

Cabinet Member Report

Date: 7 February 2017

Agenda item: N/A

Wards: Colliers Wood and Lavender Field

Subject: Proposed CW3 Pitcairn Road area – statutory consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Forward Plan reference number: N/A

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Recommendations:

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

- A) Notes the results of the statutory consultation carried out between 16 June and 8 July 2016 on the proposals to introduce a Controlled Parking Zone (CPZ) CW3 to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close operational Monday to Friday, between 8.30am and 6.30pm.
- 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 implementation of a proposed CW3 CPZ to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close operational Monday to Friday, between 8.30am and 6.30pm as shown in Drawing No. Z78-231-01 in Appendix 1.
- D) Agrees to proceed with the making an Exemption Order to allow footway parking in Fleming Mead and Friday Road to maximise number of parking spaces in these roads.
- E) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in various roads if the CPZ does not go ahead.
- F) Agrees to proceed with making of Traffic Management Order to include Singleton Close into the existing CW CPZ operating Monday – Friday between 8.30am and 6.30pm.

- 1.4 Agrees not to proceed with making of the Traffic Management Order for the introduction of a CPZ in Island Road. However, it is proposed to introduce double yellow lines at its junctions.
- G) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the statutory consultation carried out on the Councils' proposals to introduce a CPZ in the Pitcairn Road area, Colliers Wood, to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) for the proposed CW3 CPZ to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close operational Monday to Friday, between 8.30am and 6.30pm as shown in Drawing No.Z78-231-01 in Appendix 1.
- 1.3 It seeks approval to proceed with the making an Exemption Order to allow footway parking in Fleming Mead and Friday Road to maximise number of parking spaces in these roads.
- 1.5 It seeks approval to proceed with the making of relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in various roads if the CPZ does not go ahead.
- 1.6 It seeks approval to proceed with the making of Traffic Management Order to include Singleton Close into the existing CW CPZ operating Monday – Friday between 8.30am and 6.30pm.
- 1.7 It seeks approval not to proceed with making of the Traffic Management Order for the introduction of a CPZ in Island Road. However, it is proposed to introduce double yellow lines at its junctions.

2 DETAILS

- 2.1 The key objectives of parking management include;
- tackling of congestion by reducing the level and impact of traffic in town centres and residential areas
 - making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures
 - managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy

- improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas
- encouraging the use of 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.

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

2.5 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.

3 INFORMAL CONSULTATION

3.1 The Council received two petitions from residents of Arnold Road and Pitcairn Road in August and November 2014 respectively requesting a CPZ in their roads. The local Ward Councillors organised a public meeting which was held on 25 May 2016, which officers attended.

3.2 The informal consultation on proposals to introduce parking controls in Pitcairn Road area commenced on 3 June 2016 and ended on 1 July 2016. 1048 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking and a sheet of frequently asked questions. The consultation document was posted to all households and the businesses within the catchment area. An exhibition was held on 11 June 2016 at the Community Day Centre allowing residents to discuss the proposed measures

with officers. Notification of the proposals along with an online questionnaire (e-form) was 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' double yellow lines at key locations such as at junctions, bends, narrow roads and ends of culs de sac.
- Single yellow lines (mainly between parking bays and across dropped kerbs);
- Permit holder bays for use by residents, businesses and their visitors;
- Pay and display shared use bays in Pitcairn Road and Victoria Road with a maximum stay of 2 hours;
- Pay and display only bays in Taylor Road with Maximum stay of 5 hours.
- Footway parking exemption in Fleming Mead and Friday Road to maximise number of parking spaces in the area.

3.2 The consultation resulted in a total of 163 questionnaires returned from the roads within the proposed CPZ area representing a response rate of 15.5%. A detailed road by road analysis of the results show that 58.3% support a CPZ in their road, compared to 39.2% who do not and 2.5% who are unsure or did not comment. Residents were also asked which hours of operation they would prefer should the CPZ be introduced. Results show 44.8% of respondents prefer 8.30am – 6.30pm, 31.1% prefer 11am – 3pm, 19% prefer 10am – 4pm and 5.1% who are unsure or made no response to the specific question. On the days of operation, the results shows that 56.4% of respondents prefer Mon – Fri, 15.5% support Mon – Sat, 27% prefer Mon –Sun and 1.2% are unsure or made no response to the specific question.

3.3 The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Environment, Regeneration and Housing on the 15 August 2016 and approval was given to progress to the next stage which is the statutory consultation.

4. STATUTORY CONSULTATION

4.1 The statutory consultation on the Council's intention to introduce a CPZ CW3 to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close operational Monday to Friday, between 8.30am and 6.30pm commenced on 27 October 2016 and ended on 18 November 2016. 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. A newsletter with a plan, attached as Appendix 3, was also distributed to all those properties included within the consultation area.

4.2 The newsletter detailed the following information:

- The outcome of the informal consultation
- Cabinet Member decision
- The undertaking of the statutory consultation
- A plan detailing the following:-
 - Hours of operation of the zone (Monday to Saturday between 8.30am and 6.30pm)
 - Double yellow lines operating "at any time' without loading restrictions
 - Single yellow lines (mainly between parking bays and across dropped kerbs)

- The various parking bays
- Zone boundary



4.3 The statutory consultation resulted in 24 representations, 1 in favour and 4 comments and 19 against. These are detailed in appendix 2. Majority of the objectors are from Island Road which also voted against during the informal consultation.

4.4 The main objections received from residents in the area include:

- There is no parking problem
- The parking will be reduced
- Do not want to pay to park outside their house
- The response rate was low for the informal consultation
- The times are too restrictive
- Parking controls will not make a difference
- Petition sent in against the scheme was ignored
- Do not want double yellow lines

Singleton Close

4.5 Singleton Road was recommended for inclusion into CW CPZ within the informal consultation report and was approved for statutory consultation. The residents have not opposed this move during the statutory consultation. Therefore it is recommended that Singleton Close is removed from the proposed CW3 CPZ and added to the existing CW CPZ. This would allow permit holders of Singleton Close to park in Robinson Road if there is a need for extra parking bays and vice versa.

4.6 Island Road

Although the informal consultation result show that the majority of residents in Island Road are not in favour of the scheme, it was recommended that the road be included within the statutory consultation so as to afford residents a further opportunity to air their views particularly as the road is sandwiched between two roads that are in favour of being included within the proposed CPZ and therefore the likely displacement. However, during the statutory consultation all those who responded opposed the implementation of the parking controls in this road. The analysis of both results (informal and statutory) shows that the same residents who said 'NO' during the informal consultation have not changed their mind despite being advised of the consequence. It is, therefore, recommended that Island Road is excluded from the scheme until such time when the residents change their mind and petition the Council for inclusion.

4.7 Tudor Place and Waldo Place

The main reason for the objection is based on the proposed double yellow lines on both sides of both roads. The carriageway in both roads are not wide enough to accommodate parking on one side, and the footways are not wide enough to accommodate parking. Currently vehicles park partially on the footway to allow adequate space for emergency and refuse vehicles but do not provide adequate space for pedestrians using the footway, in fact pedestrians are often forced to walk on the carriageway and now that the Council is aware of this unsafe and illegal practice, the Council is compelled to take the appropriate action. As detailed in the informal consultation report, Tudor Place and Waldo Place have carriageway width of 4.2 and 4 metres respectively with footway width on both sides of the road at 1.8 and 2 metres. The minimum running width required by a fire engine to access residential road is between 3 and 3.5 metres. Carriageway and footway in both roads are not wide enough to accommodate partial footway parking and access for pedestrians and emergency services. Although the consultation results show that the majority of residents in both roads are not in favour of the scheme, it is recommended that both roads are included within the scheme so as to afford them an opportunity to purchase parking permits to park in the adjacent roads. To ensure access and safety are maintained at all times, the introduction of the proposed double yellow lines are being recommended.

4.8 When considering road safety, S.122 of the Road Traffic Regulation Act 1984 places a duty on the Council "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" when exercising any of its functions under the 1984 Act. Road safety is therefore a matter that the Council should have proper regard to when considering whether to make an Order under S.6 of the 1984 Act.

4.9 In accordance with the Greater London Council (General Powers) Act 1974, parking on any part of a footway is illegal; although there are occasions where provided there is sufficient footway width (minimum 1.5m) parking on the footway can be permitted via an Exemption Order. This exemption, however, does not apply where the footway comprises of a grass verge. Fleming mead, Victoria Road and Friday Road has sufficient footway width to allow partial footway parking (two wheels on the footway). A footway parking exemption will maximises parking for residents and create sufficient access for all road users including the emergency services.

4.10 Ward Councillor Comment

The Ward Councillors have been engaged throughout the consultation process. Following the conclusion of the consultation, they are supportive of the recommendations made and have no further comments to make.

5. **RECOMMENDATION**

- 5.1 Based on the informal and statutory consultation results it is recommended that the Cabinet Members agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of a proposed CW3 CPZ to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Kenmare Drive, London Road, Myrna Close, North Place, Pitcairn Road, Shrewton Road, Singleton Close, Swains Road, Tudor Place, Victoria Road, Waldo Place and Woodley Close, operational Monday to Saturday, between 8.30am and 6.30pm as shown in Drawing No. Z78-231-01 in Appendix 1.
- 5.2 Based on the informal and statutory consultation results it is recommended that the Cabinet Members agrees not to proceed with making of the Traffic Management Order for the introduction of a CPZ in Island Road. However, it is proposed to introduce double yellow lines at its junctions.
- 5.3 The CPZ design comprises of mostly 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.
- 5.4 An element of pay and display parking to facilitate visitors / shoppers to the area for local amenities has been included as part of the proposals.

Permit issue criteria

- 5.5 It is proposed that the residents' permit parking provision should be identical to that offered in other controlled parking zones in Merton at the time of consultation. The cost of the first permit in each household is £65 per annum; the second permit is £110 and the third permit cost is £140. An annual Visitor permit cost is £140.
- 5.5.1 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. However, it has been agreed not to apply this new Diesel levy to the first year of permits of those zones that were consulted on (but not implemented) prior to the introduction of this levy. However, the levy will be applied to renewals. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicles will only have to pay a reduced rate of £25 instead of £65.

Visitors' permits

- 5.6 All-day Visitor permits are £2.50 and half-day permits at £1.50. Half-day permits can be used between 8.30am - 4pm or 3pm - 11pm. 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.
- 5.7 Pay and display parking

To provide parking availability for visitors to the local amenities pay and display will be proposed with a tariff of £1.20p per hour, with a minimum payment of 40p for 20 minutes. Maximum stay for pay and display parking will be 2 hours with a no return period of 2 hours. This facility will be in designated shared use parking bays for use by permit holders and pay and display users.

6. TIMETABLE

- 6.1 If agreed the TMO will be made soon after a decision and the measures will be implemented six weeks after the publication of the Made Order.

7. ALTERNATIVE OPTIONS

- 7.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed during the informal consultation, as well as the Council's duty to provide a safe environment for all road users

8. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 8.1 The cost of implementing the proposed measures is estimated at £45k. This includes the publication of the made Traffic Management Orders and the appropriate road markings and signage. This will be met by the Environment and Regeneration revenue budget for Parking Management schemes.

9. LEGAL AND STATUTORY IMPLICATIONS

- 9.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 9.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the 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 as well as charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.
- 10.4 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.

11. CRIME AND DISORDER IMPLICATIONS

- 11.1 N/A

12. RISK MANAGEMENT IMPLICATIONS

- 12.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties would continue and it would do nothing to assist the residents.
- 12.2 The risk in not addressing the issues from the informal consultation exercise would be the loss of confidence in the Council. 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.

- a) Appendix 1 – Drawing No.Z78-231-01 Rev
- b) Appendix 2 – Representations with officer's comments
- c) Appendix 3 – Statutory consultation document

Representations and Officer's Comments

Representation - Support

006

I am writing with regards to the Controlled Parking Zone proposal, reference ES/CW3. I agree with the principal of the policy, as we see a lot of non-residents parking up and leaving their cars to walk to nearby transport links. However, I do not believe the current proposal is practical for residents as outlined:

Within area CW of the proposal, the plan has marked just 5 Permit Holder parking bays. Firstly, once the CPZ is in place, this is not enough spaces for the residents of Singleton Close.

Secondly, there are actually only enough spaces for 4 cars as the areas marked: the area outlined with 3 spaces can NOT fit 3 cars, it is not wide enough! The proposal to make ALL other roads Double Yellow lines is draconian. Instead I recommend that the number of marked Permit Holder parking bays be at least TRIPLED to offer sufficient parking for residents and tenants. This would mean that some areas that are currently pedestrian pathways need to be turned into parking. Currently there are paths on both sides which are hardly ever used. A pathway on just one side in many of the roads would be fine, especially as there is no through-traffic as most areas are cul de sacs. I welcome a review of my recommendations and an update when available.

Officers Comment

In Singleton Close, the design contained 30 proposed on street parking bays for the use of residents. It is believed that these would be enough for residents to use. However, within a CPZ, permit holders can park within any road within the zone. Footways are for the sole use of pedestrian and not for vehicles. Their use will not be changed in favour of vehicle parking.

COMMENTS

010 & 018

Are you really saying that 75 more responses against CPZ than your survey are not accepted because of possible duress or pressure to sign. Are you really serious about this to argue against many who are against. This is no reason not to accept the petitions, I have never heard such a sweeping misinformed statement in all my life. This will make every petition in the land ever signed not acceptable! No NO No NO to your plans. I hope I will receive a reply AS have not received one from my first e mail. You are failing in your duty to recognise the feelings of the majority of residents in CW3 area. The Majority are against it would appear in evidence against so far gathered. Which you appear to be ignoring. The notices are on lamp posts everywhere, local councillors are also complicit in this despite what rhetoric they are proposing. Your consultation is a farce, to ignore our representation is a crime where is the substance to people for with 167 sample of the whole CW3 area and a number of Crusoe Rd plus meetings where numbers for were debatable .We are now gathering evidence for a possible Judicial Review of this matter as reality is never mentioned is any correspondence.

Officer Comment

When the Council received a petition during a consultation against a proposed scheme, it is reported but it does not override the consultation results. The Council carries out careful consultations to determine if there is a support for the proposed scheme or not and seeks residents' views directly rather than relying on a third party. The Council encourages residents to make an informed decision regarding a proposed scheme in the comfort of their home without outside influence or any misinformation or coercion. Petitions instigate action but do not override the outcome of a structured consultation.

003

As the resident of Fleming Mead CR4, I would just like to make a couple of comments regarding the CPZ drawing we received:

1. I am not sure why there is a single yellow line going all the way from the outside my house to number 73: that would exclude a lot of viable and needed spaces like outside 81.
2. In the 5 years I have lived here, I have only seen one of the disabled spaces outside of 86 and 88 used less than half a dozen times. Apparently one of the gentlemen who requested one of them has passed. Please can you remove one of them.
3. We welcome the fact that most of the spaces on our street will be permit only because the attendees at the church around the corner frequently take up all the spaces on the weekend but we were wondering, what about if we have friends staying; will we easily be able to buy full day permits for our visiting friends and family cheaply? There are a lot of elderly people on this Mead who have family that frequently visit them. They are not rich people so this should not create an inhibiting factor to them having frequent family visits. The lady next door to me is over 70 and her kids and grandkids regularly come to help her out with things and to visit. They always drive because they don't live very close by, and come as the entire family. On a separate note, PLEASE, PLEASE, PLEASE can we put a double yellow going all the way from Tooting Mainline Station to Gorringer Park. As soon as people park along there, we land up with a massive bottleneck

because there is not room enough for buses to get pass. It frequently takes me 20 minutes to get from Amen Corner to my home just because of the traffic this causes; its not acceptable! Please can you do something about this.

Officers comments

The space opposite the disabled parking bays between Nos 73 to 81 Fleming Mead could be designated as permit parking space, however; this would be partial footway parking. Resident can purchase visitors permit for their visitors at the cost of £1.50 for half a day and £2.50 for a full day. Residents who are disabled or housebound can apply for a free parking permit, which they could give to their visitors when visiting. Request for double yellow lines on London Road will be considered separately and has been added to our work programme for investigation.

021

I wish again To protest in the most strongest terms over the council attitude to the residents who do not agree with the CPZ. That they accept the petition from the residents who want it but not from the residents who do not, A councillor came to our house on Saturday night with a petition to sign over the change on boundary we sign this are you saying that she was wrong to do this, This is our Democratic right it is not up to the council to make up the rules as they go along, We presented this petition to the town hall we got a recite for them from a council employee we got over 200 signatures you could not play around with the numbers on this petition. So can we please see DEMOCRACY in action

Officers comment.

When the Council received a petition during a consultation against a proposed scheme, it is reported but it does not override the consultation results. The Council carries out careful consultations to determine if there is a support for the proposed scheme or not and seeks residents' views directly rather than relying on a third party. The Council encourages residents to make an informed decision regarding a proposed scheme in the comfort of their home without outside influence or any misinformation or coercion. Petitions instigate action but do not override the outcome of a structured consultation.

022

I have lived within the bounds of Merton Council for the last 30 years and never regretted it, even when neighbouring Wandsworth was offering zero Council Tax. Merton stood independently, charged fairly, and has always provided good service. It is a shame, therefore, to see a proposal that could cause our lives to change due to the actions of a bullying neighbouring Council that employs the same distasteful measures that you now are proposing to introduce. More controls. More administration. Is it really so very hard to spot cars that don't belong to people in these designated roads? That regularly park up and take the train into town? I'm sure that in these days of number plate recording this can be achieved without such Draconian methods.

Officers Comment

Thank you for your confidence on the way Merton Council does business. However, this consultation was not influenced or coerced from neighbouring Councils but it was instigated by a petition the Council received from the local residents in the area requesting a controlled parking zone. The roads are public highway and in absence of parking restrictions any taxed vehicle may park on the road without time limit.

Representation against

011

I am opposed to the proposed parking restrictions as I live down the bottom of Tudor Place in a corner house, with only a front gate, no chance of parking in my front garden or getting my car off the road. I signed a petition with signatures of a least 250 maybe 300 residents that did not wish these proposals to be implemented.

Officers comment.

When the Council received a petition during a consultation against a proposed scheme, it is reported but it does not override the consultation results. The Council carries out careful consultations to determine if there is a support for the proposed scheme or not and seeks residents' views directly rather than relying on a third party. The Council encourages residents to make an informed decision regarding a proposed scheme in the comfort of their home without outside influence or any misinformation or coercion. Petitions instigate action but do not override the outcome of a structured consultation.

008

I have again been contacted by my above constituent concerning the plans to introduce a Controlled Parking Zone in Waldo and Tudor Place. Mrs G has provided the following objections to the proposed scheme:

- 1) It will not give greater access to parking to local residents living on Tudor Place, as the residents without driveways/drop kerbs will not be able to park outside their houses. If the Council was concerned about giving safety and access priority, why not put double yellow lines on Island Road, which is narrower than Tudor Place. Why can Friday Road and Fleming Mead get a footway path and not Tudor Place?
- 2) Vehicles and emergency services can already have access to get through Tudor Place and Waldo Place. Carriageway and footway in the road is wide enough to accommodate partial footway parking and access for the emergency services. We have lived here for 18 years and other neighbours have been living at Tudor Place for longer. Have the Council been contravening these 'safety' rules for all of these years?

- 3) As demonstrated with a petition signed over the summer (the Council should have a record), the residents of Tudor Place do not support the proposal for double yellow lines.
- 4) Why can't Tudor Place have a 'resident parking' sign only here, if the Councils feel that there will be an overflow of cars coming from Pitcairn Road?
- 5) Note that the residents of Tudor Place who do not have drop kerbs only park on one side of the road to allow emergency services access.
- I would be very grateful if you would consider the residents concerns. Thank you in advance for your assistance.

Officers Comment

Tudor Place and Waldo Place have carriageway widths of 4.2 and 4 metres respectively with footway width on both sides of the road at 1.8 and 2 metres. The minimum running width required by a fire engine to access residential road is between 3 and 3.5 metres. Carriageway and footway in both roads are not wide enough to accommodate partial footway parking and access for the emergency services. Currently vehicles are parked partially on one side of the road to allow emergency services, refuse and delivery access. However, when vehicles are parked partially on the footway, it becomes completely inaccessible to pedestrians who are then forced into the road. The footway is for the use of pedestrians and it is not wide enough to allow partial footway parking.

Although the consultation results show that the majority of residents in both roads are not in favour of the scheme, it was recommended that both roads are included within the statutory consultation so as to afford residents a further opportunity to air their views. With the possible introduction of the yellow line restrictions, the residents may wish to further consider their opportunity to remain within the scheme so as to ensure their eligibility to purchase parking permits to park in the adjacent roads.

Not to address obstructive parking once it has been investigated by the Council could be considered as a failure by the Council in its duty to provide clear access and in the event of an incident, the council can be held responsible. Where possible, the Council works with all emergency services to ensure that any unnecessary delay to their emergency call is addressed effectively. Although residents are of the opinion they have lived in these roads for many years and no such incident has occur, this is a mute point when considering safety and access.

001

Regarding the proposed extension of the Colliers Wood CPZ, I would like to make representations against the higher numbers in Victoria Road being included in the CW3 proposal. The reason being, this end of the road is not part of Colliers Wood and has no existing issues with parking. It is not affected by people using the cemetery like the lower end of Victoria, it is not within walking distance of any train stations, shops, schools, and is pretty much 100% residential. Victoria Road is very long, and it could easily be split where the ward boundary is without causing any issues. The fact it is already covered by two wards should illustrate the difference from one end to the other.

I live in Victoria Road toward Wilson Road and I fall under Lavender Fields Ward, Mitcham. I object to being included under the umbrella of Colliers Wood when this area has a completely different social demographic. The small terraced houses at the top end of Victoria Road are considerably less expensive than the bigger ones that fall under Colliers Wood ward, and as such, have occupants with less income, and less able to afford to pay for a resident's permit. I feel it is unfair for one very small part of Lavender Fields ward to be shoehorned in with the Colliers Wood ward, without having the benefits of actually being in Colliers Wood! Further to this, the row of terraces west of Wilson Road, mine include, we all have our own private parking space anyway, in the car park at the corner of Heathfield Road, so all the CPZ is going to do is inconvenience any visitors we have. At the moment there is ample parking on the street from Wilson Avenue right to the dead end of Victoria. I would like the council to consider amending the proposal so that the CPZ does not include any of the Lavender Fields ward.

Officers Comment

The Council consults a larger area on parking controls in order to notify those residents who could be affected by parking displacement and to allow them the opportunity to be included. Lavender Fields local ward Councillors have been fully engaged during the consultation process and they are supportive of the recommendations made in this report.

015

Please find representation for proposed CPZ

1. At meeting on 25/05/2016 people been concerned, in initial CPZ online questioner : " Do you want CPZ in your road ? " , when answer is "No" , it's not been allowed to submit form ? Is it "No" means "No" ? Don't need to go to next question .

2. Regarding timing of proposed operating hours . If you want to know real people opinion where is the options ?

I do accept safety and people concerns in Arnold road and Pitcairn Road, but it is clear from there complains , " motorist leaving vehicles and travel to work by train "

1-2 hours restriction will eradicate the issue . Well known **fact** , Wandsworth borough doing 1-2 hours for years in residential areas Why more time slots not provided ?

Has been done 8.30-18.30 as a full day, and 10-16 or 11-15 as a half day . When full day 78 votes in total and half days added 83 votes in total , it obvious residents want HALF A DAY

Why there is no 9 -17 time , why no 11-14 or any different times ? 3. Petition presented and signed by residents

, 203 signatures against proposal of CPZ . Does it matter to you ? Could you please ask councillors to visit properties in petition and find out , if anyone been pressurised ? It is complete disinformation in report. No one been pressurised , but not all use computer this days. Where is paper voting forms? 4. What about roads just outside of zone , very next to it , like Willson Ave., Hawkes road and rest . They will be packed with cars from CPZ zone and you well aware of it. Will zone be extended ?

5. 7.1 The cost of implementing the proposed measures is estimated at £40k. This includes the publication of the made Traffic Management Orders, the road markings and the signs. This cost will be covered by the Environment and Regeneration revenue budget for 2016/17 for Parking Management schemes. Appalling statement ! Costs of are covered by residents, visitors ,and local businesses . You not providing first permit per household for free ?

6. Let me know please , if you required any another statements from residents and I will use my family time and work on it door to door, as councillors not interesting in matter

We are looking forward to your reply. In addition to email I send , to a second paragraph, timing It is clear timing of operation of controlled zone been manipulated Could you let me know why specific timing in questioner been chosen please?

As example below , it is clear , if you propose three time brackets as

8.30 - 18.30 or 9.30 - 19.30 or 10.00 - 16.00

Results will be different. First two time brackets, votes will be split and last one will get more votes. That exactly what happen, half day got more votes from residents than a whole day in report.

Officers comment

The Council can only make the appropriate recommendation and decision based on the results of the consultation as returned by residents / businesses in the area. 15.5% response rate is considered reasonable for this type of consultation in this area. CPZ's are considered as a direct request made by residents in the area who often experience parking difficulties. The Council has tried and tested the offered options of the hours of operation; these hours are effective in combatting commuter parking - ie between 8.30am and 6.30pm which captures the whole day, 10am and 4pm and 11am 3pm which break up the day and prevent majority of commuters including shift workers from being able to park in the zones. Adding more hours of operation options to consultation would only dilute the majority support in terms of numbers and could lead to an inability to reach consensus. Responding to the question on the hours of operation does not influence or override a response made to the question relating to the question relating to support or opposition to the scheme. The roads outside the CPZ will be consulted if and when they ask for a parking scheme. When defining a zone, a number of roads which may not have asked for a CPZ will be included within the consultation area but there extent of a potential zone has to be defined in a constraint manner.

016

I regret that I am compelled to raise a strong objection to the proposed controlled parking zone (CPZ) for the following reasons:

1. I attended your consultation and public exhibition at Taylor road, and I remained at the exhibition for quite a long time. Whilst I was there, I spoke to some officers and I also made some notes on comments being made by other visitors. It was very disappointing to find that none of the officers appeared to show any interest in the resident's views. It appeared as though they came to the exhibition with their minds already made up with a preconceived notion. They refrained from making any comments, and neither did they carry any log book to record the views and opinions of the residents. Basically, residents came, expressed their views and then left. Some officers started arguing with the residents, but they could not offer any valid reason(s), apart from the Pitcain Road resident's petition in support of the proposed controlled zone. I personally asked an officer why they were not making any notes, especially if they were serious about the consultation. We were then notified that the hall had been booked by another party, thereby forcing the officers and us to move outside to the garden in order to continue with the proceedings. Frankly, I found the whole experience rather farcical, thereby highlighting the unprofessional manner in which your team managed the event.
2. In your recent leaflet, you produced some survey data from which it appears you have favoured the opinions of around ninety five householders out of over one thousand. This shows blatant bias.
3. I asked your officers why it had been decided to complete the survey online, to which their answer was "Cost Cutting". How can you impose such costly and lengthy burdens upon the residents based on an online survey? Online survey's contain no signatures, so there is no way in which you can validate the authenticity of the survey. I also know of several residents who do not have internet access, thereby preventing them from being part of the survey. Anyone could use their name and address to complete the survey. Surely an online survey would not be considered viable in a court of law, and it discriminatory towards those who are not computer literate.
4. I also asked your officers, why you included a mandatory question about "hours of operation", making it appear as though someone is opposing the idea? They could not give me any satisfactory answer to this. Is it possible this tactic was used to confuse the residents and thereby use the data against the residents wishes?

I found the entire process to be undemocratic and corrupt. If you have genuine intentions about conducting a survey with

a legitimate and consultative process, then you should send the questionnaire by post, allowing it to be completed and signed by each and every household. If you choose not to take my concerns and constructive suggestions seriously, then I regret I may be forced to take this matter further.

Officers Comment

At the exhibition officers did listen and take notes which led to several design change. Officers do not make comments on unsubstantiated and derogatory comments made by those who came to the exhibitions aimed at disrupting the proceeding.

009

I am writing to confirm that I reject all proposals to the CPZ ES/CW3 within my local area and including Woodley close. The proposals do not guarantee a parking place outside my property and I see this as only a money making scheme for the council.

Officer Comment

A CPZ prioritise parking for residents of the zone and their visitors. The Council does not guarantee residents parking space outside their property. However, the Council guarantee residents' ability to find parking space within 100 metres of their home but only during the hours of operation.

002

I am a resident of Woodley Close and I am against the proposal of controlled parking zones.

020

I should first clarify that I did not receive the questionnaire in June 2016 and, if I had been aware that consultation was taking place, I would have objected and voted against any form of controlled parking in Myrna Close and the nearby streets. Second, the consultation document issued on 27th October 2016 is invalid as it refers to Myrna Road and would lead to some residents being unaware that the consultation applies to them. I notified Merton Council of this by telephone and e-mail on 4th November 2016 and, although I received an auto-reply to my second message, there has been no further contact from Merton Council in the two weeks until the end of the consultation period. I note that Myrna Close has also been excluded from the Cabinet Member Report making this document invalid as well. I have made a formal request that the consultation exercise start again with correct references to Myrna Close and Singleton Close to allow full participation and I am intending to pursue this. Notwithstanding, Merton Council's failure to consult with the residents of Myrna Close in a proper manner due to the above, I should clarify I am responding to reject the proposal. I have set out below my objections below both for the entire zone and specifically those relating to Myrna Close;

1. The consultation results show a response rate of 15.5% so I am unsure why Merton Council would wish to proceed to the next stage of consultation with so few residents expressing any interest in a CPZ. The argument that 58.3% are in favour of such a low response rate shows that just over 9% of all residents were in favour. It is evident that the residents who indicated they were in favour of a Controlled Parking Zone (CPZ) were the ones who took the time and trouble to respond. Merton Council cannot assume because 84.5% of residents did not respond, this is a good reason to proceed with consultation.

2. The Cabinet Member Report admits that the introduction of a CPZ has been instigated mostly by residents of Pitcairn Road and Arnold Road. It is obvious that most would be in favour as they are close to shops and amenities in London Road which might mean visitors would park in these roads during the day. I am unsure why requests for a CPZ from residents in these roads would lead to Merton Council including roads such as Myrna Close and Alexandra Road in a CPZ as these roads never have any difficulties with visitors parking. I cycle around the area on a daily basis and there are always available parking spaces in Myrna Close and, for the vast majority of the time, there are quite a few available spaces in Pitcairn Road and other roads close to Figges Marsh.

3. These are listed as the key objectives of parking management by Merton Council which I have responded to in respect of the proposed CPZ :

- Tackling congestion by reducing the level and impact of traffic in town centres and residential areas. Research has shown that the vast majority of drivers do not stop using their cars due to introduction of a CPZ. They will either pay to park their cars in the newly introduced CPZ or they will park in a neighbouring area or street that does not have a CPZ.

- Making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures. This has little relevance to introducing CPZs. If Merton Council wanted to improve safety they would admit the narrowing of the entrance to Pitcairn Road at the London Road end was and remains a safety hazard as cars cannot drive into the road while a car is waiting to a leave and this is a hazardous junction for cyclists.

- Managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy. I have spoken to several of them and the introduction of a CPZ in the proposed area would cause further damage to local businesses particularly in London Road.

· Improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas. My partner lives in Wilton Road, Colliers Wood which has a CPZ and this certainly does not make the area more attractive as more and more residents pave over their gardens (often without planning permission or a dropped kerb) to avoid having to pay for permits. I fail to see why yellow/white lines painted on the road, posts with restriction notices on them or parking meters could possibly improve the attractiveness of an area, especially compared to the loss of front gardens and greenery.

· Encouraging the use of more sustainable modes of transport. Again I fail to see how a CPZ has any positive effect on this unless Merton Council proposes to make parking free or cheaper for electric or hybrid cars. I am unable to see anything that refers to this in the Report or consultation paper.

4. Although I see the report says 7 residents in Myrna Close are in favour of the introduction of a CPZ, everyone I have spoken to in Myrna Close is firmly against it. I now understand that several of the 7 who are in favour are not car owners and, as they already have a designated car parking space, they just want to keep cars out of the road.

The introduction of a CPZ in Myrna Close and the nearby streets would cause great problems particularly for the house owners who have a freehold car parking space which is entirely separate from the house. There are already difficulties where some visitors, or even residents of the flats, park in these spaces despite some having notices advising them not to do so. I should clarify this is not due to any shortage of parking spaces in Myrna Close or the nearby streets and is just a matter of preference.

If the CPZ is introduced and residents of the flats and their visitors have to pay for car parking they will inevitably park in the freehold parking spaces attached to the houses. This will mean that if you use your car and leave the space empty or you do not have a car but allow visitors to use it you will find another car parked in your space which you own. When I tried to raise this matter with a member of Merton Council staff and referred to a resident who has a carer visiting he was most unsympathetic. He said that it was not up to the Council to police the use of private car parking spaces. I fail to see why anyone living in Myrna Close would be in favour of a CPZ as the house owners all have their own designated car parking spaces and the flat owners have ample space to park at all times.

I should clarify that regardless of the outcome of this 'invalid' consultation exercise I will continue to use whatever means possible to try to prevent this proposal from succeeding.

Officer comment

The points raised here have been covered by the stage **1 & 2 complaints**. See details of stage 2 below

We have now received a stage 2 complaint regarding the Myrna Close CPZ.

1. An example of this is that in the second paragraph below there is a reference to a 'legal document'. However there is no other information about this document, which apparently, states 'Myrna Close' correctly, but does not clarify what this document relates to or where it can be accessed. I notified you in my original complaint that I discovered when Merton Council sent out the Cabinet Member Report it did not refer to Myrna Close correctly either. I am unaware whether the 'legal document' you refer to was also sent to the Minister or Merton Councillors as you do not address this point at all in your response.

- I have now considered your complaint. It is my understanding that you feel that due to the fact that there was an error in the newsletter i.e. Myrna Close was referred to as Myrna Road, this invalidates the consultation. Although it is acknowledged that an unfortunate error was made, it is important to note that the newsletter was for information only and does not form part of the legal document. The Notice that does form part of the legal document does state Myrna Close. Similarly with the error with Singleton Close being referred to as Road - such an error does not invalidate the consultation process.

The legal document is the Traffic Management Orders (TMO) which were advertised in the newspaper and deposited in Merton Link and Mitcham Library. The Notices that were erected on lamp columns in the area also form part of the legal document.

2. You state that publishing consultation documents with incorrect information with regard to a significant aspect of the documents such as the address, does not invalidate the consultation process but that would just appear to be the opinion of the author of the letter. You have failed to provide any written guidance published by Merton Council to support this view. I work in the leasehold housing sector and if a claim is made for collective purchase of the freehold and there is even a minor error in the property details the claim is invalidated.

- The errors were unintentional and officers meant no disrespect. The Council does take consultations and the associated documents very seriously but unfortunately human error does take place to which we respond to accordingly. I apologise for inconvenience this error may have caused you but in conclusion, it is not considered that this error is significant enough that would invalidate the consultation or the cabinet Member's decision. The statutory consultation formed the second part of the consultation process i.e. an informal consultation was first carried out and the statutory consultation second. Residents were, therefore, fully aware that they were being

consulted on a CPZ in their road / area. The newsletters are not legal documents. They are for information only. The legal documents (Traffic Management Orders / Notices) do state the correct reference to all the roads. Additionally the plan accompanying the consultation document did have all the roads within the consultation catchment and Myrna Close was correctly referred to.

- 3. You appear to be relying 'to a degree' on the fact that Merton Council received 12 responses from Myrna Close to the consultation (and some of these were from the same household – although you do not reveal how many) but this merely confirms my assertion that the vast majority of residents from 65 properties did not reply. It is extremely surprising that so few residents of Myrna Close would respond given the problems we would experience if a Controlled Parking Zone (CPZ) were to be introduced. I have already explained that the majority of residents have off-road freehold car parking spaces that are separate from their properties and that if CPZ were introduced some residents and their visitors would park in these spaces rather than paying for permits or fees to a meter. I should emphasise we have no problems with car parking in Myrna Close at present and a CPZ that may benefit residents who live near Figges Marsh is of no benefit whatsoever to any residents in Myrna Close.**

 - We received 12 responses from Myrna Close to the consultation excluding duplicates 9 household responded. In the absence of any other resident making a complaint regarding this error leads the Council to conclude that they either did not realise the error or did not feel it significant enough to bring it to the Council's attention. This demonstrates to a degree, that residents did comprehend that they were being consulted on a set of measures that would affect them directly and they responded accordingly.

It is our experience that parking difficulties is a matter of opinion. Where some believe they do not have parking difficulties, there are those who do. With regards to response rate, it has been our experience that it is often those who strongly object are those who make representations or respond to a consultation. Although the Council encourages residents to respond for or against, often those who either have no opinion or support the proposals do not respond. The fact that majority of residents decided not to respond could mean that they do not object to the proposals. However, the Council does not include this assumption within its decision. Decisions are made on a number of factors including the number of those supporting the proposals during the informal consultation (not necessarily the response rate) and the validity of the objections during the statutory consultation.
- 4. The continued response of Merton Council that 'In terms of private parking spaces, the Council has no jurisdiction over private land and it is not possible to take any action to mitigate against your fears and concerns over personal parking spaces.' is entirely unacceptable and is contradicted later in your response which says 'It is also important to note decisions to progress a scheme depends on a number of factor such as majority response from the area, from individual roads and from neighbouring roads and the various impacts'. From the response I have received from Merton Council regarding our concerns over personal parking spaces it appears that the Council do not intend to take seriously the various impacts of the possible introduction of a CPZ in this area.**

 - In terms of private parking spaces, the Council has no jurisdiction over private land and it is not possible to take any action to mitigate against your fears and concerns over personal parking spaces. However, your representation will be reported to the Cabinet Member for consideration. Any mitigating action can be put in place by the residents / owner of the private parking spaces.
- 5. You say in your response 'The errors were unintentional and officers meant no disrespect. The Council does take consultations and the associated documents very seriously but unfortunately human error does take place to which we respond to accordingly.' The main reason for my complaint is that Merton Council has not responded accordingly as the appropriate response would be to start the entire consultation process again with the correct information on the documents that were sent to residents and other third parties. You refer to 'human error' which is your responsibility to rectify and any member of the public, paying Council Tax for the services you provide, would expect important documents to be proof read before they were printed and distributed. This would mean that the error was ultimately made at a senior level in Merton Council and you appear to be unwilling to address this or rectify it.**

Your comments have been noted and a response has been provided in previous communications and within this e mail.
- 6. I do not wish to address again the lack of further response from Council officers as this appears to be due to an automated reply which said 'We will pass your email on the relevant officer for investigation'. This wording would lead to the enquirer expecting a reply which was not forthcoming and I note again Merton Council's lack of competence in the word 'to' being missing from the above sentence in the automated reply.**

- In response to lack of response from officers, it is my understanding that you have had a verbal communication with Mr Barry Copestake who also sent you an e mail confirming your discussion. You e mailed Mr Copestake on 4th November 2016 setting out your dissatisfaction. Within that specific e mail there was no response to be made as you concluded your e mail stating that you would be submitting a Complaint which you have. Additionally, it is important to note officers do have 15 working days to respond to a correspondence. Had you required a response outside the Complaint procedure, you would have received a response within the said time period. In terms of the automatic response, our Admin have been made aware and this error has since been rectified.
- 7. Whilst all of the above are valid points for complaint, the most important aspect of my complaint is that Merton Council is wasting Council Tax funds by pursuing an issue that the vast majority of residents are opposed to. This was confirmed by the initial consultation that clarified only 9% of residents showed any interest in the proposed CPZ. I do state that given the low % of response, the Council should not progress with the proposed measures and I still strongly believe this. I agree 'The purpose of a consultation is to seek residents' views and determine majority opinion', but you will not appear to accept that the majority opinion to make a significant change should be at least 51% of the residents affected.**
- You state that given the low % of response, the Council should not progress with the proposed measures. The purpose of a consultation is to seek residents' views and determine majority opinion from those who chose to respond. We encourage residents to respond to consultations and we can only consider majority vote of those who choose to respond regardless of the response rate. It is also important to note decisions to progress a scheme depends on a number of factor such as majority response from the area, from individual roads and from neighbouring roads and the various impacts on road users and public highway. Officer's recommendations and Cabinet Member approval are in line with our normal practice. Individual roads could be remove from the scheme if majority of residents who respond vote against inclusion. If the response rate is low during an informal consultation and majority voted against, residents are given all the necessary information including impact of exclusion and a second opportunity (through the statutory consultation) to air their views. If majority make representations demanding exclusion individual roads could be removed from any proposed zone. Level of response rate is considered and reported but decisions and action are taken based on majority of response received.
- 8. The most extraordinary aspect of your response to my complaint is 'We encourage residents to respond to consultations and we can only consider majority vote of those who choose to respond regardless of the response rate'. I cannot accept that the Council can progress with a CPZ, they clearly wish to introduce due to the revenue it produces, on a simple majority of those responding no matter how few responses there are.**
- The Council received two petitions from residents of the area in August and November 2014 respectively requesting a CPZ in their roads. The petitions were sent in from residents of Arnold Road and Finborough Road and Pitcairn Road and Crusoe Road. Being mindful of the impact of any parking controls on surrounding roads, it is normal practice to consult an area bigger than those roads who submitted the petitions. The consultation determines the zone boundary and the future of the proposed measures. The Council can only act upon the feedback received.
- 9. I would request that you make reference to the legislation, regulations or written council policy or procedures that supports the statement 'can only consider'. It is the Council that draws up the proposed CPZ zone which will inevitably include some residents who are in favour and have a vested interest in reading and replying to consultation whilst other residents, as in this case, who are in part of the zone largely unaffected by parking issues will not bother to reply. The view of the Council that CPZ should be implemented on a simple majority of those responding could lead to a situation where very few residents in one part of a proposed CPZ succeed in having a CPZ implemented that adversely affects residents in another part of the proposed CPZ. To follow this argument to its 'illogical conclusion' if only one favourable response were to be received by Merton Council you might introduce the CPZ on the grounds that no one had voted against it. This is the principle I am objecting to and I will be interested to hear if the Ombudsman considers this to be an acceptable practice.**
- This is an adopted standard by not just Merton Council but other Councils. As stated elsewhere in this e mail, the Council can only take into account the feedback received and residents are consulted informally and statutorily which allows them to make informed decisions and more than one opportunity to air their views. All feedback received are reported to the Cabinet Member. It is envisaged that a report will be submitted to the Cabinet Member within the next three weeks. Once a decision is made, a newsletter advising residents of the decision and

next course of will distributed. If approved, implementation would be programmed for six / eight weeks later and residents will be informed accordingly.

004

My Mother-Inlaw has asked me to write on her behalf objecting to the forthcoming plans to enforce parking permits within her street and surrounding area. she is a 74 year old lady who has mobility issues. Therefore due to this as a part time carer for her I am driving her on a weekly basis to shops, doctors and other vicinity's such as any hospital appointments or trips to see her friends/family. Enforcing a parking permit down her road would be a severe inconvenience to her and as her part time carer I would have to look elsewhere in the area to park which is extremely unlikely as the permit is to be enforced all around her local area by the looks of the proposals. I would like some more information with regards to this as to whether I could apply for a permit if this was enforced as she does not drive and relies heavily on me to do so for her. Any information you could provide me with would be much appreciated.

Officers comment.

Blue badge holders and housebound residents, who require regular care or nursing can apply for a free discretionary permit.

007

I am writing in response to your letter dated 27 October setting out the consultation results for the proposed parking zone CW3, Pitcairn Road area. I wish to put forward a change (objection) to the detail of your proposal.

The detail concerns the proposal to draw a single yellow line on the road outside our house at 13 Alexandra Road. We believe that this should instead be a permit holder bay as we currently park our car without causing inconvenience in this section of road. I suspect the reason there proposal doesn't already show a permit holder bay here is an oversight rather than intentional because no other houses appear to be affected in the same way on Alexandra Road – they either have permit holder bay outside or have a crossover marked to allow them access to their driveway. I have attached a pdf "Proposed Zone CPZ CW3_AnnexA.pdf" which highlights our house (no 13 Alexandra Road) and the problem area. I have also attached two photos showing that there is plenty of room outside our house for parking – in the photos there is only our car parked (the blue one) but often there are two cars parked in this spot. Number 13 (our house) is the house painted red. (see Proposed Zone CPZ CW3_AnnexB_photo1.pdf and Proposed Zone CPZ CW3_AnnexC_photo2.pdf). I have also attached a scan of your parking zone map for reference "Proposed Zone CPZ CW3_Map.pdf". If any of this isn't clear or you have any follow up questions please let me know.

Officer comment

The issue raised has been considered and permit parking bays will be included if the scheme is approved.

008

I and my family would like to register our objection to the CPZ proposed for the Pitcairn Road area. This proposal has been made on a very low response rate, and having spoken to many of my neighbours they say they were not aware of the proposal. A CPZ is a major thing to come to an area, it does not guarantee a parking space and will cost every household as it is not free! The main point made at a recent consultation meeting, by those who wanted CPZ, was to stop people parking who did not live in their street, a household does not own the space outside their property, it is a public road, anyone can park there, unless there is a drop curb which has been paid for. And if the point of having a CPZ was to stop others parking all day whilst they go off to work then surely the minimum parking restriction of 11am-3pm would put a stop to that?

Officers comment

The Council can only make the appropriate recommendation and decision based on the results of the consultation as returned by residents / businesses in the area. 15.5% response rate is considered reasonable for this type of consultation. CPZ's are considered as a direct request made by residents in the area who often experience parking difficulties.

The hours of operation is determined by majority support – in this case 8.30am-6.30pm, Mon-Fri. The introduction of a Controlled Parking Scheme involves various set up costs for implementation e.g. road markings, signs, and pay and display machines, advertising the TMOs, enforcement, maintenance, administration of the permits etc. 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 is used in accordance with section 55 of the Road Traffic Regulation Act 1984.

003

Please take this letter as me being in total disagreement of the controlled parking that you have proposed in this area. I Do NOT WANT this to happen.

002

I am in total disagreement of the controlled parking that you have proposed in this area. This is my letter of confirmation, that I do not want this to this to happen.

006

I'm writing to inform you of my objections to the proposed CW3 Pitcairn area CPZ. I do not want the CPZ in my road or the area. I see the consultation of local residents as an unfair vote due to the extremely low response of only 163, which is not enough of a true representation of local residents, the consultation would have been fairer and had a higher response with a postal vote instead of online as some people have no access to computers etc. The CPZ will impact on the lives of all residents with vehicles both financially and the quality of life with the stress over parking as I believe anyone out of the area with a Merton residents badge will take up residents parking spaces and make it worse than it is now. A petition against the CPZ of over 250 local residents was unjustly rejected by the council, this petition was signed by myself freely and without pressure and by more people than the online consultation, this makes no sense as it's within our democratic rights to petition against proposals especially something as important as this. Also an info sheet sent to all residents showed the cost of permits, but no mention was made of a £25 set up fee for the first permit, this should have been made aware to all residents before voting in the consultation, it feels like a decision was already made before the consultation to move forward with the CPZ and a very profitable income to the council and we the local residents are the ones paying for it. I hope you will take on these objections and a fairer vote should take place.

Officers comment

Residents with no access to computer who contacted the Council were sent a hard copy of the questionnaire. The Council can only make the appropriate recommendation and decision based on the results of the consultation as returned by residents / businesses in the area. 15.5 response rate is considered very reasonable for this type of consultation in this area. CPZ's are considered as a direct request made by residents in the area who often experience parking difficulties.

The introduction of a Controlled Parking Scheme involves various set up costs for implementation e.g. road markings, signs, and pay and display machines, advertising the TMOs, enforcement, maintenance, administration of the permits etc. 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 is used in accordance with section 55 of the Road Traffic Regulation Act 1984..

009

To whom it may concern I am a resident of the above address. I am one of the persons, doing the petition to stop the go ahead of the above. We put the petition in having received more than 200 signatures against the parking. I was in surprised that 58% was in support of the CPZ in their road. How do you work that out? It seems you have made your mind up whatever we say. Tudor Place is a quiet road but you have decided to make double yellow lines. When we was at the meeting in Taylor Road one of your Councillors said maybe an ambulance could not get down. I was unfortunate to call ambulance the other day and had no problem getting down the road. Do you not realise by doing this everybody will be parking away are making everything else congested. Also down Wales people are parking without drop kerb thought this was against the law. If face fits comes to mind, hoping you see some sense waiting for a reply S.A.E sent one before got no reply. I expect we will see you all again when comes to voting that is a surprise. I and I know many more will not be voting. Also do you actually live somewhere like this are? Hoping to hear from you out of politeness. If Fleming mead can park on the path one side why can't Tudor Place.

Officers comment

A petition received during a consultation against a proposed scheme is reported but does not override the consultation results. The Council carries out careful consultations to determine level of support for the proposed scheme. The Council prefers residents to make an informed decision regarding a proposed scheme in the comfort of their home without outside influence or coercion. It is, therefore, recommended that the Cabinet Member notes the petition but make a decision based on the consultation results.

001

We strongly object to the CPZ being introduced in Island Road and the surrounding roads. It seems unnecessary as parking is not a problem for the Council. This is offered of my own free will !! objection from the local community should be listened to not ignored.

005

I have living on Island Road for over 30yrs. I do not support the introduction of the Controlled Parking Zone (CPZ).

007

We the undersigned do not agree with the majority of the proposed CPZ CW3. You tend to suggest that its all in the name of safety!! Show me how many accidents that has occurred over the years. I have live in this house for nearly 70 years and my wife for 45yrs and we do not remember any. Due to S1 bus route through Victoria Road all parking should be abolished on the cemetery side and remove the grass verge. Restrict through traffic through Crusoe Road, Friday Road and Island Road. Introduce 24 hours parking charge on all vans and commercial vehicles which uses this neighbourhood as cheap overnight parking. As these vehicles are not there during the day, makes some of the restriction useless. Why

has Lavender Avenue, Border Gate, Wilson Avenue etc not included in this scheme, these roads are more congested than our area and more dangerous. All Council vans etc go through the width restriction on the wrong side of the road (Wilson Road) and the other width restriction in Border Gate was planned by a member of the Council that left the area soon after installing these restrictions to live in Isle of White, so he didn't have to see how dangerous this area is.

Officers Comment

When the Council receives a petition requesting a scheme, it triggers the consultation process. The design of the scheme has to take into consideration safety of all road users. Within a Controlled Parking scheme, the design would include access for all road users including service vehicles, pedestrians and the emergency services especially for the Fire Engine. The council can only consider controlled parking when residents request it. The roads mentioned above have not requested a scheme and are considered too far to be part of this scheme. Upon receiving a petition, the Council will consider a consultation in uncontrolled roads.

019

I write in regard to the proposed controlled parking zone (CPZ) CW3 - Pitcairn Road Area. I wish to object to the proposal for the following reasons:

- I have lived on Alexandra Road for 12 years and have never experienced parking difficulties both on the road and on other neighbouring roads including Pitcairn and Crusoe Roads.
- There is always plenty of parking albeit one may not park directly in front of one's house - but this would be the case for all on street parking. Even with controlled parking one would still not be able to park directly in front of one's house
- A controlled parking zone, will reduce the number of available parking - due to road markings and possible dropped kerbs, thereby defeating the purpose.
- There does not appear to be much transparency on how the proposal came about: One would have expected to see a report showing how the Council monitored to actually demonstrate that there is indeed parking difficulties on the said roads, for example take stop checks at different intervals and report on the findings. This would be a planned way of capturing data and not rely on word of mouth, which may result to bias or limitations to findings.
- I believe that the consultation that was undertaken was inadequate and in some part misleading. For example, the online questionnaire was quite poor that by default, one has to state or forced to answer a question to the line that 'if controlled parking were introduced one should indicate which option they would prefer' This in effect, could led to people either not finishing completing the survey or by indicating an option could be misled that they supported the proposal.
- The residents' consultation meeting that was to take place at Taylor Road Hall in the summer was poorly communicated and eventually moved at the last minute, thereby some residents including myself missed the opportunity to raise our objections or support the proposal.
- For a major change such as the proposed, more should be done to seek all residents' opinion - an investment in dropping leaflets/letters through the letter to each household to a) inform of the proposal, b) inform them of the consultation meetings and c) inform them of the results of the consultation, would show that the Council not only consulted with the households but also communicated the outcome to everyone, so that the Councillors could make an informed decision. So far, I think the proposal has been communicated in a haphazard manner, for example, the first I knew that the proposal was to be considered by the Council was when I saw a planning permission on the lamppost. The letter to residents came afterwards.

In my view, the Council has failed to adequately seek the residents' opinion on this which may lead one to think that it more of a money making proposal than for the benefit of the residents. On another note, we have been asking for wheelie bins for years now and have had to put up with dirty roads, because foxes run amok round the area tearing up plastic bins that some people put out before the bin day! My street must be one of the dirtiest in the borough yet I pay my taxes every year! I look forward to hearing from you.

Officers comment

The meeting you referred to was your ward Councillors' meeting inviting residents for a discussion on the proposed controlled parking. Unfortunately this meeting got moved to a different venue at the last minute. The ward Council tried their best to inform residents by dropping leaflets through their doors. The Council carried out an informal and a statutory consultation. The informal consultation on proposals to introduce parking controls in Pitcairn Road area commenced on 3 June and ended on 1 July 2016. 1048 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking and a sheet of frequently asked questions. A copy of the consultation document is attached as Appendix 2. The consultation document was posted to all households and the businesses within the catchment area. An exhibition was held on 11 June 2016 at the Community Day Centre allowing residents to discuss the proposed measures with officers. Notification of the proposals along with an online questionnaire (e-form) was also posted on the Council's website.

The statutory consultation commenced on 27 October 2016 and ended on 18 November 2016. 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 distributed to residents and were

available at the Link, Merton Civic Centre and on the Council's website. The consultation documents included the result of the informal consultation and the decision that was made by the Cabinet Member.

Proposed Controlled Parking Zone (CPZ) CW3 - Pitcairn Road Area



Councillor Martin Whelton
Cabinet Member for
Regeneration, Environment and
Housing.
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E: martin.whelton@merton.gov.uk



ISSUE DATE : 27 OCTOBER 2016

Dear Resident/Business

The purpose of this leaflet is to let you know the outcome of the informal consultation carried out in June 2016 on the proposal to introduce a controlled parking zone (CPZ) in your road.

CW3 CPZ CONSULTATION RESULTS

The consultation resulted in a total of 163 questionnaires returned from the roads within the proposed CPZ area representing a response rate of 15.5%. A detailed road by road analysis of the results show that 58.3% support a CPZ in their road, compared to 39.2% who do not and 2.5% who are unsure or did not comment. Residents were also asked which hours of operation they would prefer should the CPZ be introduced. Results show 44.8% of respondents prefer 8.30am – 6.30pm, 31.1% prefer 11am – 3pm, 19% prefer 10am – 4pm and 5.1% who are unsure or made no response. On the days of operation, the results shows that 56.4% of respondents prefer Mon – Fri, 15.5% support Mon – Sat, 27% prefer Mon – Sun and 1.2% are unsure or made no response.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Environment, Regeneration and Housing on the 15 August 2016. The report and the decision sheet can be viewed on our website. www.merton.gov.uk/cpzcw3. The following recommendations which were made to the Cabinet Member have now been agreed:

- To proceed with a statutory consultation to include Alexandra Road, Arnold Road, Crusoe Road, Dovedale Rise, Finborough Road, Flanders Crescent, Fleming Mead, Friday Road, Island Road, Kenmare Road, London Road, Myrna Road, North Place, Pitcairn Road, Shrewton Road, Singleton Road, Swains Road, Tudor Road, Victoria Road, Waldo Place and Woodley Close into the proposed CW3 CPZ, operational Monday to Friday between

8.30am and 6.30pm.

- To proceed with a statutory consultation on relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in various roads if the CPZ does not go ahead. **Please see plan overleaf.**
- To proceed with a statutory consultation to include Singleton Close into the existing CW CPZ operating Monday – Friday between 8.30am and 6.30pm.
- To proceed with a statutory consultation to change the proposed permit holder bays along the Cemetery in Victoria Road to shared use bays with 5 hrs Max stay.
- To allow footway parking in Fleming Mead and Friday Road which maximise the number of parking spaces.

WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (The Guardian), 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 to trafficandhighways@merton.gov.uk by no later than **18 November 2016** quoting reference **ES/CW3**. 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. A copy will also be available at Mitcham Library. This information is also available on Merton Council’s website www.merton.gov.uk/cpzcw3.

All representations along with Officers’ comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. **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, therefore, important to us.

COLLIERS WOOD AND LAVENDER FIELDS WARD COUNCILLORS

CIlr Laxmi Attawar
Tel - 07818 062647
Email: laxmi.attawar@merton.gov.uk

CIlr Caroline Cooper Marbiah
Phone: 07940 100 606
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CIlr Mark Allison
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The contact details of ward councillors are provided for information purposes only)

**Request for document translation
PROPOSED CPZ CW3- PITCAIRN AREA**

If you need any part of this document explained in your language, please tick box and contact us either by writing or by phone using our contact details below.

- Albanian Nëse ju nevojitet ndonjë pjesë e këtij dokumenti e shpjeguar në gjuhën amtare ju lutemi shenjojeni kutinë dhe na kontaktoni duke na shkruar ose telefononi duke përdorur detajet e mëposhtme.
 - Bengali এই ডকুমেন্ট কেবলো মনে আপনার নিজ ভাষায় বুঝতে চাইলে, দয়া করে ব্যক্তিগত (বেক) টিক চিহ্ন দিন এবং চিঠি লিখে বা ফোন করে আমাদের সাথে যোগাযোগ করুন। নিচে যোগাযোগের বিবরণ দেওয়া হয়েছে।
 - French Si vous avez besoin que l'on vous explique une partie de ce document dans votre langue, cochez la case et contactez-nous par courrier ou par téléphone à nos coordonnées figurant ci-dessous.
 - Korean 만일 본 서류의 어떤 부분이라도 귀하의 모국어로 설명된 것이 필요하다면, 상자속에 표시를 하고 우리에게 전화나 서신으로 연락하십시오.
 - Polish Aby otrzymać część tego dokumentu w polskiej wersji językowej proszę zaznaczyć kwadrat i skontaktować się z nami drogą pisemną lub telefoniczną pod poniżej podanym adresem lub numerem telefonu.
 - Portuguese Caso você necessite qualquer parte deste documento explicada em seu idioma, favor assinalar a quadrícula respectiva e contactar-nos por escrito ou por telefone usando as informações para contato aqui fornecidas.
 - Somali Haddii aad u baahan tahay in qayb dukumeentigan ka mid ah laguugu sharxo luqaddaada, faadlan sax ku calaamadee sanduuqa oo nagula soo xiriiir warqad ama telefoon adigoo isticmaalaya macluumaadka halkan hoose ku yaalla.
 - Spanish Si desea que alguna parte de este documento se traduzca en su idioma, le rogamos marque la casilla correspondiente y que nos contacte bien por escrito o telefónicamente utilizando nuestra información de contacto que encontrará más abajo.
 - Tamil கீழ்க்கண்ட தகவல்களை உங்கள் மொழியில் விளக்கவேண்டிய அங்கங்களின் குறியீடுகளை, கருவிகளை அல்லது எழுத்துக்களை குறிப்பிட்டு, கீழ்க்கண்ட முகவரி மூலமாக தொடர்பு கொள்ளவும்.
 - Urdu اگر آپ اس دستاویز کے کسی حصے کو ترجمہ کرنے یا کسی شے کا تفسیر چاہتے ہیں تو، براہ کرم اس جگہ پر نشان لگائیں اور ہمیں اس کے بارے میں بتائیں۔
- Large print Braille Audiotape

Your contact:
Name.....
Address.....
.....
Telephone.....

Paul Atie,
Merton Civic Centre,
London Road, Morden,
SM4 5DX

Proposed Controlled Parking Zone (CPZ) CW3 - Pitcairn Road Area



Councillor Martin Whelton
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