

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

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### 1. Title of report

Proposed RPW CPZ extension Westcoombe Avenue and Coombe Lane – statutory consultation

### 2. Reason for exemption (if any)

### 3. Decision maker

Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport

### 4. Date of Decision

13 December 2019

### 5. Date report made available to decision maker

4 December 2019

### 6. Decision

- A) Notes the results of the statutory consultation carried out between 2 October and 1 November 2019 on the proposal to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) into the existing RPW CPZ, which is operational Monday to Friday between 11am and 3pm.
- B) Notes and considers the representations received in respect of the proposals as detailed in Appendix 2.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the extension of the RPW CPZ to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) – operational Monday to Friday between 11am and 3pm as shown in Drawing No. Z78-364-01A in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

### 7 Reason for decision

- 1) Support show for the implementation of a controlled parking zone following consultation
- 2) The extension of the controlled parking zone will help address demand for parking

## **8 Alternative options considered and why rejected**

- 8.1 Do nothing. This would not address the current parking demands of the residents and local businesses in respect of their views expressed during the informal consultation, as well as the Council's duty to provide a safe environment for all road users.
- 8.2 Not to introduce the proposed double yellow lines. In the event of an incident, this would put the Council at risk and the Council could be considered as failing in its duties by not giving safety and access priority

## **9 Documents relied on in addition to officer report**

Informal consultation report, drawing
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## **10 Declarations of Interest**

None
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Cllr Martin Whelton

Cabinet member for regeneration, housing and transport

13 December, 2019

## **Committee: Cabinet Member Report**

**Date: 5 December 2019**

Agenda item:

Wards: Raynes Park

Subject: Proposed RPW CPZ extension in Westcoombe and Coombe Lane – statutory consultation.

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

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport.

Forward Plan reference number: N/A

Contact Officer: Paul Atie, Tel: 020 8545 3337 [Email: paul.atie@merton.gov.uk](mailto:paul.atie@merton.gov.uk)

### **Recommendations:**

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

- A) Notes the results of the statutory consultation carried out between 2 October and 1 November 2019 on the proposal to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) into the existing RPW CPZ, which is operational Monday to Friday between 11am and 3pm.
- B) Notes and considers the representations received in respect of the proposals as detailed in Appendix 2.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the extension of the RPW CPZ to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) – operational Monday to Friday between 11am and 3pm as shown in Drawing No. Z78-364-01A in Appendix 1.
- D) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone as shown in Drawing No. Z78-364-01A and attached in Appendix 1.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

### **1.0 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1 This report presents the results of the statutory consultation that was carried out between 2 October and 1 November 2019 on the proposal to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston).

1.2 It seeks approval to progress the above recommendations.

### **2. DETAILS**

2.1 The key objectives of parking management include:

- Tackling of congestion by reducing the level and impact of traffic in town centers and residential areas;
- making the borough's streets safer and more secure, particularly for

pedestrians and other vulnerable road users through traffic management measures;

- Managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy;
- Improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas;
- encouraging the use of more sustainable modes of transport;

2.2 Controlled Parking Zones aim to provide safe parking arrangements, whilst giving residents and businesses priority access to available kerbside parking space. It is a way of controlling the parking whilst improving and maintaining access and safety for all road users. A CPZ comprises of yellow line waiting restrictions and various types of parking bays operational during the controlled times. These types of bays include the following:

Permit holder bays - For use by resident permit holders, business permit holders and those with visitor permits;

Shared Use - Pay and display (P&D) / permit holder bays - For use by P&D customers and permit holders.

2.3 A CPZ includes double yellow lines (no waiting 'at any time') restrictions at key locations such as at junctions, bends and along certain lengths of roads (passing gaps) where parking impedes the flow of traffic or would create an unacceptable safety risk e.g. obstructive sightlines or unsafe areas where pedestrians cross. These restrictions will improve access for emergency services; refuse vehicles and the overall safety for all road users, especially those pedestrians with disabilities and parents with prams. Any existing double yellow lines at junctions will remain unchanged.

2.4 The CPZ design comprises mainly of permit holder bays to be used by residents, their visitors or business permit holders and a limited number of pay and display shared use bays, which are mainly located near businesses. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.

- 2.5 Within any proposed CPZ or review, the Council aims to reach a balance between the needs of the residents, businesses, visitors and all other users of the highway. It is normal practice to introduce appropriate measures if and when there is a sufficient majority of support or there is an overriding need to ensure access and safety. In addition the Council would also take into account the impact of introducing the proposed changes in assessing the extent of those controls and whether or not they should be implemented.
- 2.6 Residents of Westcoombe Avenue and businesses in Coombe Lane petitioned the Council requesting the introduction of a CPZ in their roads due to parking difficulties caused by commuter / long term visitor parking.

### **3. Consultations**

#### Informal consultation

- 3.1 The informal consultation on proposals to introduce parking controls in Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) commenced on 9<sup>th</sup> May 2019 and ended on 31<sup>st</sup> May 2019. 75 properties were sent documents containing a newsletter explaining the proposals and an associated plan showing the proposed parking and No waiting restrictions. A copy of the consultation document is attached as Appendix 2. The consultation document was posted to all households and businesses within the catchment area. Notification of the proposals along with an online questionnaire (e-form) and frequently asked questions were also posted on the Council's website. Plan of the proposed CPZ showing the parking controls within the area included the following:
- 'At any time' waiting restrictions (double yellow lines) at key locations such as at junctions and narrow sections of roads.
  - Single yellow lines (mainly between parking bays and across dropped kerbs) operational during the CPZ hours of operation;
  - Permit holder bays for use by residents, businesses and their visitors.
- 3.2 The consultation resulted in a total of 25 online responses. After removing duplicate/multiple returns and those who do not live within the existing CPZ, the overall response rate was 33%. All 25 who responded supported the introduction of a CPZ in their road. Consultees were also asked which hours of operation consultees would prefer should the CPZ be introduced in their road. The results for the preferred days of operation of the proposed CPZ show 56% of respondents opted for Monday – Friday and 44% opted for Monday – Saturday. We also asked which hours of operation consultees would prefer should the CPZ be introduced in their road. The results showed there was a balanced split of 48% favouring 8.30am – 6.30pm and 11am – 3pm with 4% preferring 10am – 4pm.
- 3.3 The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Housing and Transport on the 23 August 2019. After careful consideration of the consultation results and officers' recommendations, the Cabinet Member agreed to proceed with a statutory consultation.

### **4. STATUTORY CONSULTATION**

- 4.1 The statutory consultation on the Council's intention to extend the RPW CPZ to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) was carried out between 2 October and 1 November 2019. The consultation included erecting 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. A newsletter with a plan (see Appendix 2) was also distributed to all those properties included within the consultation area.

4.2 The newsletter detailed the following information;

- The undertaking of the statutory consultation.
- A plan detailing the following:
- Zone operational hours (Monday to Friday between 11am and 3pm),
- Double yellow lines operating "at any time" without loading restrictions,
- Scheme design layout and zone boundary.

4.3 The statutory consultation resulted in 3 representations setting out comments regarding the number of proposed parking bays. Details of these representations along with officer's comments can be found in appendix 2.

4.4 The prominent issue raised within the representations received is the number of parking bays in various locations within the scheme requesting additional parking bays. Within any CPZ design, the Council makes every attempt to maximise the number of parking spaces but priority is always given to safety and access. Although the Council considers suggestions and designs forwarded by residents, it is for the Council as the Traffic and Highway Authority to introduce the appropriate parking management. The extent and nature of the yellow line restrictions and parking bays depend on the road width and other relevant constraining factors. Although an additional bay has now been included outside No 3 Westcoombe Avenue, the other suggested locations do not meet the required condition for a parking bay.

### **Ward Councillor Comments**

4.5 The local Ward Councillors' have been fully engaged during the consultation process. Although the Ward Members have been advised of the outcome of the consultation and officer's recommendations, at the time of writing this report, no comments have been received.

## **5. PROPOSED MEASURES**

5.1 Based on the statutory consultation responses, it is recommended that the Traffic Management Orders TMOs be made to extend the existing RPW CPZ to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston), operational Monday to Friday between 11am and 3pm as shown in Drawing No. Z78-362-01 in Appendix 1.

5.2 It recommended that the relevant Traffic Management Orders (TMOs) is made and the implementation of the 'At any time' waiting restrictions (as consulted) in Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with RB Kingston) as shown in Drawing No. Z78-362- 01 and attached in Appendix 1.

5.3 The CPZ extension design comprises of permit holder bays to be used by residents, and their visitors. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.

## 5.5 **Permit issue criteria**

It is proposed that the residents' permit parking provision should be identical to that offered in other controlled parking zones in Merton at the time of consultation. The cost of the first permit in each household is £65 per annum; the second permit is £110 and the third permit cost is £140. An annual Visitor permit cost is £140.

- 5.6 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. The Diesel Levy will be in addition to the cost of permits. Permit holders will be advised accordingly when making their permit application. Those residents with all-electric vehicles will only pay a reduced rate of £25 instead of £65.

## 5.7 **Visitors' permits**

Due to the scheme operating 11am – 3pm Visitor permits are £1.50 (half-day permits not being necessary). The allowance of visitor permits per adult in a household shall be 50 full-day permits, 100 half-day permits or a combination of the two.

## 5.8 **Trades permits**

Trade Permits are priced at £900 per annum. Trades permits can also be purchased for 6 months at £600, 3 months at £375, 1 month at £150 and Weekly at £50.

## **PERMIT PRICE UPDATE**

- 5.9 Following a consultation, in September 2019 the Council made a decision to change the Council's parking tariff structure including permit prices. The new price structure will come in to effect 14<sup>th</sup> January 2020.
- 5.10 If the CPZ is introduced, permit prices will be the charges as set out above but only if applicants apply for their permits within 8 weeks of the implementation of the zone; application after this period will be subject to new charges. More specific dates for applications will be provided if the CPZ is introduced.
- 5.11 Upon renewal of permits and/or 8 weeks after the CPZ is implemented residents would need to pay the new charges as set out below:-
- First permit £80.00
  - 2nd permit £130.00
  - 3rd and subsequent permit £180.00
  - Annual visitor permit £330.00,
  - Daily visitor permit £3.00,
  - Half day visitor permit £2.00
  - There will be an additional charge of £150 for a diesel vehicle.

## **6 ALTERNATIVE OPTIONS**

- 6.1 Do nothing. This would not address the current parking demands of the residents and local businesses in respect of their views expressed during the informal consultation, as well as the Council's duty to provide a safe environment for all road users.
- 6.2 Not to introduce the proposed double yellow lines. In the event of an incident, this would put the Council at risk and the Council could be considered as failing in its duties by not giving safety and access priority.

## **7 TIMETABLE**

- 7.1 If a decision is made to proceed with the implementation of the proposed

CPZ extension, Traffic Management Orders could be made within six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. A newsletter will be distributed to all the premises within the consulted area informing them of the decision. The measures will be introduced soon after.

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

- 8.1 The cost of implementing the proposed measures is estimated at £15k. This includes the publication of the Made Traffic Management Orders, the road markings and the signs.
- 8.2 The Environment and Regeneration revenue budget for 2019/20 currently contains a provisional budget for Parking Management schemes. The cost of this proposal can be met from this budget.

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

- 8.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 9.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.
- 9.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

## **10 HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS**

- 10.1 The implementation of new CPZs and the subsequent changes to the original design affects all sections of the community especially the young and the elderly and assists in improving safety for all road users and achieves the transport planning policies of the government, the Mayor for London and the Borough.
- 10.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.
- 10.3 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The design of the scheme includes special consideration for the needs of people with blue badges, local residents, businesses without prejudice toward charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.
- 10.4 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.

## **11 CRIME AND DISORDER IMPLICATIONS**

- 11.1 N/A

## **12 RISK MANAGEMENT IMPLICATIONS**

12.1 The risk of not implementing the proposed parking arrangements would be against the wishes of the majority who demonstrated support. Not to progress the proposed measures will do nothing to address existing parking difficulties and will not assist the residents and the local business community. It will also do nothing to address the obstructive parking that has been identified.

12.2 The proposed measures may cause some dissatisfaction from those who have requested status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

### 13. ENVIRONMENTAL IMPLICATIONS

13.1 When determining the type of parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.

13.2 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-

- (a) the desirability of securing and maintaining reasonable access to premises.
- (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
- (c) the national air quality strategy.
- (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
- (e) any other matters appearing to the Council to be relevant.

### 14. APPENDICES

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

Appendix 1 - Drawing No.Z78-362-01A,

Appendix 2 - Representations and Officer's Comments

Appendix 3 – Statutory consultation document newsletter

15. **Background papers** - Informal consultation report RPW1 CPZ.



## Appendix 2 - Comments

### 001 Westcoombe Lane

Between number 1 and 3 you are showing a permit holder bay. I assume that it would be for two cars as there is enough space and not just only one car. 2.- In front of property 32, you are not showing any permit holder bay and there is more than enough space to have one without interfering with the traffic at all.

#### Officers comment

Please see section 4.4 of this report

### 002 Westcoombe Avenue

We were delighted to get the leaflet re the above proposal. The only representation we have is that again (we previously bought this up at the outset), the design layout is not accurate and is therefore misleading in that presently there is a one car bay outside no 34 and as you can see from the attachment accommodates a 4x4!easily. This is not clear from the layout . Can I therefore ask why there is no planned permit holder bay in this car space. It does not encroach on access in-or out to the Cul de sac, it does not hinder the pavement drop down and cars can easily do a 3 point turn here if necessary. One minor point, as you can also see from the attachment in the larger proposed permit holder bay which can take two cars, a driver has parked selfishly in the centre of this space- is there any signage you could use to remind drivers to park with consideration? Thank you for your time in reading this.

#### Officers comment

Please see section 4.4 of this report

### 003 Westcoombe Avenue

I was the original campaigner for a CPZ in this road as I am an ex Raynes Park Councillor. However, you have not given any residents bays outside No. 4 Westcoombe Avenue. There are currently 2 parking spaces there. It is a straight stretch of road, 10 metres in length before the corner. The house opposite No. 1A has a total of 5 cars and No. 4 has three cars. This leaves no space at all for visitors, local tradespeople or any deliveries, with the residents at No. 4 having to park away from their house. I would therefore request that 2 additional bays are added to the plan to cover this. It does also mean of course, more revenue for Merton Council.

#### Officers comment

Please see section 4.4 of this report

## Controlled Parking Zone (CPZ)

Proposed Zone RPW Ext - Westcoombe Avenue and Coombe Lane



ISSUE DATE : 2 OCTOBER 2019

### Dear Resident/Business

The purpose of this leaflet is to update you the outcome of the informal consultation that was carried out between 9th May and 31st May 2019 on the proposed RPW1 CPZ.

### RPW1 CPZ INFORMAL CONSULTATION RESULTS

The consultation resulted in a total of 25 online responses. After removing duplicate/multiple returns and those who do not live within the existing CPZ, the overall response rate was 33%. All 25 who responded support the introduction of a CPZ in their road. Consultees were also asked which hours of operation consultees would prefer should the CPZ be introduced in their road. The results for the preferred days of operation of the proposed CPZ show 56% of respondents prefer Monday – Friday and 44% prefer Monday – Saturday. We also asked which hours of operation consultees would prefer should the CPZ be introduced in their road. The results show there is a balanced split of 48% preference of 8.30am – 6.30pm and 11am – 3pm, with 4% preferring 10am – 4pm.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Housing and Transport on the 23 August 2019. The report and the decision sheet can be viewed on our website. [www.merton.gov.uk/cpzrpw1](http://www.merton.gov.uk/cpzrpw1) The following recommendations which were made to the Cabinet Member have now been agreed:

- To proceed with a statutory consultation to include Westcoombe Avenue and Coombe Lane (from its junction with Westcoombe Avenue to the borough boundary with Kingston) within the

existing neighbouring RPW CPZ, operational Monday to Friday between 11am and 3pm.

- To proceed with a statutory consultation to introduce double yellow lines at key locations.

### WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (Wimbledon Times), London Gazette and posted on lamp columns in the vicinity. Representations against the proposals described in this Notice must be made in writing or email [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) by no later than **1 November 2019** quoting reference **ES/RPW1**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm or at Raynes Library. This information is also available on Merton Council's website [www.merton.gov.uk/cpzrpw1](http://www.merton.gov.uk/cpzrpw1)

All representations along with officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Housing and Transport. Please note that responses to any representations received will not be made until a final decision is made by the Cabinet Member.

The Council is required to give weight to the nature and content of your representations and not necessarily the quantity. Your reasons are,

[www.merton.gov.uk](http://www.merton.gov.uk)

therefore, important to us.

You may recall that during the informal consultation, we advised you that the Council was undertaking a consultation on making changes to the parking charges that includes permit charges. I can now advise you that a decision on the new charges was made on 10th September 2019. The new charges will come into effect on 14 January 2020.

Should a CPZ be introduced (subject to the outcome of this statutory consultation and Cabinet Member approval), the current permit charges will apply. These charges are £65 for the first car in a household, £110 for the second in a household and 140 for the third and subsequent car in a household plus an additional charge of £150 additional charge for a diesel vehicle. An annual visitor's permit is £140. A daily visitor's permit is charged at £2.50 and half day visitor's permit is £1.50.

After 14 January 2020 you would need to pay the new charges that are £100 for the first car in a household, £150 for the second in a household and £200 for the third car in a household plus an additional charge £150 additional charge for a diesel vehicle. An annual visitor's permit is £330. A daily visitor's permit is charged at £3 and half day visitor's permit is £2.

If this CPZ is agreed, it is likely to be implemented in December 2019. It is important to note that the existing charges will apply but should you apply for any permit on or after 14 January 2020, you would need to pay the new charges.

#### RAYNES PARK WARD COUNCILLORS

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**Cabinet Member for Regeneration, Housing and Transport.**

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(The contact details of Ward Councillors are provided for information purposes only)