles and the emergency services. To maximise parking, it is proposed to remove the section of the central island that does not accommodate any mature trees. This will allow parking provisions on both sides of the road.

3.9 Ward Councillor Comment

All local ward Councillors have been fully engaged during the consultation process and they are supportive of the recommendations made in this report.

4. **STATUTORY CONSULTATION**

- 4.1 The statutory consultation on the Council's proposal to introduce parking controls in Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Reclose Avenue commenced on 23 June and ended on 15 July 2015. The consultation included the erection of street Notices on lamp columns in the vicinity of the proposals and the publication of the Council's intentions in the Local Guardian and the London Gazette. Consultation documents were available at the Link, Merton Civic Centre and on the Council's website and a newsletter with a plan (Drawing No. Z78-224-

01) was also distributed to all those properties included within the consultation area, see **Appendix A**.

- 4.2 The statutory consultation resulted in receipt of 3 representations – 1 objection and 2 in support. However, one did centre on an enquiry to when the scheme will be introduced due to a pending crossover application and the second in support of the CPZ; however, the resident felt that, following the informal consultation period, the proposed operational times of Monday – Sunday were extreme. These representations are detailed in **Appendix B**.
- 4.3 The proposed days and hours of operation are in line with the majority support received during the informal consultation. Please see section 3.6 and 3.7 of this report.
- 4.4 The third representation was an objection to the CPZ on the grounds that not enough parking places were being provided in the proposed design. However, there are 64 property addresses within the zone with all properties, except 6, having available off road parking space. It should be noted that most properties have spaces for more than one vehicle with the potential use of garages. The proposed design allocates 130 metres of parking places on the public highway which equates to parking space for at least 26 cars. With residents being given priority over the available space and with the off street parking facilities, it is considered that the proposed CPZ would serve the residents particularly those few without off street parking.

4.5 Ward Councillor Comment

All local ward Councillors have been fully engaged during the consultation process and they are supportive of the recommendations made in this report.

5. **RECOMMENDED PROPOSED MEASURES**

- 5.1 Based on the outcome of the informal consultation and the statutory consultation, it is recommended that the Cabinet Member agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the proposed 'M3' CPZ to include Ashley Avenue, Chalgrove Avenue, Elsrick Avenue and Reclose Avenue, operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-225-01 in **Appendix A**.
- 5.2 The CPZ design comprises of permit holder bays to be used by residents, and their visitors. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.
- 5.3 **Hours of Operation:** The majority of respondents favoured the 'M3' CPZ to operate Monday to Sunday between the hours of 8.30am and 6.30pm.
- 5.4 **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.

- 5.5 **Visitors' permits:** All-day Visitor permits are £2.50 and half-day permits at £1.50. Half-day permits can be used between 8.30am & 2pm or 12pm & 6.30pm. The allowance of visitor permits per adult in a household shall be 50 full-day permits, 100 half-day permits or a combination of the two.

6. TIMETABLE

- 6.1 If a decision is made to proceed with 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.

7. ALTERNATIVE OPTIONS

- 7.1 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.

8. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 8.1 The cost of implementing the proposed measures is estimated at £25k. This includes the publication of the made Traffic Management Orders, road markings, signage and removal of part of the Central Island.
- 8.2 The Environment and Regeneration revenue budget for 2015/16 currently contains a provision of £260k 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 Cabinet Member in reaching a decision. Before reaching a decision to make the necessary Traffic Management Order to implement a CPZ scheme, the Council must follow the statutory consultation procedures pursuant to the Road Traffic Regulation Act ("RTRA") 1984 and the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996. All objections received must be properly considered in the light of administrative law principles, Human Rights law and the relevant statutory powers.
- 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.

- 9.4 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.
- 9.5 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:-
- the desirability of securing and maintaining reasonable access to premises.
 - 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.
 - the national air quality strategy.
 - facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
 - any other matters appearing to the Council to be relevant.

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 consultations to ensure that all road users are given a fair opportunity to air their views and express their needs. The design of the scheme includes special consideration for the needs of people with blue badges, local residents, businesses as well as charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.
- 10.4 Bodies representing motorists, including commuters are included in the statutory consultation required for draft Traffic Management and similar Orders published in the local paper and London Gazette.

11. CRIME AND DISORDER IMPLICATION

- 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 the local business community.

- 12.2 The risk in not addressing the issues from the consultation exercise would be the loss of confidence in the Council from those residents who have made representation of parking difficulties / concerns. 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. APPENDICES

- 13.1 The following documents are to be published with this report and form part of the report.
- Appendix A Statutory Consultation document with Drawing No. Z78-225-01
 - Appendix B Representations and officers' comments

Statutory Consultation Document with Drawing No. Z78-225-01

Representations and Officer's Comments

Representations – Support
Chalgrove Avenue
<p>P0045-15-001 – Resident</p> <p>Current scheme shows a parking bay to be sited partially across the front of my property. I currently have approval from the council for a crossover to be installed, and therefore a builder has been found who will carry out the work to convert the front of my property for use as off street parking. However, the work is unlikely to be carried out until mid-September. My question therefore is when are the parking bays likely to be installed & should I do anything else to ensure that the CPZ planners are aware that the current plan will need changing when it is actually installed in the road?</p> <p>Officer's comment: <i>The introduction of the proposed M3 CPZ scheme will be subject to approval from the Cabinet Member. If approved the scheme design will be reviewed to take into consideration any recent street features including new dropped kerbs introduced since the preliminary design stages. Visitor permits will be available as part of the scheme to be utilised by residents for the purpose of visitors to park within the CPZ. See paragraph 5.6 for further details.</i></p>
<p>P0045-15-003 – Resident</p> <p>I would like to object to the proposed parking plan in my street on the ground that there are not enough parking spaces for the residents. We asked for controlled parking zone but what we are getting is "no parking zone". There are approx. 60 houses in this zone and we are given less than 25 parking spaces! How is council going to allocate parking permits? I have lived here for forty years and I see the problem is the middle verge with three big trees. Double yellow line should only be drawn for the middle verge and not all over. Also council should look into part-pavement parking to increase the parking spaces as was suggested in one of the meeting. The other drawback of having double yellow lines all over will be that no resident will be able to do any major repairs to their property. For these reasons I request the council to look and modify this plan.</p> <p>Officer's comment: <i>There are 64 property addresses within the zone with all properties, except 6, having available off road parking space. It should be noted that most properties have space for more than one vehicle with the potential use of garages. The proposed design allocates 130 metres of parking places on the public highway, this equates to parking space for at least 26 cars. Therefore with residents ensuring they maximise their available off road parking space there will be available parking space on the public highway to be utilised by those properties without off road parking. The carriageway on both sides of the central island is too narrow to accommodate parking and maintain the minimum required road width of 3m that is necessary for the Fire brigade. Currently if there is an emergency, the fire brigade would have to overrun the central island if vehicles are parked on the carriageway or stop and carry the fire equipment which is far from ideal with serious safety ramifications. With vehicles parked on the carriageway on either sides of the island, the average available carriageway space for access is reduced on both sides to 2.4 metres which is an unacceptable carriageway width. The option of partial footway parking was considered but rejected due to the narrow nature of the footway width. It is necessary to remove parking from majority sections the carriageway where the central island accommodates mature trees. 'At any time' waiting restrictions will, therefore, be introduced along these sections as well as along other areas where parking cannot be achieved in a safe manner or where access would be obstructed. It is considered that the proposals will assist residents and improve access for traffic including the Council refuse vehicles, delivery vehicles and the emergency services. To maximise parking, it is proposed to remove the section of the central island that does not accommodate any mature trees. This will allow parking provisions on both sides of the road.</i></p>
Elsrick Avenue
<p>P008-15-002 – Resident</p> <p>Further to your newsletter dated 23 June 2015 and discussions with my immediate neighbours, I'd like to voice my concerns regarding the current proposal for the M3 CPZ being operational between Monday to Sunday (Between 8:30am to 6:30 pm).</p> <p>Whilst we all feel strongly that some restrictions should be applied to deter outsiders and inconsiderate</p>

people from parking in the area, the 7 day imposition may have been a little extreme in hindsight. Whilst the majority of us have dropped kerbs with driveways to permit parking as house holders, there would still be concern when we have visitors / guests during the weekends. In view of this, my preference would be to lift the restriction on Saturdays / Sundays. Perhaps another residents meeting for a re-vote on the issue would help put minds at rest before the works order is issued for the works to be undertaken.

Officer's comment:

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 through the introduction of a Controlled Parking Zone (CPZ), by regulating the number of parked vehicles in the area. During the informal consultation period the majority of residents voted in favour of an operational time of Monday – Sunday 8.30am – 6.30pm. This information was used to form the basis of the operational hours of the scheme to be statutorily consulted.