

Committee: Cabinet Member Report

Date: 13th October 2017

Wards: Colliers Wood

Subject: Christchurch Close CW4 & Colwood Gardens CW 5 CPZs Statutory consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Contact officer: Mitra Dubet Tel: 020 8545 3201 mitra.dubet@merton.gov.uk

Recommendations:

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

- A) Notes the result of the statutory consultation carried out between 31 August and 22 September 2017 on the proposal to introduce Controlled Parking Zones (CPZs) in Christchurch Close and Colwood Gardens.
- B) Notes and considers the three representations received in respect of the proposal as detailed in section 3.4 of this report.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed:
 - (i) new CW4 CPZ to include Christchurch Close operational Monday to Friday 8.30am – 6.30pm and Saturday to Sunday 11am – 3pm as shown in Drawing No. Z78-342-03 attached in Appendix B
 - (ii) new CPZ CW5 to include Colwood Gardens operational Monday to Saturday 8.30am – 9pm (CW5) as shown in Drawing No. Z78-342-03 attached in Appendix B
- D) Agrees to make an Exemption Order to allow footway parking in Christchurch Close to maximise the number of parking spaces.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the statutory consultation carried out on the Councils' proposals to introduce a CPZ in Christchurch Close and a CPZ in Colwood Gardens.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) for the proposed CW4 CPZ in Christchurch Close operational Monday to Friday 8.30am – 6.30pm and Saturday to Sunday 11am – 3pm and introduce a new CPZ CW5 in Colwood Gardens, operational Monday to Saturday 8.30am – 9pm as shown in Drawing No. Z78-342-03 attached in Appendix B
- 1.3 It also seeks approval to make an Exemption Order to allow footway parking in Christchurch Close to maximise the number of parking spaces as shown in Drawing No. Z78-342-03 attached in Appendix B

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 and
 - encouraging the use of sustainable modes of transport.
- 2.2 CPZs 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.
- 2.2.1 This zone will comprise of permit holder bays to be used by residents, 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.
- 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 Following the receipt of petitions from both Christchurch Close and Colwood Gardens asking for a CPZ in their roads the Council carried out an informal consultation.
- 2.6 Prior to the start of the informal consultation, the Council also received complaints regarding obstructive parking which was hindering traffic flows, particularly for delivery

vehicles and obstructive parking across or near their crossovers.

- 2.7 Due to the level of complaints the Council expedited the introduction of double yellow lines to address obstructive parking with statutory consultation taking place during January and February 2017. However, upon completing this consultation, residents raised concerns about the loss of parking resulting from this proposal and requested that the yellow lines were introduced at the same time as a CPZ. Consequently, in response, the introduction of the waiting restrictions were delayed and the Council expedited the informal consultation on the proposed CPZ.

3. CONSULTATION UNDERTAKEN

Informal consultation

- 3.1 An informal consultation on the proposed introduction of parking controls in both Christchurch Close and Colwood Gardens was undertaken between 27 March and 24 April 2017. This resulted in a response rate of 42%. A majority of Christchurch Close residents opted for a CPZ to operate in their road, operational Monday to Friday 8.30am – 6.30pm and Saturday to Sunday 11am – 3pm. The majority of Colwood Gardens residents opted for a CPZ, operational Monday to Saturday 8.30am – 9pm. Due to the different hours and days of operation, a decision was made for each road to be a sit alone zone.

3.2 Statutory consultation

The statutory consultation on the Council's intention to introduce parking controls in Christchurch Close and Colwood Gardens was carried out between 31 August and 22 September 2017. 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, (Appendix A), was also distributed to all those properties included within the consultation area.

- 3.3 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 each zone
 - 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

- 3.4 The statutory consultation resulted in 1 representation from Christchurch Close and 2 from Colwood Gardens:

Christchurch Close

I would like to raise a few points in regards to the new controlled parking zone. I should state at the outset that I am supportive of the CPZ and feel that it will only help the residents of Christchurch Close, I being one of them. Turning to my points,

1. Outside houses number 28 and 29, we have asked for a single yellow line outside our driveways, along with a white line indicating the dropped curb driveway. This was agreed to by one of your team members, but it now shows differently on the plan we have been sent. We have also had discussions with London Firebrigade who have said that if a car was to park across these driveways and yellow lines are on the opposite curb (which they would be once the CPZ is implemented) then they have ample room to reach the houses 22 to 28. Therefore double yellow lines are not needed across the driveways to numbers 28 and 29. The whole purpose of the lines here was to ensure access to emergency vehicles, therefore with this in mind we do not need the double yellow outside 28 and 29.

Furthermore we understand that during the controlled parking hours this won't be used as a space, however outside these hours, us residents would like access to this. To maintain the double yellow lines would also have an adverse impact on any future sale of these houses, making them less desirable and putting residents in a vulnerable financial position.

We have walked around many other roads within the Colliers Wood parking zone, and have noticed that all driveways are marked with a single yellow line and a white line. Therefore to maintain consistency, and to ensure fairness, we ask for the same. We have also measured other closes in Merton, with smaller widths, and double yellow lines are not present.

With a new engineer to Merton working on this plan, I think it's best that they are made aware of other roads and their plans before implementing something completely different in our road. We urge you strongly to mark our driveways in the same fashion that all other driveways are marked in Colliers Wood.

2. House numbers 39 and 69 are not legal addresses on Christchurch Close- they have assumed these addresses for postal purposes and we want to ensure they are not included within the houses that are provided with permits.

3. The proposed CPZ hours during the week are fine, but I would be in favour of a 11am to 2pm zone on a Sunday.

Further to the below I wanted to make a correction. I stated houses number 28 and 29. Whereby I meant 29 and 30. Houses number 1 to 6 all have a single yellow as indicated on the plan yet houses 29 and 30 seem to be incorrectly marked on the plans and not what was agreed to by all parties involved. Further to this, we have had confirmation from other members of CPZ 's in the borough that their driveway is marked with a single yellow line and a white line. Again, us residents have drawn up the plans and put this in motion with your team. Each time it was agreed a single yellow would be placed, especially as emergency services have stated they are able to get through with this in place, which was one of the key reasons for asking for a CPZ. I can send correspondence relating to this if requested.

I just want to ensure that as we worked on this plan, including drawing up the bays, advocating for the CPZ etc, that what was agreed is put into place.

Officer's comments

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 yellow line restrictions depend entirely on the road width and other relevant factors that may present a constraint. As a rule a single yellow line is applied across crossovers but on this occasion due to the fact that the crossover to No 29 Christchurch Close is part of a crossover that provides vehicular access to the rear of the properties 25-32 Christchurch Close. This crossover is therefore a shared crossover and double yellow lines are always applied across shared drives.

Colwood Gardens

Representation 1

I have recently been posted a letter regarding the proposition of resident permits on Colwood Gardens. I do not agree to us having a different permit CW5 as we have limited amount of car park space on our road anyway. Therefore making our lives more harder go park as most people have driveways / disabled spaces and usually have 2 cars per house. The time frames Monday - Saturday 8:30am -9pm i do not agree with aswell. Please do let me know how this can be actioned.

Representation 2

I am writing to you in response to a recent letter that I have received regarding the proposed new CPZ zone in Colwood Gardens. I believe that being so close to colliers wood underground station and with the new block of flats about to be occupied at the end of the road, that we do need parking restrictions within the street, but strongly disagree with the proposed times of 8am – 9pm Monday to Saturday.

The reason for a CPZ zone is to allow the residents to be able to park close to their house, to stop commuters parking in the street and to deter local residents from using the road to store a 2nd car, the proposed times do stop non-residents using the street, but, I believe it to be restrictive for the residents. I can't see any credible reasons for such a late CPZ time of 9pm, such as a cinema or theatre. I also believe a later CPZ time than the surrounding streets would bounce the problem back to them, if after 6pm I have guests, is it not in their interest to park in the surrounding street's to avoid having to pay any parking fee's.

If the point of the CPZ is for the local residents, the hours should be set to discourage commuters from using the street as a car park, but not to restrict the use for the residents and their guests, or as a way for the council to raise revenue, what provisions are the council providing for any visitors that need to drive to the street within the proposed 8am to 9pm times.

Officer's comments

During the informal consultation, the residents were given a number of options on the days and hours of operation. The proposed days and hours of operation is based on the majority feedback received during the informal consultation. CW4 and CW5 are two separate zones because the majority of residents from each road opted for different hours and days of operation.

Ward Councillor comments

3.9 The Ward Councillors have been engaged during the consultation process and they have not raised any objections or concerns regarding the recommendations in this report.

4.0 RECOMMENDATION

- 4.1 Based on the outcome of the statutory consultation, it is recommended that the Cabinet Member agrees to proceed with the making of the TMO and the implementation of the
- (i) new CW4 CPZ to include Christchurch Close operational Monday to Friday 8.30am – 6.30pm and Saturday to Sunday 11am – 3pm as shown in Drawing No. Z78-342-03 attached in Appendix B
 - (ii) new CPZ CW5 to include Colwood Gardens, operational Monday to Saturday 8.30am – 9pm (CW5) as shown in Drawing No. Z78-342-03 attached in Appendix B
 - (iii) make an Exemption Order to allow footway parking in Christchurch Close to maximise the number of parking spaces.
- 4.2 The CPZ 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.
- Permit issue criteria
- 4.3 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.
- 4.4 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. The levy will be applied to these new zones. Those residents with an all-electric vehicle will only have to pay a reduced rate of £25 instead of £65.
- Visitors' permits
- 4.5 All-day Visitor permits are £2.50 and half-day permits at £1.50.
- 4.6 In Christchurch Close, proposed as operational Monday to Friday 8.30am – 6.30pm half-day permits can be used between 8.30am - 2pm or 12 noon – 6.30pm; and on Saturday and Sunday 11am – 3pm half-day permits can be used during this period. 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.
- 4.7 In Colwood Gardens, proposed as operational Monday to Saturday 8.30am – 9pm, half-day permits can be used between 8.30am - 3pm or 2.00pm – 9.00pm. Due to the extended hours of operation, the allowance of visitor permits per adult in a household is currently unlimited.

5. TIMETABLE

- 5.1 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.

5.2 Letters will be distributed to all consultees advising of the results of the statutory consultation and time frame for implementation.

6. ALTERNATIVE OPTIONS

6.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed before and during this consultation, as well as the Council's duty to ensure access is maintained at all times.

7. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

7.1 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.

7.2 The Environment and Regeneration revenue budget for 2017/18 currently contains a provisional budget for Parking Management schemes. The cost of this proposal can be met from this budget.

8. 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.

8.2 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.

8.3 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.

8.4 The Exemption Order for the footway parking will be made under section 15 of the Greater London Council (General Powers) Act 1974.

9. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

9.1 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.

9.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.

- 9.3 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.
- 9.4 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.

10. CRIME AND DISORDER

IMPLICATIONS 10.1 N/A

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 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 and the local business community. It will also do nothing to address the obstructive parking that has been identified.
- 11.2 The risk in not addressing the issues from the 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.

12. ENVIRONMENTAL IMPLICATIONS

- 12.1 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.
- 12.2 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.
- 12.3 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 A – Statutory consultation newsletter

Appendix B - Plan of proposed CPZs

ENVIRONMENT AND REGENERATION DEPARTMENT

Chris Lee - Director



**Future Merton
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

Direct Line: 020 8545 3837

My Ref : CPZ/CW4
Please Ask For: Caroline Stanyon
Your Ref:

Date: 30 August 2017

Dear Resident

CHRISTCHURCH CLOSE, COLLIERS WOOD
STATUTORY CONTROLLED PARKING ZONE (CPZ) CONSULTATION (CW4)

The purpose of this letter is to advise you of the outcome of the informal consultation carried out between 27 March and 24 April 2017 on the proposal to introduce a Controlled Parking Zone (CPZ) in your road.

Informal Consultation Results

A total of 33 questionnaires were returned from residents of Christchurch Close representing a response rate of 46%. Of the 33 responses, 31 (94%) supported the introduction of a CPZ and also indicated that they would prefer to be part of a new 'stand alone' CPZ rather than an extension to the existing CW CPZ.

In response to preferred days and hours of operation, the majority of residents indicated they would like parking controls to operate Monday to Saturday 8.30am – 6.30pm and on a Sunday. However, further analysis of the submitted comments, revealed an overwhelming preference for a Monday to Friday 8.30am – 6.30pm and 11am – 3pm Saturday and Sunday CPZ.

The results of the consultation along with officer's recommendations were presented in a report to the Cabinet Member for Regeneration, Environment and Housing at the end of May. The report and decision sheet can be viewed on our website.

After careful consideration of the consultation results and officer recommendations, the Cabinet Member has agreed to proceed with a statutory consultation to introduce a new CPZ, operational Monday to Friday 8.30am – 6.30pm and between 11am - 3pm Saturday and Sunday, in Christchurch Close, as shown on the attached plan.

In addition, to maximise the number of parking spaces an Exemption Order will also be made to allow footway parking in Christchurch Close on the southern side of the road opposite Wimbourne Court.

For your information residents of neighbouring Colwood Gardens who were consulted at the same time as yourselves are also in favour of the introduction of a CPZ in their road, although they favour slightly different hours. As a result, a separate statutory consultation will take place on the introduction of a new CPZ operational Monday to Saturday 8.30am – 9pm in Colwood Gardens.

What happens next?

A Notice of the Council's intention to introduce a CPZ in Christchurch Close as shown on the attached plan will be published in a local newspaper (The Guardian) and London Gazette on Thursday 31 August 2017. Street notices will also be erected.

Representations against the proposal described in the Notice must be in writing by either emailing trafficandhighways@merton.gov.uk or to **futureMerton, Environment & Regeneration Department, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX.**

All comments must be received no later than **Friday 22 September 2017** quoting reference **ES/CW4ChristchurchClose**

Objections must relate only to the elements of the proposal that are subject to this statutory consultation. 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. Representations in support are also welcome.

Copies of the proposed Traffic Management Order (TMO), a plan identifying the area affected by the proposal 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 Colliers Wood Library and can be viewed on our website http://www2.merton.gov.uk/transport-streets/parking/cpz/cpz_consultations-2/cpz_current_consultations/cpzcw.htm

All representations along with Officers' comments and recommendations will be presented in the 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. Once a decision is made by the Cabinet Member you will be informed accordingly.

Yours sincerely,

A C Stanyon

Caroline Stanyon
Parking Engineer |futureMerton|
Environment and Regeneration |London Borough of Merton|
Email: caroline.stanyon@merton.gov.uk

