

NON-KEY DECISION TAKEN BY A CABINET MEMBER UNDER DELEGATED AUTHORITY

1. Title of report and reason for exemption (if any)

New Type of Permits for CPZs – Teachers' permit

2. Decision maker

Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

3. Date of Decision

28th May 2012

4. Date report made available to decision maker

24 May 2012

5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel

N/A

6. Decision

The Cabinet Member for Environmental Sustainability and Regeneration :

- A) Notes the results of the statutory consultation carried out between 23 February and 16 March 2012 on the proposals to introduce new permits for teachers working within a specific CPZ. The provisions of such permits will be subject to a set of criteria, which have been detailed in section 3 of this report and in appendix 1 of the report.
- B) Notes and consider the representations received in respect of the proposals as detailed in Appendix 1 of the report.
- C) Considers the objections against the proposed measures and the arguments for their implementation as detailed in Appendix 1 of the report.
- D) Agrees to proceed with amending the relevant Traffic Management Orders (TMOs) to accommodate the new permits for teachers
- E) Agree to the proposed tariff detailed below for teachers permits:
£188 per annum for all schools (state and private schools alike)
- F) Agree that permits for teachers should only be made available in roads and parts of roads in CPZs where there is spare capacity and that indicators of spare capacity be where 25% or more of households have not applied for a resident's permit, and/or where a road, or part of a road has been surveyed and there is spare capacity in that road. In considering the Green Travel Plans of schools and the number of permits to issue, one factor that should be taken into account is the PTAL of the school. with a view to maximising sustainable travel.
- G) Agree the set criteria as set out in Appendix 2 of the report which will be applied to every teacher-permit application including renewal of permits

7. Reason for decision

The scheme is necessary to reach a compromise solution between the parking needs of residents and the parking needs of schools, which either comprise an important local public service or private schools with charitable status operating as important local businesses.

Whilst I accept that there is an argument that private schools be offered permits at the businesses rate, there is evidence in the responses received that at least one of the private schools concerned has an operating deficit and that to charge significantly more than the charge proposed for maintained schools, might affect its financial viability. It would be invidious to have different charges for different private schools. In respect of the argument that the financial burden will fall on teachers, the Council has no access to evidence of differential salaries across the state and private sectors. On this basis the charge should be the same as in E. The rate of £188 pa is in my view both reasonable and affordable.

I bear in mind the additional recommendations of SMAC with regard to grounds for issuing teachers' permits and understand the wish to protect residents' parking and to increase sustainable travel. However, I also believe that the grounds need to be flexible. E.g A street might have a large number of residents' permits issued and yet still have considerable daytime 'on street' parking capacity. In these circumstances the key indicator will be measured 'on street' capacity. Also Schools in a location with a high PTAL rating might yet have a number of staff, who are used to travel by car. In these circumstances using a green travel plan and reducing permit numbers over a period of time would be a more measured approach to changing behaviour. Also, my belief on the basis of representations and anecdotal evidence is that many teachers have still to carry books to mark and other equipment to and from home.



8. Alternative options considered and why rejected

1. An option would be not to issue any permits to teachers. Although this would be in line with the objectives of a CPZ and is likely to compel teachers to either use available pay and display parking bays or seek alternative modes of transport that is likely to improve congestion and parking pressure it will not take into account the needs of a group of service providers.

2. Another option would be to continue the current practice and issue permits at officer's discretion. This would leave officers open to challenge and provides very little control; and the Council can be accused of irrationality or discrimination.
3. To have a higher permit charge of £221 per 6 months for private school. This, however, could be considered as risking the financial viability of those schools.

9. Documents relied on in addition to officer report

9th May New type of permit – Teacher and Trade permits - **Committee report.**

10. Declarations of Interest

11. Publication of this decision and call in provision

Send this form and the officer report* to democratic.services@merton.gov.uk for publication. Publication will take place within two days. The call-in deadline will be at Noon on the third working day following publication.

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Committee: Street Management Advisory

Date: 9th May 2012

Agenda item: 6

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

Contact Officer: Paul Atie, Tel: 020 8545 3214

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Recommendation

That the Street Management Advisory Committee considers the issues detailed in this report and recommends that the Cabinet Member for Environmental Sustainability and Regeneration:

- A) Notes the results of the statutory consultation carried out between 23 February and 16 March 2012, on the proposals to introduce new permits for teachers working within a specific CPZ and trade personnel operating within Merton. The provisions of such permits will be subject to a set of criteria, which have been detailed in section 3 of this report and in appendix 1.
- B) Notes and considers the representations received in respect of the proposals as detailed in Appendix 1.
- C) Considers the objections against the proposed measures and the arguments for their implementation as detailed in Appendix 1.
- D) Agrees to proceed with amending the relevant Traffic Management Orders (TMOs) to accommodate the new permits for teachers and trade personnel operating within CPZs.
- E) Agrees to the proposed tariffs detailed below:
 - I. The cost of a trade permit shall be
 - £900 for 12 months
 - £600 for 6 months
 - £375 for 3 months
 - £150 for 1 month
 - £50 per week.
 - II. With regards to the cost of teachers permit the Cabinet Member needs to agree one of the following options :
 - a) option 1 - £188 per annum for all schools (state and private schools alike)
 - b) option 2 - £188 per annum for state schools and £221 per six months for private schools.

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 type 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 subject to meeting a number of agreed criteria.

- 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 amend the relevant 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.

E) Shared use bays

These bays can be used by permit holders and those who pay and display a valid ticket. The charges and maximum stay vary pending on the road and level of demand. The maximum stay does not apply to permit holders.

CURRENT PRACTICE

- 2.7. 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.
- 2.8. Businesses are issued permits but not for normal parking needs of employees/owner or business clients. The business has to demonstrate 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 zone. As a result it has limitations and is not best suited to some businesses such as Estate Agents and trades people.
- 2.9. 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.
- 2.10. Over the years, during the consultation process of introducing a new CPZ, some informal provisions have been made for some schools to purchase limited number of permits. This was often supported by the residents within the proposed CPZ where demand for on street parking was not considered to be higher than the available parking space. 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.
- 2.11. During a recent CPZ consultation, the issue of teachers permit was raised by a number of schools all located within one road. The increase in demand has necessitated the formalisation of a new type of permit. To introduce a new type of permit involves making the necessary changes to all existing CPZ Traffic Management Orders via a statutory consultation.
- 2.12. A report seeking approval to undertake a statutory consultation so as to amend all existing TMOs to allow for the provision of Teacher's and Trade permits was submitted to the Cabinet Member for Environmental Sustainability and Regeneration on 20th October 2011. The report was subsequently approved by the Cabinet Member and the statutory consultation was carried out during February and March 2012.

3 CONSULTATION UNDERTAKEN

Statutory Consultation

- 3.1. The statutory consultation for the introduction of Teachers permit and Trade permit was carried out between 23 February and 16 March 2012. 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. All Councillors in the borough were informed via an e mail.
- 3.2. The trade permit will be available to any tradesperson who needs to operate in any zone in the borough. The permit will allow for traders to park in permit holder and shared-use bays in any zone in the borough, with the exception of Residents only bays. The cost of a trade permit shall be
 - £900 for 12 months
 - £600 for 6 months
 - £375 for 3 months
 - £150 for 1 month
 - £50 per week.
- 3.3. Teacher permit will be available to enable teachers to park in permit holder bays (except Residents only bays and pay and display only bays) and shared-use bays in the zone where the school is situated. The Head teacher of a school within a controlled parking zone which has either a current approved school travel plan or current approved green travel plan, or both may apply for Teacher permits; this is in addition to other required criteria. The consultation was carried out based on the cost of permits at £188 per year for teachers in a state primary school, secondary school or special school which could be purchased at £62.67 per term and £221 per six months for Teachers in independent (private) schools. This cost is subject to change in future years. Permits will be issued and withdrawn at Council's discretion and the criteria will also apply upon renewal.
- 3.4. The statutory consultation resulted in 24 representations. 12 were from Ursuline Prep School against the disparity between state run schools and Private Schools parking permit cost. 6 representations were received from those teachers currently able to purchase permits against the increase in teachers parking permit cost and 5 representations were received from residents against issuing parking permits to teachers. 1 representation was received against Trade permit but in support of Teachers permit. Representations are detailed in appendix 1 of this report.

4 RECOMMENDATION

- 4.1. To formulate the current method of issuing permits, it is recommended that the Council adopts the new permits to accommodate teachers of schools within a CPZ and trades personnel whose business necessitates parking within a CPZ.
 - 4.1.1 TEACHERS' PERMT
 - 4.1.2 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.
 - 4.1.3 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.
 - 4.1.4 The implementation of CPZs removes all non-resident / 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.

- 4.1.5 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 will, 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 2.
- 4.1.6 It is recommended that school permits should not be made available until the spare parking capacity has been assessed. With regards to new CPZs, the spare capacity assessment could be carried out 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 subscribing.
- 4.1.7 All permit applications must be made by the Head Teacher rather than individual teachers.
- 4.1.8 To determine the number 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 Teacher permits.
 - Consider off street parking facilities within any given road/zone.
 - Consider all efforts made by the school in ensuring the adoption and practice of sustainable modes of transport.
- 4.1.9 The above would also apply upon the renewal of permits. This can be expensive and time consuming. In the event that the uptake of residents' permits is in excess of 75% and in cases where the number of permits outweigh the number of available on-street / off-street spaces the Council would need to 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 on the operation and capacity of the other zone.
- 4.1.10 The Council should not lose sight of its objective to drive smarter, greener and sustainable means of travel. Therefore, 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 needs to be signed up to a School Travel Plan and this can be used to obtain the up to date number of staff who use a private vehicle to travel to work and monitor the school's attempts and success in encouraging alternative mode of transport. 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 for 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.
- 4.1.11 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 be entitled to permits and they

contribute toward the residents' parking difficulties. Based on feedback received during some public meetings and consultations, it has been our experience that many residents look upon teachers favourably as they provide an essential service to the community and as a rule do not object to schools' ability to purchase parking permits. This, however, tends to depend on the zone and parking capacity.

- 4.1.12 With regards to private schools, upon embarking on the consultation it was considered that as they operate as a business, that is to say they provide a service for a fee, it would be feasible that they should be subject to the business tariff of £221 for 6 months for one permit. This tariff was based on the previous rate for general businesses permits before the increase, currently £331 per 6 months. During the consultation, it has been argued that Private schools should be treated same as a state school. This is a matter for the Cabinet Member to consider. Since this is a new type of permit, consideration could be given to apply the same fee for all schools within a CPZ despite their status.
- 4.1.13 It is believed that a combination of criteria and the cost of a permit should limit the number of permit applications and is likely to prevent abuse.
- 4.1.14 It should be noted that there are concerns regarding the number of permits issued to any school in an area where there are a number of schools, one example being The Downs where there are 6 schools, all of which no doubt would apply for a permit per teacher and with the limited road space, it is unlikely that all teachers could be accommodated. It is paramount that schools have a travel plan for their teachers and work toward reducing the numbers of teachers driving to school. The schools based in the Downs are close to good public transport with Raynes Park and Wimbledon Train Stations reasonably near by with good bus service between the stations and The Downs. This area is also served by Car Club bays that school teachers can utilise.

4.2. TRADE'S PERMIT

- 4.2.1 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 CPZ to carry out works.
- 4.2.2 The business or tradesperson can purchase any number of permits and they will not be vehicle specific.
- 4.2.3 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
- 4.2.4 The Trade Permit will be priced at £900 per annum purchased in 6, 3 and 1 month options as well as on a weekly basis
- 12 month £900
 - 6 months £600
 - 3 months £375
 - 1 month £150

- Weekly £50

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 in tackling congestion. However, these can be mitigated to a degree through the introduction of the set criteria and tariff structure as detailed within this report.
- 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.

6 ALTERNATIVE OPTIONS

- 6.1. An option would be not to issue any permits to teachers. This would be in line with the objectives of a CPZ and is likely to compel teachers to either use available pay and display parking bays or seek alternative modes of transport and will remove the congestion and parking pressure from the roads surrounding the school. This, however, may be considered as inflexible and does not take into account the needs of a group of service providers.
- 6.2. Another option would be to continue the current practice and issue permits at officer's discretion. This would leave officers to challenge and provides very little control.

7 FINANCIAL IMPLICATIONS

- 7.1. The cost of investigating the spare capacity in CPZs where schools are located would be approximately £25000 and this would include the cost making of the Traffic Management Order. This does not include the administration cost of processing the applications made by school. It does not include staff cost dealing with the school and work place travel plans.

8 RESOURCE IMPLICATIONS

- 8.1. Undertaking the necessary site surveys to determine capacity on an annual basis can be intensive and to process new permits for new users will have resource implications which have not been budgeted for.

9 HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1. The implementation of new permits will benefit schools and businesses that operate within CPZs and are currently disadvantaged.

9.2. 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.

10 CRIME AND DISORDER IMPLICATION

10.1 N/A

11 RISK MANAGEMENT IMPLICATIONS

11.1. The risk in not introducing the proposed new permits would be the continued complaints received from schools and some businesses.

11.2. 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.

11.3. The risk of issuing permits to teachers may not encourage the Council's policy in establishing sustainable modes of transport and will do nothing in addressing congestion.

12 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix 1 - Representations and officers' comments

Appendix 2 - Criteria for teacher's permit

URSULINE PREP SCHOOL - REPRESENTATIONS – AGAINST

12270616

1. I am writing to you regarding the current consultation on the introduction of Teachers Permits in CPZ. Your note formed the basis of the Council's decision to launch the consultation and proposed the difference in pricing between state and independent school teachers.

2. My reading of the Road Traffic Regulation Act 1984, Section 46, para 2 suggests that the Council is allowed to set charges necessary to regulate the use of the parking spaces in a CPZ. Given that state and independent schools have essentially the same methods of operation (ie teachers arrive at the school, carry out their work and then go home), it is not clear how the status of the school affects the use of parking spaces in the CPZ and therefore whether the Council has the power under the 1984 Act to vary the charges as you propose. I should be grateful if you would clarify what the legal basis is for the price discrimination. If you have studies that show that the status of the schools does affect parking behaviour I should be grateful if you would consider this a Freedom of Information Act request for copies of any such studies.

3. Your note (para 4.3.1) for the Council's decision also says "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". Grateful if you would clarify whether your statement about feasibility concerns their ability to pay a higher rate. If so, grateful if you could let me know under what legislative provision you are taking account of the potential applicant's ability to pay. Also if, as your note asserts, independent schools are simply businesses, why have you found it necessary to introduce separate provisions for them, rather than getting them to apply through the normal business permit route. I should be grateful if you would make available, under the Freedom of Information Act, any notes, papers, emails or other records regarding discussions leading to your recommendation to treat independent schools as businesses. I am copying this email to my local councillors.

1) Your email below states that the introduction of the new Teacher Permit was necessary following the introduction of the Downs CPZ. This is at odds with your official's paper which said that the new system was necessary because the building programme that you are undertaking in many primary schools had pushed teachers from maintained schools into the surrounding residential roads.

(2) You state that in the Downs CPZ there were a considerable number of school teachers whose previous practice was to park locally. There are, as far as I am aware, only three schools in that CPZ - two rather small independent schools and the Ursuline High School. The latter has, I believe, fairly significant on site parking and I am doubtful that the teaching staff of the other two schools would justify the use of the term "considerable". Your officials, no doubt, have data that can back up the claim and have consulted with the schools about their demand for parking places as they are required to do. I am aware that the Downs, because it was previously the first non-controlled road, was used by the commuters, including teachers from schools in existing CPZs, as a parking area. This behaviour will have been discouraged by the introduction of the CPZ. The permit charges that you intend to levy on the independent schools are, therefore, likely to be unnecessary and disproportionate.

(3) Your email makes reference to independent schools operating as businesses, ignoring their charitable status. They have such status because of their contribution to public good. Moreover the benefits that they provide are recognised in the rebate of business rates that they receive; this is the same rebate, I understand, as maintained schools. As you will be aware the Charity Commission are currently re-working their guidance on charitable status and fee paying schools, and I hope you would be open to the idea that provided independent schools meet the guidance of the Charity Commission that they should benefit from a reduced tariff for their teachers.

(4) You claim that the lower tariff for maintained schools is so that you can support that public service. While I can see that you have some discretion in how you exercise your powers under the Road Traffic Regulation Act, as a non-expert I cannot see where it gives you the power to support a public service in the way you claim. I should be grateful for clarification. Moreover your proposal which charges maintained school teachers £1 per day but independent school teachers £2.55 seems to be stretching your discretion. Finally, as the employer of most/all maintained school teachers, it would be open to you to reimburse their parking costs if supporting the maintained sector is your actual goal.

(5) Finally, it is not clear whether you have given any consideration to whether your policy will have a particularly adverse effect on women teachers. Most of the independent schools likely to be caught by your new charge are primary schools, mainly staffed by women, often teaching part-time or with job shares. In the school with which I am familiar all the teaching staff are women. I wonder, in reality, how many men will actually end up paying your higher independent school tariff. Your official's paper supporting the introduction of the new tariff gives no indication that the possible disproportionate, adverse impact of the new tariff on women teachers was considered under the Equalities heading.

Response already made to representation(it should be noted that the following response was made prior to reaching a final conclusion)

- 1) This is a true example the building programme at the Ursuline High School has reduced opportunities for onsite parking and recreation. However, it only comes into play with the introduction of the CPZ. Ursuline High School would not argue that they have 'significant on site parking'. The other school which 2) I am aware has generated significant parking in the Downs is Wimbledon College, though I shouldn't be surprised if teachers of Kings College School have also been parking nearby.
- 3) The *public benefit* that charitable status of schools implies has been subject to much debate, parliamentary enquiry and litigation and is not relevant for these purposes, in that the distinction that is suggested is between schools maintained by public funds, to support which the local authority has a statutory duty and which provide a vital public service and others. The assumption that independent schools rely on a business model is based on the fact that they market their services and sell them in return for fees that cover the costs of operating as well as future investment.
- 4) This is not the place for a detailed exegesis of the law, but (subject to legal advice/argument/authorities to the contrary) we may be looking at S.2 of the Local Government Act 2000. *Promotion of well-being.*
(1) Every local authority are to have power to do anything which they consider is likely to achieve any one or more of the following objects—
(a) the promotion or improvement of the economic well-being of their area,
(b) the promotion or improvement of the social well-being of their area, and
(c) the promotion or improvement of the environmental well-being of their area
 and/or the replacement provisions of the Localism Act
Local authority's general power of competence
(1) A local authority has power to do anything that individuals generally may do.
(2) Subsection (1) applies to things that an individual may do even though they are in nature, extent or otherwise—
(a) unlike anything the authority may do apart from subsection (1), or
(b) unlike anything that other public bodies may do.
(3) In this section "individual" means an individual with full capacity.
(4) Where subsection (1) confers power on the authority to do something, it confers power (subject to sections 2 to 4) to do it in any way whatever, including—
(a) power to do it anywhere in the United Kingdom or elsewhere,
(b) power to do it for a commercial purpose or otherwise for a charge, or without charge, and
(c) power to do it for, or otherwise than for, the benefit of the authority, its area or persons resident or present in its area.
(5) The generality of the power conferred by subsection (1) ("the general power") is not limited by the existence of any other power of the authority which (to any extent) overlaps the general power.

The general flavour of these provisions is that a local authority may do anything it is not explicitly prohibited from doing.

5) thank you for this point, which we will consider.

12270619

Thank you for your email. As stated in my earlier email, I wish to make a formal complaint about the manner in which the consultation regarding new types of permits is being publicised. I am aware that a circumvented process of publication has been agreed, and that this is due to the cost of carrying out a consultation in the normal manner, which would include writing to all those potentially affected. However, I have only become aware of this consultation as I was looking out for it on the Merton Council website (I knew that it was in the process of being discussed from my enquiries with council officers relating to the introduction of the new Zone W7). I have not seen any notices regarding the proposals on my street, even though due to the introduction of the new zone W7 (of which I am completely in favour) there are various other notices posted on the lamp posts on my street. I have not received any local newspapers in recent weeks and so have not been notified by that route. I can therefore only presume that the majority of council residents are not (unlike me) regularly checking the Council website for parking updates. This means that the majority of council residents, who will all be potentially affected by these changes, have no idea of what is proposed and so will not be able to make their feelings known. The introduction of the proposed permits as would mean a fundamental change in the manner of issuing permits, and will have a direct impact on those residents who have a school within their zone (there are in fact 3 schools in zone W7). In these circumstances I consider it is unreasonable and against the interests of residents to fail to follow the usual consultation procedure and ensure that as many households as possible know about the proposals and so have the opportunity to respond, whether favourably or not, to what is planned. At the very least a wider scheme of lamp post notices should be made, particularly in those zones where there is one or more schools. To use cost as a reason to not follow the usual procedures is unreasonable and irrational. I would also point out that despite the circumvented process there is a very tight timescale for responses to be received. I look forward to hearing from you in relation to the consideration of this formal complaint. I will be making comments in relation to the proposals themselves in due course.

Officer's Comment

During a statutory consultation there is no legal requirement for the Council to write to residents regarding the proposals. The current legal requirement is the erection of Notices on lamp columns within close proximity of the

proposal (in this case outside schools) and the advert in the local newspaper. The Council has attempted to advertise its intention regarding the new permits and it would be unrealistic to contact all residents within those zones that accommodate a school. With regards to the time frame, the legal requirement is 21 days; the Council does, however, consider any late representations until such time that the report to the Cabinet Member is complete. Upon receiving a representation to the proposal, an acknowledgement is made in writing and all representations are reported to the Cabinet Member for consideration and a decision. A full response is made after a decision is made by the Cabinet Member.

12271406

The purpose of this mail to is to object to the proposed changes to the cost of parking permits for teachers which we believe are unfair and further which discriminate against independent school teachers. We understand that the Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, there is a proposal to introduce a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. Further, there is not the scope for staff to have the same earning potential as staff in a large state school and yet the Council expects independent preparatory school staff to pay so much more than their colleagues in the state sector. We believe that the higher prices for permits for independent school teachers are unwarranted and should be reconsidered. Finally, we note that there is no provision for non-teaching staff, who also play an important role in the life of schools.

11271083

Ursuline Prep School – Teachers Parking Permits – Objection Letter

I am appalled at the level of parking permit charges being levied on teachers by Merton Council and more particularly that Independent School teachers are being overtly discriminated against in Merton Council's Teacher Parking Permit Scheme. I agree with the arguments raised by Ken Kehoe, a fellow parent at the Ursuline Prep School, on this subject. I would further add that there appears to be no considered financial basis for the discrimination against Independent School teachers. My understanding is that Merton Council is intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. How is this in line with inflation or with teacher's salaries? In addition, I understand that Merton is introducing a new category of permit for Independent School teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). How can this higher amount be justified? Does Merton really assume that Independent School teachers earn over twice as much as their State School counterparts? They do not, especially in a small Independent School. Also, Merton must take into account, that teachers are employees and cannot offset items such as parking as business expenses against tax, like a business can. This cost will be a direct and significant reduction from their salaries. As a parent who elected an Independent School in Merton because Merton did not have enough Primary School places, it surprises me that Merton Council is not more supportive of our Independent Schools. Without them, the shortage of Primary School places would be even more acute than it is. Our teachers work extremely hard, are in before 8am every day and have bags of books to carry for marking. They do not deserve to be charged over the odds to park at their place of work. This is yet another example of Merton using the Parking Permit system as a way of raising additional funds from Merton Residents without due consultation. I am told that meetings of residents in the area around the Ursuline Prep School did not believe that commuter parking was an issue and there is still a real question therefore, as to why the CPZ zone was introduced. If the aim of the Parking Permit schemes, is indeed to make it easier for local residents and for business to access their premises and places of work, then these extortionate charges seem to achieve the exact opposite. I would ask you to reconsider the extremely high charges, which it is proposed Teachers in Schools in Merton generally, pay for parking and in particular the higher cost to be levied on teachers in Independent Schools. As a Merton resident, they do not have my support.

Teachers Parking Permits – The Ursuline Preparatory School, Wimbledon

As a charitable school which is currently running at a loss we do not accept that we should be treated in the same way as a commercial business operating 365 days a year.

Our primary position is that the parking permit rates which it is proposed should be charged to enable our teachers to park in or around their place of work on The Downs should be the same as for state school staff namely £188 per annum. During school hours we only have sufficient off street parking for our minibus and unlike Donhead on Edge Hill and other local schools we cannot give free parking spaces to our teachers within our small site.

We have been made aware from our discussions with Ms Dubet that in determining the proposed charges for parking permits for staff employed by state sector schools the officers have specifically taken into account the fact that state schools have long holiday periods in which the permits would not be used. The Wimbledon Ursuline Preparatory School is generally open for fewer school days ie: 36 weeks per year plus 3 INSET days (a total of 252 days) than local state schools which operate for 38 weeks per year plus 5 INSET days. In such circumstances we would contend that it would only be fair and reasonable if our school is treated in a similar way to the state sector. There is an argument that we should be treated more favourably as the permits will be used by our staff for a shorter period of the year but we do not press that other than to ask that this is taken into account.

As you know we are concerned in respect of the recruitment and retention of staff. As a small school we do not have the scope to offer our staff the same earning potential as staff in a state school, indeed our teacher's salaries are capped at UPS1. Our school is a charity and it has been are running at a loss. For the year ending 31.08.2011

the statement of financial activities show that incoming resources for the year were exceeded by resources expended, showing a deficit of £176,681. Given our current financial position we are unable to afford to subsidise teachers' permits. We enclose a copy of the latest audited accounts and request that these are taken into account. The parking scheme when implemented should be available to all staff to ensure 'fairness'. Non-teaching staff also play an important role in the life of the school. We have 19 full time and 22 part time staff. In the attached document we list where all our staff who drive to work live and commute from.

We acknowledge and support the Council's desire to address a range of policy objectives such as reducing parking demand and promoting public transport, however, this is difficult to achieve in a short space of time. We have already completed our travel plan and have promoted these objectives within it. [This has already been provided to the Council]. We trust that these matters will be taken into consideration and we look forward to receiving your final report. In the meantime as Chair of Governors I would be happy to speak to you on the telephone to discuss matters further.

Staff Driving to Work – 22 in total - Long Ditton ; Chessington; Colliers Wood; Esher x 2; Epsom; Sutton x 2; Merton Park; Stoneleigh; Raynes Park x 2; Morden x 4; Worcester Park; New Malden; Balham; Kingston x 2; Surbiton

12271100

I am writing to support lobbying the Council to oppose your proposal to discriminate against independent school teachers under the new teacher parking permit system. The Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, you are introducing a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). It is worth noting that the current cost of a business parking permit is £321 per 6 month period (£642 per annum), not £221 as in the public notice. Our school does not require permits for 52 weeks of the year, unlike other businesses, however, this not been taken into account when working out the cost of the new permits. The Council's actions suggest that independent schools are businesses and their teachers should, therefore, attract the new independent school teacher rate. In a small school such as ours there is not the scope for staff to have the same earning potential as staff in a large state school and yet the council expects independent preparatory school staff to pay so much more than their colleagues in the maintained sector. The education of our children is of equal value to that of children in the state school sector and our teachers should pay the same price for their parking permits. Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. The higher prices for permits for independent school teachers are unwarranted. There is no provision for non-teaching staff, who also play an important role in the life of the school. I have spoken to the Merton Parking section at your central office on behalf of a number of other teachers who park in the vicinity of this school and walk into Wimbledon. As there is limited parking in central Wimbledon we are reduced to walking 15 minutes into school. I asked if it would be possible for other teachers to purchase a permit for this area too. The answer was as the school (business) was not in the area we were unable to park. I am a teacher and I can tell you that we don't get paid high wages and as none of my three daughters got into a Merton primary school of our choice we have had to pay for our daughters' education, therefore doing you a favour in the battle against the number of vacant primary school places. The whole situation is in my opinion ridiculous and the impact it has on the hardworking people in the area is immense. Please show some common sense and support the people who are supporting you and your families.

12271205

We are writing to you as parents of a child in Year 4 who attends Ursuline Preparatory School on The Downs in Wimbledon to alert you to our concerns and opposition to Merton Council's proposal to discriminate against independent school teachers under the new teacher parking permit system. We understand that the Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, they are introducing a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). It is worth noting that the current cost of a business parking permit is £321 per 6 month period (£642 per annum), not £221 as in the public notice. Our school does not require permits for 52 weeks of the year, unlike other businesses, however, this not been taken into account when working out the cost of the new permits. The Council's actions suggest that independent schools are businesses and their teachers should, therefore, attract the new independent school teacher rate. In a small school such as ours there is not the scope for staff to have the same earning potential as staff in a large state school and yet the council expects independent preparatory school staff to pay so much more than their colleagues in the maintained sector. The education of our children is of equal value to that of children in the state school sector and our teachers should pay the same price for their parking permits. Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. The higher prices for permits for independent school teachers are unwarranted. There is no provision for non-teaching staff, who clearly also play an important role in the life of the school. We would be grateful if you could kindly acknowledge receipt of this letter and advise whether our objections will be noted. We believe that many parents of the school will agree with our views.

1227222

I am writing to oppose the proposal to discriminate against independent school teachers under the new teacher parking permit system. I understand the Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, the council are introducing a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). It is worth noting that the current cost of a business parking permit is £321 per 6 month period (£642 per annum), not £221 as in the public notice. Our school (Ursuline Prep Wimbledon) does not require permits for 52 weeks of the year, unlike other businesses, however, this not been taken into account when working out the cost of the new permits. The Council's actions suggest that independent schools are businesses and their teachers should, therefore, attract the new independent school teacher rate. Independent schools are not businesses but have charitable status*. In a small school such as ours there is not the scope for staff to have the same earning potential as staff in a large state school and yet the council expects independent preparatory school staff to pay so much more than their colleagues in the maintained sector. The education of our children is of equal value to that of children in the state school sector and our teachers should pay the same price for their parking permits. Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. The higher prices for permits for independent school teachers are unwarranted. There is no provision for non-teaching staff, who also play an important role in the life of the school. Please take this into consideration when you discuss this new rate.

12271479

The purpose of this mail to is to object to the proposed changes to the cost of parking permits for teachers which we believe are unfair and further which discriminate against independent school teachers. We understand that the Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, there is a proposal to introduce a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. Further, there is not the scope for staff to have the same earning potential as staff in a large state school and yet the Council expects independent preparatory school staff to pay so much more than their colleagues in the state sector. We believe that the higher prices for permits for independent school teachers are unwarranted and should be reconsidered. Finally, we note that there is no provision for non-teaching staff, who also play an important role in the life of schools.

12271360

I am writing to oppose the proposals to discriminate against independent school teachers under the new teacher parking permit system - our teachers should pay the same price for their parking permits as state school teachers. The cost of a parking permit for a state school teacher will be £188 per annum, while the proposed cost for independent school teachers is £442 per annum, more than double! I can see no justification for this differential rate. Also, I feel the following needs to be taken into account:

*Schools do not require permits for 52 weeks of the year (unlike businesses)

Independent schools are not businesses but have charitable status

*In a small school such as ours (the Ursuline Prep) there is not the scope for staff to have the same earning potential as staff in a large state school and yet the council expects independent preparatory school staff to pay so much more than their colleagues in the maintained sector

*The education of our children is of equal value to that of children in the state school sector and our teachers should pay the same price for their parking permits

* There is no provision for non-teaching staff, who also play an important role in the life of a school

The higher prices for permits for independent school teachers are unwarranted.

I'd appreciate it if you could take these points into consideration.

1227361

Thank you for your further response to my representations – I do very much appreciate your continued interest and engagement. In this note, I would like to summarise the specific points where I continue to disagree with the thrust of the policy, before setting out my thoughts on the specific implementation of the policy. (Basically, if you go ahead more or less as planned, I have some suggestions that will go some way to relieving some of the worst effects). Before looking at areas of disagreement, I would like to welcome your clear statement that there is no intention to penalise any school or business.

AREAS OF DISAGREEMENT IN PRINCIPLE

I remain of the view that independent schools should not be considered as in any way analogous to profit-seeking businesses. Investment spending and a minimal amount of marketing spend are not a marker of this.

I agree that schools are a source of pressure on parking spaces, but the teachers and support staff are not the biggest part of this. The CPZ will relieve a lot of pressure anyway, and a generous approach to the teaching and support staff will not prevent the CPZ from achieving its primary aims.

I am uncomfortable with your statement that the council's duty towards independent school only extends to fairness and proportionality in its decision making. Furthermore, in the current proposals, I believe that the council is failing badly in matters of fairness.

Education, in all its forms, is a vital public service – not just state-provided education. I believe that independent

provision of education has a strongly important and valuable role to play in the community, and I remain of the belief that the current proposals are unfair in their effect. You have stated that there is no intention to penalise any school, but this is precisely what you are doing.

SUGGESTIONS FOR IMPROVING THE IMPLEMENTATION OF THE POLICY

Background - The widespread belief that you are biased against independent schools and implementing policies that are intended to be vexatious and onerous could be mitigated by demonstrating an approach to implementing the CPZ that is seen to be reasonable. The transition arrangements in particular are totally unacceptable. As I understand it, you plan to implement in full with no provision for independent schools and then review after an unspecified period. Unless the schools actually close down for this period, this is a ludicrous proposal. So I propose that you either run this arrangement during the summer holidays so that teachers don't face heavy fines... OR You grant a general exemption to the fines to all teachers and support staff, and conduct a detailed survey during this period of both the extent of the use by school staff, and the overall efficacy of the scheme. As a clarification question, can I ask whether permits will be transferrable among school staff? There are many school staff who work part-time or job-share. If head-masters control the school's allocation, then this allocation should be flexible enough to accommodate flexi-working rather than just being vehicle-specific.

Response already made(it should be noted that the following response was made prior to reaching a final conclusion)

I note your 'Areas of disagreement in principle'. In respect of your suggestions: the same transition arrangements are likely to apply to all school permits. What is being sought is to accommodate the essential parking needs of schools within an existing regulatory framework that provides for residents' parking. I have been advised that there is no alternative, once the decision is made to implement the controlled parking zone, but to allow residents to take up the residents' permits and then to measure the surplus parking capacity, prior to consideration of how many teacher permits can be issued and where they should apply. Inevitably this will lead to a period of inconvenience for schools in the area, which will be as short as practicable, consistent with the process to be undergone. The final form of proposals and decisions, must await the end of the current consultation and analysis of the responses. However, provisionally I believe that we are contemplating transferable permits being issued to schools for use generally by school staff, at a chargeable rate following production of a green travel plan, which are specific to roads or parts of roads.

12271262

As Chair of Governors of the Ursuline Preparatory School Wimbledon I would wish to support the views so eloquently expressed by my fellow parent governor of the school. She has forwarded to me your exchange of e-mails. You observe that our school must operate as a business model and that we are not within the community of maintained funds that are supported by public funds and towards which the Council has a financial and statutory responsibility. You correctly recognise that the Council's actions must be fair and proportionate. With the greatest respect the Council's proposal to charge higher parking permits fees to our school's teachers is neither fair nor proportionate. It is Wednesday unreasonable. Our small school is a charitable school which, as our accounts demonstrate, does not presently make a profit. It has been running at a substantial loss and whilst we are hoping that we have managed to "turn the corner" financially our last accounts still show a significant loss. As Mrs Townsend observes our teachers earn less on average than teachers in the public sector. Your proposal to charge our teachers, many of whom travel some considerable distance to get to the school, a significantly higher amount is unfair and disproportionate. As a small charitable school we simply cannot afford to increase teacher's salaries to pay this charge for them. If the Council's proposal goes ahead it will in effect amount to a penalty for our teachers simply because they work in the private sector. We are very concerned that your decision may have a significant impact on our financial viability and our ability to retain and recruit teaching staff. Whilst we understand that different criteria might apply to corporate businesses, a non-profitable charity should not be treated as if it was a profit making organisation. I am happy to meet with you to show you credible evidence from our accounts that the Council's proposed charges will have a significant impact and I note that you very helpfully indicated that you would take such evidence into consideration. Please let me know when and where you would be able to meet with me to discuss this further and hopefully resolve this issue. I am the parent of a child at the Ursuline Preparatory School situated in the Downs SW20 and I am also a school governor at the School. In the first instance, I wish to say that the Council do not appear not taken into account the views of community stakeholders such as the three Schools on this road. The residents may, by having agreed to the implementation of the CPZ be of the opinion that the CPZ will ease traffic etc, but they may have forgotten that these schools were there long before they purchased their houses/flats. In fact, there has been no open disclosure by the Council of the number of residents who did vote in favour of this scheme. The fact that the Council has decided it is necessary to put all day parking restrictions in place makes it very difficult for both parents and staff at these schools to access the schools. After much negotiation, the only small concession that the Council has been prepared to offer is a 10 minute parking concession for parents dropping and collecting children. Moreover, in the latest consultation out, the Council are intending to put up the cost of a parking permit for a state school teacher by 289% from £65 to £188 per annum. In addition, they are introducing a new category of permit for independent school teachers, which will cost, according to the public notice, £221 per 6 month period (£442 per annum). Our school does not require permits for 52 weeks of the year (unlike other businesses). However, this not been taken into account when working out the cost of the new permits. The Council's actions suggest that independent schools are businesses and their teachers should, therefore, attract the new independent school teacher rate. I wish to point out that they operate as charities and they are not profit-seeking entities. They seek to cover costs and maintain a small reserve to ensure their

survival. In a small school such as ours there is not the scope for staff to have the same earning potential as staff in a large state school nor do they have the same security of employment. Yet the council expects independent preparatory school staff to pay so much more than their colleagues in the maintained sector. Independent preparatory schools are generally smaller and have shorter terms than state schools and therefore will tend to impose less demand for parking places. The higher prices for permits for independent school teachers are unwarranted and discriminatory. There is no provision for non-teaching staff, who also play an important role in the life of the school. It is interesting to note that even those staff who you believe are providing a vital public and community service (namely those in the maintained sector) are dismayed by your actions. I understand that the Council has sought to defend its decision by suggesting that it is making a distinction in favour of maintained schools because it is believed that they constitute a vital public service, which the Council wishes support using all practical, proportionate and lawful means at its disposal. However, the fact that it is doing so at the expense of independent schools is discriminatory in itself. Some children will be at an independent because of pressure on places at maintained schools in their area, others purely out of choice. I am disappointed at the open bias of the Council when independent schools play a strong role in the community and provide additional and valuable school places for children in this area. I strongly feel that the Council have not considered the needs of the entire local community in making these decisions. My next concern is that the consultations have not been done in an open and transparent way. In fact it appears that Councillors who should be part of the statutory consultation on the teacher permits were not given details of the letter of 22 December or anything else apart from the decision of the Cabinet member (Cllr. Andrew Judge) on 6 December to go ahead, on the basis of the report on the Council's website. This is surely not a democratic method of implementing a scheme that will impact all residents in this area, including the schools. I am dismayed by the lack of clarity or transparency in the decision-making of the Council and would urge the Council to review review of the basis of charging and the way the CPZ is implemented in this area. It seems to be all about making money and does not look to put the community first and nor does it take into account the different views of the various community stakeholders in this area. In some of the conversations that the school has managed to have with the Council on the subject of this CPZ and its implementation, there was discussion about a zebra crossing. There are numerous children crossing the Downs at all hours of the day. At different times of the day, it can be very congested and at other times of the day, cars travel very fast up and down the Downs. I often see cars doing "u turns" on the zigzags. With small children on the road as well as teenagers at senior school, I find it very hard to understand that when this consultation took place, this was not dealt with at all or even considered. I am disappointed that Council does not see fit to address these issues in a constructive way and in a way that might improve the safety of our children on the road, but is very quick to implement a scheme that will provide a new stream of revenue for the Council. The Council has not behaved in an open and transparent way, nor has it effectively communicated with all the relevant stakeholders and, finally, it has now implemented a scheme that is unfair, disproportionate, politically-motivated and not in the interest of the wider community. You have made a distinction based on a premise that is flawed and discriminatory and I would urge you to review your actions.

Response already made (it should be noted that the following response was made prior to reaching a final conclusion)

Having seen the correspondence you will appreciate the likely issues and the position/powers/duties of the Council in this consultation. Obviously, I wouldn't accept the Wednesbury point and would suggest the more appropriate level of discussion is around 'fairness and proportionality'. What is being contemplated is innovative in that we are seeking to accommodate the needs of schools and businesses within a regulatory framework that is primarily concerned with residents' parking and to strike a balance on charges that address a range of policy objectives such as reducing parking demand, promoting sustainable transport, covering the costs of implementation and administration of the scheme, protecting vital public services (in this context publicly funded education) and not rendering lawfully constituted businesses, not for profit organisations (or in this case independent schools), unviable, whether financially or otherwise, which would otherwise be viable. There must be a concern if the evidence suggested that a level of charges would have a significant impact on viability, whether through cost or inability to recruit etc. In this respect I note your concerns expressed here. I am also mindful that one of the points made is that the School is not open 52 weeks a year and would prefer a permit cost that reflected that. The consultation is genuine and the final form of proposals and decisions yet to be formulated. I should be very glad to meet with you and anyone else you think appropriate to consider issues of viability as well as other issues. I would also want the relevant Council officers. Thank you for responding to the current consultation. I can assure you that your views will be taken into account when decisions are made. The following views are provisional, subject to further evidence and reflection following this current consultation.

The views of residents have been taken into account at both the informal and statutory stages of consultation on The Downs CPZ. The views of residents have been published in the relevant reports and are available through the website. This CPZ was implemented because the majority of responses to consultation that expressed an opinion were in favour. The Council does not make any assumptions about the views of those that do not respond because they are unknown. 50.4% of respondents indicated that they currently have parking problems in their roads compared to 41.1% who feel that they do not. The most critical figure was the 47.3% who supported a CPZ as against 45.6% who did not.

The views of all stakeholders are taken into account at the statutory stage and published in the final report. The

Downs CPZ Report went before the Street Management Advisory Committee (SMAC) on two occasions where all stakeholders had the opportunity to make representations and several did. The reports and decisions are all published on the Council's website. You have made a contribution to the current open and transparent consultation on permits. I have also been at some pains to explain the reasoning behind the proposals for permits in response to representations, which responses you obviously are aware of because of the language you have used!

The way the constitution of the Council operates is that as the Cabinet Member I have delegated decision making responsibility for street management decisions and where practical and appropriate seek the advice of councillors on different issues through SMAC. The broad proposal to introduce teacher permits was known to Councillors when the Downs CPZ was last considered. I note and take into account your point on the school not operating 52 weeks in the year. There is no intention to discriminate against any independent school, and/or business and/or 'not for profit' organisation. The proposals do include an intention to sustain and protect vital public services, which (subject to further evidence or legal argument to the contrary) it is contended that the Council is entitled to do. The Council's actions must be fair and proportionate. There is no expressed or actual intention to act 'at the expense of independent schools': nor would that be the effect. It is obviously true that private schools do have charitable status and do not have shareholders. However, they market their services and charge the full cost of education services provided to the parents. In that sense they all must operate on a business model. They are not within the community of maintained schools that are supported by public funds and towards which the Council has a financial and statutory responsibility. You may rest assured that in respect of parking policy, I have no intention of agreeing any approach, for which there is credible evidence that there will be a significant impact on the viability of private schools or for that matter, lawful businesses/substantial not for profit operations of any kind. In respect of road safety issues, we are concerned to take practical measures to increase safety where traffic engineers consider there is a significant risk that can be reduced by appropriate action that is within the capacity of the Council. I shall ask that we investigate your concerns expressed in the penultimate paragraph.

12271366

I am writing in response to proposals to introduce Teacher permits around Dundonald Primary School at a cost of £188 per year. This is a steep increase compared to the current charge of £65 per permit. I find the rationale behind these proposals contradictory. Your report dated 20 Oct 2011 implies that the justification for implementing these permits is for the benefit of resident parking, yet at 4.2.9 you acknowledge 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'. Furthermore point 10 (Human Rights & Equalities and community Cohesion Implications) states 'The implementation of new permits will benefit schools and businesses that operate within CPZs and are currently disadvantaged'. Overall, it is not clear why this proposal is being considered. The report suggests that the implementation of Teacher permits is for the benefit of staff/the school, however, I am sure you would agree that a £123 increase is in no way beneficial to any member of staff. Teachers who commute via private vehicles do so as a necessity, due to distance or circumstances. Considering that we, one of your many 'Outstanding' schools, are part of what contributed towards making Merton Council a four star council, it is insulting to think that you are willing to penalise the staff who help make the borough great. I do hope that you reconsider the proposal as it may drive away the very people that make Merton Council what it is

RESIDENTS REPRESENTATIONS – AGAINST

12271369

I write in relation to the proposed new types of permit which would allow teacher to obtain permits to park in controlled parking zones. I live with my family where the new zone W7 is being introduced. Within zone W7 there are three schools - The Study, Ursuline High School and Ursuline Prep. I am unaware whether there are any other zones within Merton Council that have 3 schools within its confines. We moved to Ethelbert Road in 2006 and at that time there was never a difficulty in parking on the road during the day. However, parking controls being introduced in other areas have obviously displaced traffic and the parking situation has got steadily worse. A particular problem has been the numbers of teachers parking up and leaving their cars for the whole day, with no thought whatsoever for the residents, particularly those who are elderly or with small children, who have been forced to park a street or more away from their homes due to lack of parking space. I am very much against the issuing of these new permits, particularly the proposal for the issuing of permits to teachers. I do not think that the proposed permit fee is high enough to detract uptake, particularly in relation to state schools. I am aware that the teachers on the The Downs have been vocal in their objection to the introduction of a CPZ in this area. I feel strongly that the teachers do not need special treatment in relation to parking. The teachers who I see parking near my house do not have heavy bags with them. To use the schools within W7 as an example, The Downs is in an area with excellent public transport infrastructure, with Wimbledon Station, Raynes Park, and Wimbledon Chase all about 10 minutes walk away. There are bus links at the top and bottom of The Downs (Ridgway and Worple Road). Teachers do not work unsociable hours, no shifts nor night work. If teachers' permits are allowed then what about others - for example low paid hospital workers, care home workers who also work shifts and unsociable hours? To grant teachers' permits sets a very difficult precedent for the Council as there are many groups who might argue they are deserving of special treatment. I work for a charity in a run down area of North London and I cannot obtain a Council permit that would enable me to park at a rate which would be much much less than paying for a private car park. I commute to work by tube and train, as do the vast majority of people who live and work in London or the surrounding areas. I am aware that a circumvented process of consultation has been agreed in

relation to this proposal, and the decision has been made to proceed straight to a statutory consultation and not an informal consultation, and only advertising the proposals on a skeleton basis. This is despite the fact that when a new zone is proposed all residents in that zone receive a letter explaining the proposals. However, I have only become aware of this consultation as I was looking out for it on the Merton Council website (I knew that it was in the process of being discussed from my enquiries with council officers relating to the introduction of the new Zone W7). I have not seen any notices regarding the proposals on my street, even though due to the introduction of the new zone W7 (of which I am completely in favour) there are various other notices posted on the lamp posts on my street. I have not received any local newspapers in recent weeks and so have not been notified by that route. I can therefore only presume that the majority of council residents are not (unlike me) regularly checking the Council website for parking updates. This means that the majority of council residents, who will all be potentially affected by these changes, have no idea of what is proposed and so will not be able to make their feelings known. The introduction of the proposed permits as would mean a fundamental change in the manner of issuing permits, and will have a direct impact on those residents who have a school within their zone (as stated above there are in fact 3 schools in zone W7). In these circumstances I consider it was unreasonable and against the interests of residents to fail to follow the usual consultation procedure and ensure that as many households as possible knew about the proposals and so had the opportunity to respond, whether favourably or not, to what is planned. At the very least a wider scheme of lamp post notices should have been made, particularly in those zones where there is one or more schools. To use cost as a reason to not follow the usual procedures is unreasonable and irrational. I would also point out that despite the circumvented process there is a very tight timescale for responses to be received. It is interesting to note that the new Council Tax bills have been delivered to households in the last few days - a letter relating to these important proposals could have been placed in the Council Tax bill. You will note that my submissions have related mainly to the proposed introduction of permits for teachers. This is because this is the aspect of the proposals that are most likely to affect those living in Zone W7 and I feel that the pricing of the trades permits are at a level to deter a significant uptake. The pricing level of teachers however means that, in my view, it will be much cheaper for teachers to pay for a permit rather than commute on public transport.

12271400

I was shocked when I heard of Merton's plans to introduce a fee of £188 for teachers who park in the roads near to their school. At Merton Park Primary there is no car park, so all staff who drive need to find a space in the neighbouring roads. When the CPZ was introduced approximately three years ago the council agreed to let staff buy a residents' parking permit. This offer is currently taken up by about 8 of our 30 staff. Other staff choose to park for free in the roads that do not have parking restrictions (slightly further away from the school) or find alternative modes of transport. The current situation seems to suit most of the staff as they can pay a reasonable fee for a parking space close to the school, if they wish. Also, the same options are available to all of my staff. We are confident that we do not cause any problems to our neighbours as Erridge Road would be practically empty of parked cars during the day if Merton Park staff did not pay for a residents' permit and park their cars there. It is my understanding that the new permits will be for teachers only and yet there are many other people who work in a school – teaching assistants, office staff, midday meals supervisors, caretaker etc. The feedback from my support staff is that they would not be able to afford the extortionate fee that you are proposing anyway, and that is discriminatory. Even the teachers who currently buy a permit feel that they would not be able to afford the new fee – you are, in effect, introducing a wage cut for teachers from just some of Merton's schools because they need to travel by car and I feel this inequality is very unfair. Some of my staff live close to the school and they all walk or cycle. However, a number of staff live in Sutton or Epsom. Driving is the most convenient way to travel to school as the bus route from these areas disembarks some distance away, in central Morden. Many of my staff also need to drop off their children at child care on their way to school and this would be very difficult if they could not drive to school and park, at a reasonable cost, close to the school. I am concerned about how the proposed fee will affect our ability to recruit the best staff. A teacher may decide against accepting a job at our school because of the cost of parking. There will be inequality across the borough as school staff in some schools will park their cars for free in a car park and others, such as ours, will have to pay £188 to park their cars on a road somewhere near their school. As you will appreciate, schools can do nothing to ease the financial burden for their staff as this would not be an appropriate use of the school budget. However, I think that what has really angered me and my staff is the fact that we work for Merton and staff who work in our schools have been instrumental in driving up educational standards in Merton. And yet it appears Merton are seeking to make money out of us – what other reason would you have for charging such a prohibitive fee? The current situation with school staff paying a reasonable fee for parking near to the school works well at Merton Park and we do not take spaces that are needed by residents. Can I suggest that you look at each school where staff park their cars in the local roads and deal separately with the situation as it affects the area around that school. This 'one model fits all' approach is unnecessary and unfair. I hope that the decision to introduce a Teachers' Parking Permit has not already been made and that this consultation is simply a paper exercise. Me and my staff will always do our best for the children of Merton and we hope that you will do your best for the dedicated and professional staff working in Merton's schools.

OTHER SCHOOLS REPRESENTATIONS – AGAINST

12270711

I'm writing in response to your consultation about issuing parking permits to teachers. I would like to register my objection to this proposal. I am a resident who lives on Effra Road, directly opposite Holy Trinity school in Wimbledon. The competition for limited parking places near the school is very high, and there have

been many occasions when I have been unable to park anywhere near my house if I happen to return home in my car around school drop off or pick up time.

The introduction of teachers permits will only exacerbate this problem, not only for residents but also for parents of school children. Teachers will arrive before the beginning of the school day and leave after the end of the school day, thus the parking spaces they take up will be unavailable to other road users for the entire day (not just for the part of the day as parents' parking does). When Holy Trinity school was expanded, a limited number of parking spaces were built. The proposal for introducing teachers parking permits surely exposes this as a poor decision. Can you reassure residents that this mistake will not be repeated in other school expansion projects that are under way? I believe that teachers at Holy Trinity currently have the option of parking within a neighbouring parking zone that includes Trinity Road, Kings Road and Dudley Road. These roads have no parking shortages as there are houses only on one side of the road and the park on the other side. There are lots of parking spaces on these roads, even at school drop off and pick up time as parents prefer to park closer to the school if possible (ie on Effra or Faraday Roads). My resident parking permit does not allow me or other residents to park in this zone but I don't believe it is a terrible hardship for teachers to walk a few minutes to these roads, twice a day, in order to ease road congestion and road rage (I'm not joking, I've seen it!) around the school. I would urge you to consider issuing parking permits to teachers only in the adjacent parking zone (I believe Trinity, Kings and Dudley Roads are in zone W3 and Effra Road is in 3E) in the case of Holy Trinity school, so that parents and residents can continue to park in the road without further competition for spaces from teachers. With the expansion of Holy Trinity (and other Merton schools) continuing to take effect over the next 5 - 7 years, the parking situation will only get worse and I would ask you to consider the views and needs of residents in your decisions on this proposal. As an alternative I would suggest teachers are encouraged to join most other London residents and workers and use public transport to get to work. There are excellent transport links available to Holy Trinity teachers with Wimbledon station and South Wimbledon station both only 10 minutes' walk away.

12271204

I am writing to oppose the changes in permit regulations for teachers. Like many, teachers also have to drive to work and as a public sector worker it seems irresponsible of councils to ask for such a rise in parking permit charges as we are working for the same borough in support of the council's needs, one being parking and the other being education. Some schools have parking for staff but as my school (Dundonlad Primary) doesn't I have to park on the street. Public transport is not an option for me because as a working mother I need to collect my daughter from nursery after school and as this is a 30 minute walk from my house I would be unable to do this without a car. If the government wants people to go out to work, wants to retain quality teachers and reduce the rise in unemployment then why do they continue to make it so difficult for people to do so.

12270790

I am writing to oppose the proposal to allow teaching staff to park in the same CPZ as the school is situated. Since the expansion of Holy Trinity School, Faraday Road has become a busy road at key periods during the day. Parking is already an issue on Faraday Road, and this is exacerbated by the loss of parking spaces due to the new pedestrian entrance plus heavy traffic at school drop off and pick up times. I often find that I am unable to find a space to park at these times and many times have found the nearest space is on Evelyn Road. This is ridiculous and with 3 small children and bag loads of shopping is also highly inconvenient and often dangerous. I am very concerned that if teachers are allowed parking permits for Faraday Road, this situation will become even worse than it already is. If anything, they should be given permits for the area around South Park Gardens where there are plenty of spaces all day long. I would also like to point out that during the consultation for school expansion, the school / council reassured the residents that parents would park in the drop off areas around South Park Gardens where there are plenty of spaces during the day and there would be no impact on Faraday Road. This was a false promise - the volume of parents parking and queuing to park on the road at drop off and pick up times is clear for all to see.

12271007

I write as long-term residents of Effra Road, living two doors from Holy Trinity School. I am concerned to learn that the council is considering making parking permits available to allow teachers to park in our CPZ Zone 3E. Parking is already restricted by the prohibited area outside the school which has been increased in size following the recent building of a school extension. In recent months, following house sales, I have experienced an increase in the number of residents parking their cars in Effra Road.

With an increased number of residents' cars requiring parking spaces and a reduction in the space available at my end of Effra Road, I often find it difficult to find a space to park within a reasonable distance of my home. At the very least, I would request that a survey be undertaken to assess availability of parking spaces in my road. I know that some teachers are currently using parking spaces on the park side of Dudley Road. Given the fact that there are no properties on that side of Dudley Road it would seem reasonable to continue to use this area for parking for teachers rather than attempting to squeeze them into an already over parked street.

12270841

I live directly opposite Holy Trinity Primary School and since it was expanded in 2008 teachers were issued with parking permits for the adjacent zone W3 where there is currently a large amount of spare capacity. The school is actually in zone 3E. Can you please give the residents in zone 3E who live close to the school absolute reassurances that under no circumstances will Holy Trinity staff be issued permits for the zone in which the school is situated. We already have very few spare parking spaces for the occasional visitors and it is virtually impossible to park at school arrival and departure times. It must be recognised that these times are now at least five times a

day: 7.45 - 9.00 am, 11.30 am, 12.30 pm, 3.15 - 4.00 pm, 4.45 - 5.15 pm. and occasionally evenings and Saturdays when there are special functions or private bookings for the school hall. The Council have openly deceived and misled the local residents at the time the Holy Trinity planning application was considered. The spare parking capacity around South Park Gardens was mentioned as a potential "Kiss and Drop" point for parents, **not** to accommodate the displaced teaching staff car parking. I should remind you that the eight staff parking places incorporated into the school expansion fulfilled the requirements of the Councils Unitary Development Plan that was in force at the time. Issuing teachers residents parking permits to park in zone W3 was an underhand capitulation to members of staff who previously abused the staff parking space prior to the schools expansion. Holy Trinity School has not produced a school travel plan for 2011 even though this was a planning condition of the schools expansion, they are therefore in breach of planning law. It hasn't gone unnoticed that the staff at Holy Trinity have been issued with town centre (W3) permits can use these permits for personal gain when shopping in the evening, at the weekend or out of school hours to park at no cost close to the town centre. A very lucrative benefit indeed considering they were issued the permits for only £65. If this scheme is approved all properties that adjoin or are opposite the school should be consulted before a fixed number of permits are granted and again consulted when the permits are renewed/reviewed on an annual basis. Reason: In the interests of openness and transparency and to enable the residents most affected to have their voices heard not only when the scheme is introduced but to monitor the scheme thereafter. The scale of charges does not support Council policy with regard to encouraging sustainable transport. The equivalent of £1 a day is derisory, a more realistic rate should be set in line with the existing cost of a business permit. I suspect very little or no notice will be taken of this comment or other comments received on this topic. It is obvious the Council officers have predetermined the outcome and as usual the "consultation" is the last box to tick before introducing the changes.

12271099

I am gravely concerned that the London Borough of Merton is in consultation regarding the possible allocation of additional parking permits for teachers within the vicinity of the Holy Trinity School. I enclose a copy of an email I sent to the Head Teacher, on 8h February setting out once again various points regarding the deterioration of the parking situation. Sadly, to date, I have not received the courtesy of a reply. However, I fail to see the necessity as to why teachers should be given priority and allowed the privilege of parking permits. After all, teachers do not work unsociable hours and surely, with their lengthy holidays and generous inflation proof pensions paid for by the taxpayers these privileges alone are more than the average worker could ever hope for. Throughout my working life, as with the majority of people, I had no choice other than to either walk to work or use public transport. Whilst our public transport system may not be 100% efficient it is more than adequate particularly as Wimbledon has the added advantage not only of both the District Line and over ground services but also a reliable tram service. The London Borough of Merton should be doing its utmost to discourage yet more traffic into Wimbledon - not encouraging it!! This makes a mockery of attempts by both past and present governments and their efforts to reduce pollution, especially in and around the London area. It is also hypocritical of the London Borough of Merton to have a so called Environment and Regeneration Department if encouraging additional traffic into Wimbledon is on its agenda. When the project for the expansion of the Holy Trinity School was in the initial planning stages residents were assured that there would be as little disruption as possible to the surrounding area. However, throughout the time the work was in progress the London Borough of Merton was made full aware, on numerous occasions, that residents in the vicinity of what, at the time was a temporary site entrance in Faraday Road, were continually subjected to noise, disruption and pollution from as early as 6.30am almost on a daily basis for well over a year. Needless to say complaints by residents to the London Borough of Merton were mainly ignored. Even an eventual petition by the residents for a reduction in our Council Tax was refused. Along with my fellow neighbours we have always considered ourselves extremely fortunate to have enjoyed the pleasant and quiet environment of Faraday Road as well as the surrounding area. However, with the completion of the school extension and the temporary site entrance in Faraday Road becoming a permanent 'children's entrance' at the commencement of the September 2010 school term, the road has become something of a battle zone. Since the advent of the additional entrance residents have been regularly abused, threatened and sworn at by parents bringing and collecting children to and from the school. The aggression shown by some of the parents is absolutely appalling and I trust you will agree that this is an extremely distressing situation for the residents to have to contend with especially when parents use foul language in front of their own as well as other children. Indeed, on one occasion I was extremely fortunate to narrowly avoid being seriously injured when a parent whose vehicle is fitted with a tow bar deliberately attempted to run me down by reversing up onto the pavement where I happened to be standing in Faraday Road at the time. The parent also seemed to find this highly amusing and even gesticulated rudely as he drove away. I reported the matter to the head teacher and fortunately, as the incident had been witnessed by a neighbour, who had no option other than to involve the local community police. This in itself is surely a clear indication of what residents are forced to endure. In addition the majority of parents seem to think their offspring should not have to walk even a few yards to the school entrance. This is evident by the blatant abuse by parents who insist on parking on the 'School Keep Clear' markings which again, residents were led to believe, was instigated for the safety and wellbeing of the school children. Most days vehicles belonging to parents can be found parked on the 'School Keep Clear' markings for anything up to half an hour at any given time. Surely parking on this designated area during the times stated contravenes parking regulations. Suffice to say that the London Borough of Merton is failing in its duty to protect the school children by allowing this situation to continue. Indeed, it is also somewhat surprising in view of the current economic climate and the much publicised need for restraint, that the London Borough of Merton can afford such a continuous loss of revenue due to its failure to have much needed traffic wardens in the area who should be issuing parking tickets for such a serious offence.

There also seems to be failure by staff at the school to encourage parents to walk their children to and from the school premises. This is evident in the sign which is placed near the Faraday Road entrance stating 'we're walking once a week'. It is totally absurd that children are not walking to and from their school every day. A situation such as this would have been unheard of years ago. Is it any wonder that obesity is now such a major problem among young children?

12271326

I am writing to register my strong objection to the proposed increase in parking permit charges for teachers working in Merton Borough. I am a part-time class teacher at Dundonald Primary, where I have worked for the last 4 years, and would find £188 a prohibitive amount of money to find each year. With an increase of £123 per year to my travel costs (from £65 currently for a renewal), I would need to seriously consider whether it is still cost effective to teach at a school which is not able to provide free or subsidised parking for its staff. In addition, although I only work 2-3 days per week, I am obliged to pay the same rate as someone working full-time in a similar role within the borough. Although I would ideally like to be in a position to cycle to work, unfortunately I need to carry heavy bags on a daily basis (with 30+ children's books to mark as well as bulky resources) which would make this extremely difficult and impractical. Teachers provide an essential service to the local community and it would be a great shame to deter teachers from working in the borough. I would therefore be very grateful if you would reconsider this proposed increase in light of the teachers such as myself that you risk losing with such a move.

Representations made by Councillors

Merton Park

One of the representations received against the increase in teacher parking permit cost came from a Councillor who is also a Governor in one of the schools that have been purchasing a parking permit at the cost of the resident's first permit which is currently £65 per annum. The representation is set out below:

I write in my capacity as a Governor of Merton Park Primary School to object to the proposed introduction of a teacher permit at an annual cost of £188. This will affect teachers and support staff who need to park in MP1. The only legal justification for introducing or varying parking charges is to improve the management of traffic flows. The justification for CPZ's is to ensure parking availability for residents in preference to other road users, and to manage demand for any spare capacity so as to achieve 85% occupancy.

Teachers and staff at Merton Park currently pay £65 for an annual parking permit, the same amount as residents pay. Even at this low rate, there is still plenty of shared use capacity in Erridge Road and Church Lane, the two sites closest to the school. Near trebling the cost of the annual permit cannot be justified in terms of improving resident access therefore, since there is no competition for parking spaces.

The most likely response to the introduction of a higher permit fee will be displacement to roads just outside MP1, thus increasing parking pressures in unprotected roads and causing a fall in income from the sale of permits to teachers and staff. Some may seek the help of parents with children at the school who live close by to purchase annual visitor permits at a cost of £140, making £188 for the teacher permit untenable. But the more likely response is to displace to roads outside MP1, creating inconvenience for residents and staff alike.

I cannot speak for other schools, but I would ask you to consider the reputational damage this will inflict on the council from those on whom we depend for the education of our children. The loss of goodwill will be out of proportion to the relatively minor revenues raised. I hold no brief for the independent sector, but it seems particularly invidious to charge teachers in these schools £442 per annum - more than twice as much as the state sector. I cannot see how this is consistent with our Corporate Equalities policy.

As we seek to expand our primary schools to cope with the 38% increase in the birth rate over the last 5 years, we will need to attract more teachers to work in Merton, not fewer. This ill considered proposal can only harm Merton's image as an employer amongst prospective staff.

Graveney Ward

A representation against the Trade permit was received from a Graveney ward Councillor. The representation and officers' comment are detailed below:

These are fixed cost permits, regardless of where they are in the borough. In the Mitcham area, small businesses, many ethnic, scrape a living and £50 a week will add an additional burden to those and become a deterrent. They are unlikely to pay upfront with £900 which would equate to £18 per week unless encouraged to pay by direct debit. As far as teachers are concerned I think £1 a day is reasonable, which is what this equates to over the 39 teaching weeks.

Officer's Comment

Currently there is no formal process in issuing permits to school and permits have been issued at officer's discretion. Over the years, during the consultation process in introducing CPZs, discretionary provisions have been made for

some schools to purchase limited number of permits. This provision worked reasonably well in areas with spare parking capacity within the specific zone. However, with the advent of The Downs CPZ, where there are a considerable number of school teachers whose previous parking practice has been to park locally, the current practice of giving a few permits to schools at the 'residential parking rate' would be unworkable particularly given the limited parking capacity and the parking pressures that would be generated by large number of school teachers and assistants in the affected area. It is acknowledged that schools provide an essential service to any community and in areas where there is capacity it would be reasonable to accommodate those working at the school. The introduction of this new permit will formalise the current practice and the set criteria will ensure that the appropriate numbers of permits are issued and remove inconsistencies in permit provisions.

A balance has to be struck that encourages schools to reduce parking in residential streets to an absolute minimum consonant with sustainable travel planning, whilst enabling public services and businesses to continue operating. Price is one tool used to constrain parking demand, but also has to cover the administrative costs of measuring and monitoring parking capacity and issuing appropriate numbers of permits valid in particular areas.

During the consultation it was proposed that for a state school, the cost of the permit be £188 per annum. This is based on £1 a day derived from an average number of days that a school is open. With regards to private schools, it was previously 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 (approximately 30% less than current business permit) for one permit. However, following the conclusion of the consultation, it would be reasonable to treat both state and private schools the same and apply the same rate and criteria. It is considered that a combination of criteria and the cost of the permit should limit the number of permit applications and is likely to prevent abuse.

The trade permit is for businesses that do business across the borough, for example, estate agents having to show properties to their client in different CPZs encounter difficulties parking close to the property during a viewing. It is envisaged that the trade permit would help with the smooth running of their business. Interested businesses have the option to purchase a full year, 6, 3, 1 month or weekly permit. Normal small business permit that is specific to each CPZ are still available at a rate of £331 per 6 months. This permit allows the business to operate and park within the zone that it is located in.

Criteria for Teacher 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.
8. The Council reserves the right to prohibit the use of teachers permit in specific roads. These roads will be identified by officers and will include those roads that operate at full capacity.
9. Teachers permit can only be used in Permit Holder bays and shared use bays only.