

Delegated report - Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

Date: 20th October 2011

Agenda item:

Wards: Borough wide

Subject: New Type of Permits for CPZs – Teachers' permit & Trades' permit

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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Recommendation

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

- A) the introduction of new permits for teachers and trade personnel operating within Merton. The provisions of such permits are subject to a set of criteria, which have been detailed in section 4 of this report.
- B) The undertaking of a statutory consultation and the amendment of all relevant TMOs to enable the issuing of the above permits.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report brings the Cabinet Member's attention to a number of issues in terms of parking permits for teachers and trade personnel within CPZs and seeks to address their parking needs by the introduction of new types of permits.
- 1.2. It recommends that consideration be given to allow teachers to obtain annual permits to park on-street within the Controlled Parking Zone within which the school is located.
- 1.3. It recommends that consideration be given to allow certain businesses such as Estate agents who need to drive throughout the borough for business to obtain annual permits to park on-street within the controlled parking zone.
- 1.4. This report seeks approval to undertake a statutory consultation so as to amend all existing TMOs to allow for the provision of teacher's and Trade permits.

2. Details

- 2.1. 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.

2.2 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.

Pay and display shared use/permit holder bays: - For use by pay and display customers and permit holders.

2.3 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.

2.4 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 need arising from the various measures introduced by the Council. In addition the Council takes into account the impact of any measure that is introduced.

2.5 The introduction of a Controlled Parking Scheme involves various set up costs for implementation e.g. consultation, road markings, signs, and pay and display machines, advertising the TMOs along with the cost of enforcing and maintaining the zone. Guidance for Controlled parking schemes recommends that they should be at least self-funding. Charging residents, visitors and businesses to park in return for a permit can fund this cost. As per the legislation any “surplus” revenue generated must be used in accordance with section 55 of the Road Traffic Regulation Act 1984.

2.6 Given that in most areas the on-street parking demand outweighs the number of available kerb side space, it is necessary to manage the parking demand by having a set of criteria for the provisions of parking permits and the appropriate tariff structure for both permits and pay and display machines.

2.6.1 PERMIT ISSUE CRITERIA:

A) Resident Permit

Residents within the zone can apply for a permit for the zone within which the property is located. Permits are vehicle specific and the vehicle must be registered to the address. To manage and limit the number of permits requested per household, a tiered tariff structure has been set up with the cost of the first permit in each household being £65 per annum; the second permit is £110 and the third permit cost is £140.

B) Visitors' permits:

Residents can purchase visitor permits. All-day visitor permits are £2.50 and half-day permits at £1.50. The allowance of visitor permits per adult in a household is 50 full-day permits, 100 half-day permits or a combination of the two.

Residents can also purchase an annual visitor permit at £140. This is limited to only one per household.

C) Business permits:

Business permits are zone specific and are issued at a maximum of 2 per business unit and only to those without off-street parking facilities. It is also necessary for the business to demonstrate that the vehicle is essential to the operation of the business. These permits are priced at £331.50 per 6 months, with the exception of the businesses in Wimbledon Town centre which are subject to a higher rate.

D) Pay & display tickets:

The charges and maximum stay vary pending on the road and level of demand.

3. CURRENT PRACTICE

- 3.1 Controlled parking zones are implemented at the request of local residents. The objective is to eliminate commuter parking and to give priority to the residents, businesses and their visitors. Residents can purchase permits within their zone as set out in section 2.6.1.
- 3.2 Businesses are issued permits but not for normal parking needs of employees/owner or business clients. The business has to show a genuine need for the use of a permit and that the vehicle is essential for the efficient operation and continuation of the business. Business permit provision is detailed in section 2.6.1. These permits are zone specific and do not allow the user to park in any other zones. As a result it has limitations and is not best suited to some businesses such as Estate Agents and trades people.
- 3.3 Within existing and new CPZs, it has become apparent that as part of school expansion programme, all / most off street car park facilities within the school ground have been utilised to accommodate the expansion works thereby displacing staff into the surrounding roads.
- 3.4 Over the years, during the consultation process of introducing a CPZ, some provisions have been made for some schools to purchase limited number of permits. This was supported by the residents of the area when the CPZ was proposed in areas where demand for on street parking was not considered to be high. The number of permits the schools have been allowed to purchase has been dependant on spare capacity of parking spaces in the surrounding roads. The school Head Teacher is responsible for the purchase and management of the permits. Individual members are not allowed to purchase permits. At present the cost of the permits is the same as the cost of the resident's first permit which is currently £65 per annum.
- 3.5 The same provision has not been made for Hospital staff e.g. nurses/doctors. The simple reason is that hospitals have car parks and have introduced pay and display or visitor parking thereby displacing their staff into the surrounding roads. This is now becoming a problem for residents who live close to hospitals. It has been suggested that schools and hospitals provide essential services to the community and therefore should be treated the same. The difference here is that the hospitals have ample parking spaces but prefer to charge their staff to park or stop the staff from parking in the car parks altogether. Therefore hospital staff should not be considered for parking permits. It should be noted that the staff of hospitals cause the parking congestion often resulting for the need of a

CPZ. Additionally, it is worth noting that in Merton, there is one private hospital in a proposed CPZ; one NHS hospital in Mitcham and one adjacent to an existing zone 5F.

4. RECOMMENDATION

4.1 It is recommended that the Council adopts new permits to accommodate teachers of schools within a CPZ and trades personnel whose business necessitates parking within a CPZ.

4.2 TEACHER'S PERMIT

4.2.1 There are 26 schools that are located within existing CPZs or CPZs that are under consideration and may to be implemented in the near future.

4.2.2 There are a number of schools within CPZs that provide no or very limited on-site parking for staff. Due to the expansion of CPZs, staff are now required to use either Pay and Display, Shared use bays and / or find an alternate mode of travel.

4.2.3 The implementation of CPZs removes all commuter parking. Where there is available parking capacity, without affecting available space for residents, it is proposed to allow schools to obtain annual parking permits that will allow them to park within permit holder bays and shared use bays.

4.2.4 This provision should be implemented in CPZs where there is spare capacity during the hours of operation where the demand for resident/visitor/business parking is at a minimal. School permit parking should not result in residents/visitors being unable to obtain a parking space. Provision of permits can therefore be assessed after the implementation of the zone. The number of permits for schools within existing CPZs can be determined once the permit structure has been approved subject to meeting a set of criteria detailed in Appendix 1.

4.2.5 It should be noted that as a rule school permits should not be made available when a CPZ is implemented. The operation of a new zone should be reviewed / surveyed and the spare parking capacity assessed before School Permits are issued. The spare capacity assessment could be done within 1 month after the implementation of the zone because 99% of all permits are issued before enforcement begins. At this time the Council will have the number of permits issued and compare that with the number of spaces available within the CPZ. Additionally officers will assess the number of off street parking within any given road/zone and undertake parking surveys to determine actual capacity. It has never been the Council's practice to disadvantage residents and their visitors by over scribing.

4.2.6 All permit applications must be made by the Head Teacher rather than individual teachers.

4.2.7 To determine the numbers of school permits for any given school within its specific zone the Council will

- formally adopt the 25% spare capacity guide as an indicator.
- undertake parking surveys during the hours of operation prior to deciding on the number of School permits.

- Consider off street parking facilities within any given road/zone.
- 4.2.7.1 The above would also apply upon renewal of permits. This can be expansive and time consuming. In the event that the uptake of residents' permits is in excess of 75% and in cases where the numbers of permits outweigh the number of available on-street / off-street spaces the Council would need give priority to its residents or consider permit interchange between neighbouring zones as long as it does not have an adverse impact on the other zone. This would depend of the operation and capacity of the other zone.
- 4.2.8 Only those schools with an up to date School Travel Plan (STP) and/or Green Travel Plan would be eligible for a permit. Each school has been signed up to a School Travel Plan and this can be used to obtain the current number of staff who use a private vehicle to travel to work. Further consultations with schools will allow us to obtain the provision of on-site parking. By comparing the number of staff using a private vehicle and the on-site provisions an estimate can be made to the potential uptake of School Parking Permits. This can then be assessed against the resident permit holder uptake to evaluate the potential spare capacity for parking permits. Appendix 2 shows the status of each school in terms of their STP.
- 4.2.9 For a state school, it is being recommended that the permit should be at the cost of £188 per annum. This is based on £1 a day derived from an average number of days that a school is open. It could be argued that the staff are commuters as they do not live within the zone and are therefore not entitled to permits and as a rule contribute toward the residents' parking difficulties. Based on feed back received during public meetings and consultations, it has been our experience that many residents look upon teachers favourably as they provide essential services to the community and as a rule do not object to schools' ability to purchase parking permits.
- 4.3.10 With regards to private schools, it is considered that as they operate as a business it would be feasible that they should be subject to the business tariff of £221 for 6 months for one permit.
- 4.3.11 A combination of criteria and the cost of a permit should limit the number of permit applications and is likely to prevent abuse.

4.4 **Trade's Permit**

- 4.4.1 The trade permit will be available to any business or tradesperson providing proof that they need to operate in more than one CPZ within the borough. This proof can take the form of a letter on business-headed paper, copy of a contract(s) containing the addresses within the CPZs or copy of an instruction from resident(s) or property owner(s) of addresses within the CPZs to carry out works.
- 4.4.2 The business or tradesperson can purchase any number of permits and they will not be vehicle specific.

4.4.3 The permit can be used in all permit holder and shared use bays

They will not be permitted in

- Resident Only bays
- Disabled parking bays
- Yellow line restrictions
- Pay & display on street
- Car parks

4.4.4 The Trade Permit will be priced at £900 per annum purchased in 6, 3 and 1 month options

- 12 month £900
- 6 months £600
- 3 months £375
- 1 month £150
- WEEKLY £50

4.5 It is recommended that the Cabinet Member approves the undertaking of the statutory consultation and the amendment to the TMOs (subject to outcome of the consultation) so as to allow for the provision of Teacher's and Trade permits.

5. ISSUES

5.1 The provision of School Parking Permits could detract from the Council's effort in encouraging Sustainable modes of transport, which discourages the use of private vehicles. It will also not assist in Council's policy to tackle congestion. However, these can be mitigated to a degree through the introduction of the set criteria and tariff structure.

5.2 Controlled parking zones are implemented to eliminate commuter parking to the benefit of residents. The provision of school permits could be seen to go against the objectives of a CPZ. To address this, it is suggested that school permits are only issued after the zone is established so as to allow a careful assessment on the parking needs and demands of the residents. It is also recommended that this assessment is carried out annually prior to the renewal of each permit. In the event of any abuse of permit; an out of date STP or a change in on-street parking demand, the Council reserves the right to withdraw school permit provisions or reduce the number of permits.

5.3 On-street parking provisions for school teachers could potentially reduce parking capacity for residents and result in dissatisfaction amongst residents. Under such circumstance, it is recommended that the provision of each permit issued would be subject to the appropriate review of the parking needs and demands for the zone and should be at the discretion of officers. This will be made clear to the applicants during the processing of all permit applications made by schools.

- 5.4 By providing school teachers parking other professions and businesses may expect a relaxation of the current policy and may result in a challenge particularly in terms of hospital staff.

6. CONSULTATION

- 6.1 Currently there are 23 CPZ Orders covering 35 zones for which amending Orders will be required. The amending Orders will need to
- Introduce articles that define a trade permit / School permit and its conditions
 - Re-align Article references (i.e. where the orders refer to “a vehicle displaying a permit outlined in Article a, b and c) will need to take account of new Articles
 - Amend relevant Schedules to permit parking in certain bays.
- These amendments, whilst being minor, are particularly detailed, and time consuming with the first Order taking the longest.
- 6.2 Both the Trader Permit and Teacher Permit would be introduced under Sections 6 and 46 of the Road Traffic Regulation Act 1984, and the Order making process would be carried out using the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (S.I. 1996/No. 2489)
- 7.3 Regulation 7 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 states...
- 7.—(1) An order making authority shall, before making an order,—
- (a) publish at least once a notice (in these Regulations called a “notice of proposals”) containing the particulars specified in Parts I and II of Schedule 1 in a newspaper circulating in the area in which any road or other place to which the order relates is situated;
 - (b) in the case of an order under section 6 of the 1984 Act, publish a similar notice in the London Gazette;
- 7.4 The above are a given, please note Para I (ii) and (iii) below. The Council will take such other steps as it may consider appropriate for ensuring that adequate publicity about the order is given to persons likely to be affected by its provisions and, without prejudice to the generality of this sub-paragraph, such other steps may include—
- (i) in the case of an order to which sub-paragraph (b) does not apply, publication of a notice in the London Gazette;
 - (ii) the display of notices in roads or other places affected by the order; or
 - (iii) the delivery of notices or letters to premises, or premises occupied by persons, appearing to the authority to be likely to be affected by any provision in the order.
- 7.5 A Notice of Proposal will be published in a local newspaper and the London Gazette. A minimum of 21 days for representation is required. A copy of the Notice is normally advertised on lamp columns in the affected area where it is practicable to do so. However, on this occasion, this would mean the erection of Notices in every single road in a CPZ. There are currently 456 roads that accommodate a CPZ. At a minimum consideration would be given to erect 2 Notices per normal length road and several on longer roads such as The

Broadway, Kingston Rd etc. This could mean the erection of more than 1000 Notices at the cost £5k. This will have to be carried out twice (during consultation and after consultation) at a total cost of £10k. This does not include the cost of £2500 for the advertisement in the local paper. It can, therefore, be argued that the erection of so many Notices is unreasonable and cost prohibitive and it would be reasonable not to erect these Notices but to:

- Advertise in the newspapers
- Inform all ward members
- Inform all know resident & business associations
- Inform all those schools currently affected
- Erect Notices in local libraries
- Advertise the Council's intentions on its website
- Advertise the Council's intentions on My Merton subject to publication date

8. FINANCIAL IMPLICATIONS

- 8.1 The cost of advertising the Council's intentions as described above would be approximately £2500. However, if it is decided to erect Notices, there will be an additional £10k. Direct staff cost in making the amendments to the Orders would be in the region of £1700. This will be carried out in-house.

9. RESOURCE IMPLICATIONS

- 9.1 It is not envisaged that there will be any resource implications as the demand will not exceed current resource capacity.

10. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

- 9.1 The implementation of new permits will benefit schools and businesses that operate within CPZs and are currently disadvantaged.
- 9.4 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 in not introducing the proposed new permits would be the continued complaints received from schools and some businesses.
- 12.2 The risk of introducing the proposal could lead to dissatisfaction from some residents. This, however, can be minimised by the adhering to the strict criteria for the issuing of permits and issues can be addressed pending on the nature of complaint.

APPENDIX 1

Criteria for teacher's permit

1. Permit is zone specific. Only a school within a zone will be entitled to a permit for that specific zone.
2. Permit will only be issued after the spare parking capacity has been assessed.
3. All permit applications must be made by the Head Teacher rather than individual teachers.
4. The number of School permits to be issued would be strictly limited if the uptake of residents' permits is in excess of 75%; spare capacity is less than 25% and in cases where the numbers of permits outweigh the number of available spaces.
5. Permits will be issued only to those schools with an up to date School Travel Plan and/or Green Travel plan.
6. Renewal of permits would depend on the above criteria being met.
7. The Council reserves the right to remove or reduce the number of permits pending on changes on parking capacity; any fraudulent act or abuse.

Status of each school in terms of their School Travel Plan.**STP STATUS OCTOBER 2011**

The schools in green are those with a STP and accreditation, amber is schools with a STP but no accreditation and red signifies schools with no STP or accreditation. Apart from Willington all schools in Merton do have a STP

STP & ACC 26 Schools 39%

STP NO ACC 4 Schools 6%

NO STP OR ACC 37 Schools 55%

PRIMARY SCHOOLS (43)	STP Y/N	Itrace	ACCRED	Itrace	MODAL SURVEY
Abbotsbury	Y	√	Higher 2010	√	√
All Saints CE	Y	√	√	X	√
Aragon	Y	√	√	X	√
Beecholme	Y	√	√	√	√
Benedict	N	X	X	X	X
Bishop Gilpin CE	Y	√	√	X	√
Bond	Y	√	√	√	X
Cranmer	X	X	X	X	X
Dundonald	Y	√	Higher 2010	√	√
Garden	Y	√	√	√	√
Garfield	Y	√	X	X	X
Gorringe Park	Y	√	√	√	√
Haslemere	Y	√	√	√	√
Hatfeild	Y	√	√	√	√
Hillcross	N	X	X	X	X
Hollymount	Y	√	√	√	√
Holy Trinity CE	N	X	X	X	X
Joseph Hood	Y	√	√	X	√
Liberty	N	X	X	X	X
Links	N	X	X	X	X
Lonesome	N	X	X	X	X
Malmesbury	N	X	X	X	X
Merton Abbey	N	X	X	X	X
Merton Park	Y	√	√	X	√
Morden	Y	√	√	√	√
Pelham	N	X	X	X	X
Poplar	Y	√	√	√	√
Priory CE	N	X	X	X	X
Sacred Heart	N	X	X	X	X
Sherwood	N	X	X	X	X

Singlegate	N	X	X	X	X
St John Fisher RC	N	X	X	X	X
St Marks	Y	√	√	√	√
St Mary's RC	Y	√	√	X	√
St Matthews CE	N	X	X	X	X
St Peter & St Paul RC	N	X	X	X	X
St Teresa's RC	N	X	X	X	X
St Thomas of Canterbury RC	Y	√	√	√	√
Stanford	Y	√	√	√	√
West Wimbledon	N	X	X	X	X
William Morris	Y	√	√	√	√
Wimbledon Chase	Y	√	√	√	√
Wimbledon Park	N	X	X	X	X
PRIVATE SCHOOLS (10)					
Donhead Preparatory Schools	N	X	X	X	X
Date Valley	Y	√	X	X	√
Kings College	Y	√	√	√	√
The Norwegian School (3-16 yrs)	Y	√	√	√	√
The Rowans School (3-8 yrs)	N	X	X	X	X
Study Preparatory School	Y	√	X	X	√
Ursuline Preparatory School	N	X	X	X	X
Willington School (4-13 yrs)	N	X	X	X	X
Wimbledon Common Prep. School (Squirrels)	Y	√	√	√	√
Wimbledon High School (4-18 yrs girls)	N	X	X	X	X
SECONDARY SCHOOLS (8)					
Bishopsford Arts College	N	X	X	X	X
Harris Academy	N	X	X	X	X
Raynes Park High	N	X	X	X	X
Ricards Lodge	N	X	X	X	X
Rutlish High	N	X	X	X	X
St Marks Academy	N	X	X	X	X
Ursuline High	N	X	X	X	X
Wimbledon College	N	X	X	X	X
SPECIAL SCHOOLS (6)					
Cricket Green	N	X	X	X	X
Melrose	N	X	X	X	X
St Ann's	Y	√	X	X	√
Smart Centre	N	X	X	X	X

Blossom House	Y	√	√	√	√
Eagle House	N	X	X	X	X

Accreditation is a TfL operated scheme. Once a school has completed a STP they can apply for accreditation. There are 3 different levels of accreditation. Accreditation is achieved by fulfilling certain criteria e.g. the school must be undertaking at least 5 walking, cycling and or road safety initiatives. Once a school has achieved accreditation they can then display a logo on all school correspondence, they also receive a plaque.

With the STP annual targets are set and reviewed. For example a target may be set with regard to percentage travelling by car, with the aim of reducing it. All STP's are put onto a system called Itrace which is run by TfL. TfL run spot checks and the Council checks on progress. This is done by Future Merton.

Further funding is available in the form of small grants, these can be used to pay for things such as lockers, improved lighting, CCTV. In addition TfL are also offering funding for cycle storage to schools that are accredited. The system is, however, due to change and officers are unclear of implications.