

**Committee:** Cabinet Member Report

**Date:** 15<sup>th</sup> October 2021

**Agenda item:** N/A

**Wards:** Cannon Hill

**Subject:** Low Traffic Neighbourhood (LTN) – banned right turn - Botsford Rd / Whatley Avenue junction

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

**Lead member:** Councillor Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency

**Forward Plan reference number:** N/A

Contact Officer: Mitra Dubet, email: [mitra.dubet@merton.gov.uk](mailto:mitra.dubet@merton.gov.uk)

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## **Recommendations:**

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

- A) Notes the result of the Experimental Traffic Management Order used to implement the banned right turn in Botsford Road at its junction with Whatley Ave aimed at removing rat running and reduce speed of traffic past the school in Whatley Ave and to encourage safer walking and cycling. Please see plan in Appendix 1.
- B) To consider all the representations received as set out in appendix 2 and agrees to proceed with making the banned movement / LTN permanent by making the permanent Traffic Management Order.
- C) 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 Experimental Traffic Management Order on the implementation of the LTN in Botsford Road at its junction with Whatley Ave aimed at removing rat running and to create a better environment for the local residents and safeguard the area outside the school. Please see plan in Appendix 1.
- 1.2 It seeks approval to make the LTN permanent.

## **2. DETAILS**

- 2.1 In response to a green recovery, DfT / TfL provided funding (subject to a bid process) to boroughs to consider, consult and implement LTNs on a number of identified routes. These routes were identified by some residents and / or were previously known to be popular rat runs particularly during the peak periods. Further information is available on LTNs on the Council's website [Low traffic neighbourhoods \(merton.gov.uk\)](http://www.merton.gov.uk/low-traffic-neighbourhoods)
- 2.2 A low traffic neighbourhood (LTN) is considered within a residential area, bordered by main roads (places where buses, lorries, non-local traffic should be), where "through" motor vehicle traffic could be discouraged or removed. Strategic road closures (bollards or planters) or banned movements prevent / reduce through traffic whilst maintaining access.
- 2.3 As part of the LTN programme, during trench 1 of the funding process, the Council was successful in its bid to DfT/TfL in securing funding to design and implement a LTN in Botsford Road at its junction with Whatley Ave in the form of a banned right turn from Bostford Rd into Whatley Ave. However, due to extremely tight deadlines set by TfL/DfT, this LTN was introduced under an Experimental Order. As per legislation, the Council does need to make a decision no later than 18 months of the ETMO coming in to effect.

## **3.0 SCHEME**

- 3.1 The scheme was introduced in September 2020 under an Experimental Traffic Management Order (EMTO) which enables the implementation of a scheme during the statutory consultation stage. An Experimental Order allows the restrictions and the Order to be in place for a maximum of 18 months before a final decision is made. Anyone can make a representation within the first six months (the statutory/formal consultation period) of the Experimental Order coming into force.
- 3.2 The EMTO allowed the Council to meet its extremely tight deadlines but more importantly, it enabled the residents and other road users to experience the restrictions, thereby allowing them to make an informed decision prior to responding to the consultation. Consultees had 6 months to respond to the consultation and residents were encouraged to allow sufficient time to experience the scheme before making representations.
- 3.3 For some time, Botsford Road has been used as a short cut between Kingston Road and Martin Way. To reduce rat running, in 1982, a section of Botsford Rd (on approach to Whatley Ave) was turned into one way, which partially addressed the rat run issue. Whatley Ave is a residential road which also accommodates a school with another school for special needs pupils opening next September. At the time of introducing the banned movement, there were two schools that benefited from the scheme. For a number of years, the Council routinely received complaints from residents of Bostford Rd and Whatley Ave about rat running and speed of traffic. There were also some school related safety concerns. In recent years, the Council introduced a junction entry treatment, a speed table and some yellow line restrictions in an attempt to address safety concerns. As part of the green recovery, the Council took the opportunity of the available LTN funding to introduce a banned movement that stops traffic from Bostford Road turning right into Whatley Avenue, past the school to gain access to Martin Way, all as to avoid the traffic lights on Kingston Rd/Bushey Rd/Martin Way junction.
- 3.2 Although it is normal practice to undertake before and after surveys that can be used for an impact assessment, particularly on the neighbouring roads, due to the pandemic / lock down and a general change in traffic pattern and behavior, any survey at the time would not have yielded a true reflection

of *normal* traffic – something that would be required for a meaningful before and after comparison; notwithstanding, the banned movement which is enforced by ANPR camera is an effective method of ensuring complaint.

#### 4. CONSULTATION

- 4.1 The consultation on the banned turn began on 7<sup>th</sup> September 2020 and concluded in March 2021. Newsletters were delivered to 153 properties within the catchment area (see plan in appendix 3). The newsletter detailed the consultation process; the proposed measures and a location plan. A copy of the newsletter with the plan for each LTN is attached in Appendix 1.
- 4.2 All available information was also posted on the website. <https://www.merton.gov.uk/covid-19-transport-projects>. Street notices were erected on lamp columns and published in the local papers and the London Gazette. Residents were encouraged to submit their feedback on the Council's website using a specific on-line feedback link.
- 4.3 After removing blanks and those without an address and combining multiple entries from the same person, the statutory consultation resulted in 24 representations. There are 4 representations from within the catchment area which represents 2.6% of the consulted catchment area. All four object to the scheme – please see section 4.4 of this report. There are 3 from within close proximity with 1 in support and 2 objections. There are 17 representations from outside the area of which 6 are in support and 11 against. All responses are detailed in appendix 2.
- 4.4 Two Botsford Rd residents from the same household have objected based on an increase in their journey time and issues with the school related obstructive parking which can be addressed by enforcement and parking restrictions. Another Botsford Rd resident has objected but is asking for a total closure; one Whatley Ave resident (not within the restricted section) objects but confirms rat running and obstructive parking is a problem and is seeking further intervention. There are 2 objections from Haynt Walk who believe the traffic is now using their road. Although during the settling down period this may have been the case, given that those who rat run do so because they believe they can shorten their journey, using Haynt Walk is a more convoluted route particularly when they have to navigate obstructive parking. Those trying to get from Kingston Rd to Martin Way have no more to gain by using Haynt Walk for their journey.
- 4.4.1 In response to those who have commented on increase in traffic, although due to the absence of any data it is not possible to provide a definitive comment, over the years prior to the introduction of this banned movement, the Council did receive several complaints regarding obstructive parking, volume and speed traffic and safety complaints from Haynt Walk. Although there may be some drivers who may chose this long route to avoid the Kingston Rd/Martin Way junction, in terms of risks and benefits of the scheme, it is officer's opinion that safeguarding the area outside the school where footfall is greater and there are higher number of vulnerable road users, reducing volume of traffic from outside the school should be given priority.
- 4.4.2 With regards to parking, this is not as a result of the banned movement. Parking within this area has been a problem for several years and a previous attempt to address it failed due to the volume of objections to the proposed restrictions and as a result, only the absolute minimum of restrictions were introduced at that time. However, the Council is willing to address the obstructive parking problem through its annual rolling Parking Management programme.
- 4.5 It is essential to note that when making a decision based on the outcome of a statutory consultation,

consideration must be given to the validity of objections. Although an assumption cannot be made in terms of level of support from many who did not participate within the consultation, a low response rate could be considered as majority do not object to the scheme. In this case, during the statutory consultation, 2.6% of consultees within the catchment area objected to the scheme.

- 4.6 All statutory bodies were consulted. Since all emergency services are exempt from the restriction and there is no physical obstruction, Emergency Services did not raise any concerns.
- 4.7 The local Ward Councillors have been engaged during the consultation process. The results of the consultation and officer's recommendations were presented to the Ward Councillors prior to preparing this report. The following response was received from one of the Ward Councillors:-

*'I remain concerned by the Botsford Road LTN and the no right-hand turn. I know from speaking to local residents that the proposed changes are troubling to some members of the local community because of traffic displacement onto surrounding roads – in particular Haynt Walk.'*

## **5. OFFICER'S RECOMMENDATION**

- 5.1 When considering the outcome of the statutory consultation consideration must be given to the nature and validity of the comments / representations and the Council's overarching objectives. Given the extremely low response rate during the statutory consultation, the nature and contents of the comments received vs the overall benefits, it is recommended that the LTN is made permanent. It is considered that the benefits outweigh some of the inconvenience some residents may experience. This scheme is in line with other policies and initiatives across the borough and London, which is believed to be the right step forward in changing road user behavior as well as the general environmental benefits.

## **6. ALTERNATIVE OPTIONS**

- 6.1 To remove the LTN will result in an increase in volume of traffic past the school; an increase in speed and will do nothing to meet the Council's various objectives in terms of improved air quality and overall environmental improvements.

## **7. TIMETABLE**

- 7.1 A newsletter detailing the results of the consultation and Cabinet Member decision will be distributed to all the consultees soon after a Cabinet Member decision is made and published. The permanent Traffic Management Order will be made and published soon after.

## **8. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 8.1 All the associated costs are covered by the LSP and LiP funding provided by DfT / TfL.

## **9. LEGAL AND STATUTORY IMPLICATIONS**

- 9.1 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.

- 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 Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs.
- 10.2 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**

N/A

## **12. RISK MANAGEMENT IMPLICATIONS**

- 12.1 The risk of not acting in line with the majority feedback could lead to dissatisfaction amongst the objectors.
- 12.2 The risk of removing the banned movement would be that volume and speed of traffic will increase; it will not address all the various objectives regarding improved air quality and safer improved environment.

## **13. ENVIRONMENTAL IMPLICATIONS**

- 13.1 The removal of rat running / reducing volume of traffic will ensure a reduced road safety risk; a better environment for residents and vulnerable road users; a reduction in noise and pollution.

## **14. APPENDICES**

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

Appendix 1 - Newsletter and plan – statutory consultation September 2020

Appendix 2 - Representations to statutory consultation September 2020 - March 2021

Appendix 3 - Consultation area plan



Traffic & Highway Services London  
Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX

**Direct Line:** 020 8545 3054  
**Fax:** 020 8545 3038  
**Our Ref:** LTN-Bostford Rd  
**Date:** 27 August 2020

### COVID-19 - LOW TRAFFIC NEIGHBOURHOODS (LTN) BOTSFORD ROAD AT ITS JUNCTION WITH WHATELY AVENUE EXPERIMENTAL BANNED RIGHT TURN

#### Proposed Road Closure

As part of Merton's response in maintaining social distancing, removing rat running and to encourage safe walking and cycling, we will be introducing a temporary banned right turn from Botsford Road into Whately Avenue. The proposal will include advanced warning signs in Kingston Road.

#### Consultation process

The proposed measure is being introduced under an Experimental Traffic Management Order:

- This allows the Council to implement the restrictions during the consultation period.
- It allows the Council to assess and monitor the restrictions and its impact.
- It will enable the residents and other road users to experience the restrictions, thereby allowing them to make informed comments.

The restrictions and the Order will be in place for a maximum of **18 months**. Anyone can object and make representations within the first six months (the statutory/formal consultation period) of the experimental Order coming into force and the implementation of the works. Consultees (mainly residents) are encouraged to make their comments at least 3 months after implementation. Consultees will have 6 months to respond to the consultation. All representations will be considered prior to making a final decision which could include its removal, making any necessary modifications or making it permanent.

Street notices will also be erected within the vicinity of the proposals to inform residents and road users of the start of the restrictions and the statutory consultation.

All available information including updates will be posted on the website. All representations must be made on line using the following link. Please note that you may not be able to submit any comments until end of September 2020

<https://www.merton.gov.uk/covid-19-transport-projects>

A response **will not** be made until the consultation is concluded and a final decision is made. The Council will monitor the situation and will make the appropriate adjustments if and when necessary.

#### Date and Time of Works

Implementation of the proposal may be as soon as **7 September 2020**, weather permitting. See the general layout plan overleaf.

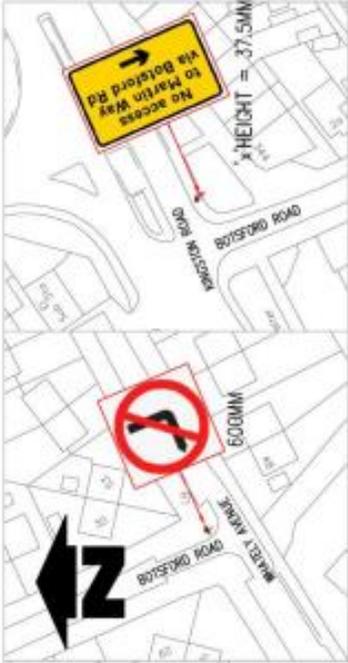
#### Further Information and Contact Details for the Works

The people looking after these works are:

James Geeson Merton Council Engineer: 02085453054

Gus Smith FM Conway Ltd, Contract Manager 07748632920 / 02086368822

FM Conway will erect information boards on site and their staff will be able to update you on the progress as the works proceed. Please adhere to the social distancing rules.



OVERVIEW  
(SCALE 1:1000)



GOOGLE MAPS STREET VIEW

Project No.	2400-02-02-08
Project Name	A
Client	Merton Civic Centre London Road Merton, Surrey SM8 9SE www.merton.gov.uk
Contractor	CONSTRUCTION
Scale	1:100, 1:500



LOW TRAFFIC NEIGHBOURHOOD – BOTSFORD ROAD AREA  
(REFER TO BOROUGH WIDE OVERVIEW DRG NO. 2400-02-03)  
ROAD CLOSURE – GENERAL ARRANGEMENT  
(SCALE 1:100)

Client	Sustainable Communities Infrastructure & Regeneration
Contractor	FUTURE MERTON
Project No.	2400-02-02-08
Project Name	A
Client	Merton Civic Centre London Road Merton, Surrey SM8 9SE www.merton.gov.uk
Contractor	CONSTRUCTION
Scale	1:100, 1:500

Road Name	views	Comments or representations
Botsford Road  2 from same household  6262697 6258972	Disagree	Botsford road has become a bigger carpark at school times as people parking up before they get to Watley Avenue which is causing a problem - blocking roads and pavements at a time when kids are coming out. Creates more pollution and time to my journeys as i can't turn right No noticeable decrease in traffic or increase in cyclists/ joggers / walkers, etc. Causes stress to our journey as have to make a detour to our most common route of turning right towards A3 and Rayners Park direction Very strongly oppose this action ----- I live at the end of Botsford road, so must follow the road down and most of my journeys are in the direction of turn right. Stopping that has pushed me onto a large circular route or down very narrow Haynt Walk. Both involve more driving, so pollution and are less safe in my opinion. I do not see any benefits - no more people walking / cycling or a noticeable amount of reduced traffic. Even if there was i do not agree with creating unnecessary burden and stress on my journey from home. In addition most flow traffic actually turns left. Please stop this experiment ASAP. Thanks
Botsford Road 6303395	Disagree	It has not reduced traffic volume or speed. It is still used as a rat run. It is inconvenient for people living in the Rd and some people drive up the wrong way to exit at Bushey Rd. People still turn right illegally which is dangerous if you are crossing Whatley Avenue because you don't expect cars coming right. The best option is to completely close it like the Apostles
Whatley Avenue 6289206	Disagree	Whilst we agree something needs to be done with regards to traffic control and the blatant disregard for resident's driveways with regards to parking along Whatley Avenue. The introduction of a no right turn on Botsford road has caused an increase in the amount of traffic being forced into Whatley Avenue towards Haynt Walk and Cannon Hill lane, the majority of which do not adhere to the 20mph in place, there is also an increase in the number of vehicles who clearly wanted to turn right but have been forced to turn left, will then proceed to do a u-turn using the drop kerbs outside our property and the one across the road, this not only blocks the road but is an accident waiting to happen. If this restriction is to continue then further measures needs to be considered, yellow lines along the road from Botsford Road to Mawson Close/Haynt Walk to stop on street parking, signage to show on pavement parking only. Signage to stop u-turns, white lines along drop kerbs also need to be placed. Residents along Whatley Avenue have been ignored for many years regarding the parking and use of Whatley Avenue as a rat run between Martin Way and Cannon Hill
Haynt Walk 6259449	Disagree	The LTN affecting me (Botsford Road) has pushed traffic into Haynt Walk & other small surrounding roads, which many are Cul-De-Sacs & have experienced a huge weight increase of traffic making turns. This is completely counter-productive.
Haynt Walk 6247460	Disagree	Why is this being implemented? Is it to limit the school traffic? If so, This will drive the school and extra traffic through Haynt Walk to get onto Martin Way, a very narrow road with two blind turns and a cul de sac. As a local resident, it is obvious that this will make the situation worse. Haynt Walk is already a car park for the school parents, school staff and the Wimbledon Chase station commuters. If it is to stop the cut through from Bushey Road to Martin Way, this is not a problem at all. You are far better off going through the traffic lights.
Kingston Rd 6302265	Agree	-
Marina Avenue 2 from same person 6307698 6307697	Agree	Fantastic plan. Keep up these schemes. They will benefit all in the long term Please keep doing this for the environment and safety. More ltns are needed.

West Barnes lane 6248484	Agree	The banned turn is insufficient to curtail rat-running in the area; a reduction in through traffic is essential for Road Danger Reduction, moderating pollution, and calming the streets around the school.
Northway 6302371	Agree	Thank you for putting in the 'except cycles' sign...please can this be done for any other no right turns signs.
Dupont Road 6287875	Agree	I would like to see further restrictions in place so that the area outside Joseph Hood school becomes much safer.
Valley Road 6305750	Agree	-
Thurleston Avenue 6303601	Agree	Would have been a much better solution if the original LTN had been implemented in the ward with the biggest concentration of cars per household in London
Leamington Avenue 6284331	Disagree	-
Aylward Road 6247688	Disagree	Preventing traffic turning right at this point will redirect traffic along Aylward Rd: a road that has already had calming measures introduced to discourage people from cutting through.
Aylward Road 6315798	Disagree	All you are doing is sending the traffic from one road to another. So no right turn into Whatley Ave, just causes people to go down Haynt Walk to get to Martin Way, or go down Cannon Hill Lane to get to Martin Way. All you seem to be doing is sending cars on longer journey's making more emissions to make air polluted. Please rethink and then you can help people with breathing problems? You are also doing the same with Aylward Road and other roads in area??
Monkleigh Road 6318641	Disagree	I have received comments from residents that live in Haynt Walk that traffic is now going down this road because of the no right hand turn sign. The road is narrow and is not suitable for through traffic. it confirms that LTN's simply displace traffic onto other roads.
The Green 6263039	Disagree	I don't agree with these schemes at all mainly because they don't seem to make allowances for deliveries which so many people now rely on. Especially people like myself who walk or bus whenever possible. It still isn't possible to avoid all the main roads and with restrictions and health risks relating to public transport; adding more traffic to those routes is causing more delays.
Lynmouth Avenue 6247937	Disagree	It will drive traffic onto Martin way which is congested constantly and divert traffic onto other ways like cannon hill lane and springfield. Which are used as rat runs with many workers from Nelson Hospital parking
Ashridge Way 6247131	Disagree	I am a pedestrian and public transport user, as well as an occasional passenger in cars that use Botsford Road/Whatley Avenue. Banning the right turn will either displace traffic into other roads eg to Wimbledon Chase/Cannon Hill or left then into Aylward and Springfield - where there are pupils from Rutlish. It will potentially exacerbate congestion/pollution on Martin Way (affecting bus services and pedestrians), and cause additional problems if there are incidents around Bushey Road /Martin Way (eg jams towards A3 or Wimbledon). This coupled with School Streets is likely to gridlock the area and cause massive inconvenience to local residents. I object to the council implementing schemes prior to consulting people and then relying on the complacency of people to respond to consultations like this to allow them to introduce measures that nobody wants. It is probably also inconvenient to residents in Botsford Road too? Presumably this is money 'earmarked' for a specific purpose which is why the council are spending it regardless. Tax payers might prefer their money spent on other things (e.g. reducing Covid-19 debt) !

Robinson Road 6318762	Disagree	The best way to solve traffic problems is to allow cars and vans to move freely around all roads, the white van man and the mums/dads in cars with kids, the shopping and the grandparents CAN NOT use bicycles or walk!! People have a right to get in and out of their roads how they wish using all entry and exit points. Also how do disabled drivers get in and out?? LTN's and road turning restrictions belong in communist Countries!! Not the UK:)
Parkway 6282584	Disagree	This will inevitably simply lead to displacement traffic. There will be an even bigger build-up of traffic on Martin Way, the other end of Cannon Hill Lane, Grand Drive, and probably our own road, Parkway. I believe the object is to make the roads safer, in which case I believe this could be achieved by simply enforcing existing laws. The roads are full of lorries, cars, motor cyclists, and indeed cyclists, exceeding the speed limit not by 5 mph but a great deal more. People use mobile phones when they are driving. Sat navs are admittedly an issue but their limitations may eventually be solved, but ultimately, there will be increasing traffic as home delivery becomes the norm. Our roads would be safer if people knew they could not drive dangerously with complete impunity. Perhaps the Botsford Road issue could be solved if it was made one way only heading north, with no left turn onto Kingston Road? Or, more radically, blocking it off? Parents who need to drive their child to school at Wheatley Avenue, because they have to deliver other children elsewhere, or go straight on to work, will always need to access Whatley Avenue. Not everyone has the luxury of working from home.
Wessex Avenue 6309268	Disagree	it's not the right way to restrict traffic and redirect it to other roads which are packed already. find efficient measures instead of easy ones.
Nairne Grove 6248200	Disagree	-

