

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

1. Title of report

Proposed LS CPZ Seaton Road - informal consultation

2. Reason for exemption (if any)

3. Decision maker

Councillor Stephen Alambritis, Cabinet Member for Transport

4. Date of Decision

5. Date report made available to decision maker

06 August 2022

6. Decision

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

- A) Notes the results of the informal consultation carried out between 1st and 23rd July 2022 on the proposals to introduce Controlled Parking Zone (CPZ) M4 to include Seaton Road.
- B) Agrees to proceed with a statutory consultation to introduce the proposed LS CPZ to include Seaton Road operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-370-01 and attached in Appendix 1.
- C) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone as shown in Drawing No. Z78-370-01 attached in Appendix 1.
- D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Alternative options considered and why rejected

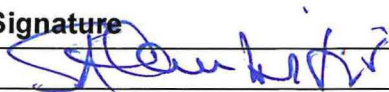
- 7.1 Do nothing. This would not address the current parking needs of the residents and would be contrary to the level of support expressed during the informal consultation. Also it would not address the Council's duty to provide a safe environment for all road users.
- 7.2 Not to introduce the proposed double yellow lines. In the event of an incident, however, this would put the residents and other road users at risk in terms of safety and the Council could be considered as failing in its duties by not giving safety and access priority.

8. Declarations of Interest

None

9. Signature

Signature



Date

15/8/22

Committee: Cabinet Member Report

Date: 05 August 2022

Agenda item: N/A

Wards: Lavender

Subject: Proposed LS CPZ – Seaton Road – Informal consultation.

Lead officer: Adrian Ash, Director of Environment & Regeneration.

Lead member: Councillor Stephen Alambritis, Cabinet Member for Transport

Forward Plan reference number: N/A

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

Recommendations:

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

- A) Notes the results of the informal consultation carried out between 1st and 23rd July 2022 on the proposals to introduce Controlled Parking Zone (CPZ) M4 to include Seaton Road.
- B) Agrees to proceed with a statutory consultation to introduce the proposed LS CPZ to include Seaton Road operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-370-01 and attached in Appendix 1.
- C) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone as shown in Drawing No. Z78-370-01 attached in Appendix 1.
- D) 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 informal consultation carried on the Council's proposals to introduce a CPZ (LS) to include Seaton Road only.

1.2 It seeks approval to progress the above recommendations.

2. DETAILS

2.1 The key objectives of parking management include:

- Tackling congestion by reducing the level and impact of traffic in town centers and residential areas.

- Making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures.
 - Managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy.
 - Improving the attractiveness and amenity of the borough's streets, particularly in town centers and residential areas.
 - Encourage the use of more sustainable modes of transport.
- 2.2 Controlled parking zones aim to provide safe parking arrangements, whilst giving residents and businesses priority access to available kerbside parking space. It is a way of controlling the parking whilst improving and maintaining access and safety for all road users. A CPZ comprises of yellow line waiting restrictions and various types of parking bays operational during the controlled times. These types of bays include the following:
- Permit holder bays: - For use by resident permit holders, business permit holders and those with visitor permits.
- 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 will remain unchanged.
- 2.4 The CPZ design comprises of permit holder bays to be used by residents, their visitors or business permit holders. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.
- 2.5 Within any proposed CPZ or review, the Council aims to reach a balance between the needs of the residents, businesses, visitors and all other users of the highway. It is normal practice to introduce appropriate measures if and when there is a sufficient majority of support or there is an overriding need to ensure access and safety. In addition, the Council would also take into account the impact of introducing the proposed changes in assessing the extent of those controls and whether or not they should be implemented.
- 2.6 In April 2021 some residents of Seaton Road petitioned the Council requesting the introduction of a Controlled Parking Zone (CPZ) in their road. This instigated the start of the consultation process.

3. INFORMAL CONSULTATION

- 3.1 The informal consultation on the proposal to introduce a Controlled Parking Zone (CPZ) LS to include Seaton Road commenced on the 1st July and concluded on 23rd July 2022. 36 premises were consulted via documents containing a newsletter explaining the proposals and an associated plan showing the proposed parking layout. A hard copy of the questionnaire was distributed to residents to fill in and return to the Council in a prepaid self-address envelope. A copy of the consultation document and questionnaire are attached as Appendix 2. The consultation document was posted to all households and businesses within the catchment area.
- 3.2 Notification of the proposals along with the web link to the questionnaire was also available on the Council's website showing the parking controls within the zone including the following:
- 'At any time' double yellow lines at key locations
 - Single yellow lines (mainly between parking bays and across dropped kerbs);
 - Permit holder bays for use by residents, businesses and their visitors.
- 3.3 The consultation resulted in 15 responses. After removing duplicate/multiple returns, the overall response rate is 41.6%. See table 1 below.

Table 1

Road Name	No. of Properties	No. of Responses	Response rate %
Seaton Road	36	15	41.6%

- 3.4 As shown in table 2 below, of the 15 who responded, 66.67% support a CPZ, compared to 26.67% who do not and 6.66% who are unsure.

Table 2 – summary of results to question: Do you support a CPZ?

ROAD	DO YOU SUPPORT A CPZ					
	YES	NO	UNSURE/ NO REPLY	% YES	% NO	UNSURE %
Cedars Road	10	4	1	66.67	26.67	6.66

3.5 Residents were also asked which days of operation they would prefer should the CPZ be introduced in their road. As shown in table 3 below, of the 15 who responded, 27% prefer Mon - Friday, 13% prefer Monday – Saturday, 40% prefer Monday – Sunday and 20 unsure or did not respond.

Table 3 – summary of results to question: Preferred days of operation

ROAD	PREFERRED HOURS OF OPERATION							Unsure or no response%
	MON-FRI	MON-SA	Mon-Sun	Unsure or No response	MON – FRI %	MON – SAT %	Mon – Sun %	
Seaton Road	4	2	6	3	27	13	40	20

3.6 Residents were also asked which hours of operation they would prefer should the CPZ be introduced in their road. As shown in table 4 below of the 15 who responded 60% of respondents prefer 8.30am to 6.30pm, while 6.67% prefer 10am to 4pm, 6.67% prefer 11am to 3pm and 26.67 unsure or did not respond.

Table 4 – summary of results to question: Preferred hours of operation

ROAD	PREFERRED HOURS OF OPERATION							
	8.30a m-6.30p	10am-4pm	11am-3pm	Unsure or no response	% 8.30am-6.30pm	% 10am-4pm	% 11am - 3pm	Unsure or No reply
Seaton Road	9	1	1	4	60	6.67	6.67	26.67%

3.7 Ward Councillor Comments

The local Ward Councillors have been fully engaged during the consultation process. The Ward Members have been advised of the outcome of the consultation and officer’s recommendations.

PROPOSED MEASURES

- 4.1 Based on the results of the informal consultation, it is recommended that a statutory consultation is carried out to introduce LS CPZ to include Seaton Road operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-370-01 in Appendix 1.
- 4.2 It is recommended that a statutory consultation is carried out to introduce the relevant Traffic Management Orders (TMOs) and the implementation of the ‘At any time’ waiting restrictions in the Seaton Road as shown in Drawing No. Z78-370-01 and attached in Appendix 1.
- 4.3 Permit issue criteria
It is proposed that the residents’ permit parking provision should be identical to that offered in other controlled parking zones in Merton at the time of consultation. The cost of the first permit

in each household is £90 per annum; the second permit is £140 and the third permit cost is £190 subsequent car in a household plus an additional charge of £150 for a diesel vehicle. An annual Visitor permit cost is £340. Those residents with all-electric vehicles will only have to pay a reduced rate of £20.

4.4 Visitors' permits

All-day Visitor permits are £3 and half-day permits at £2. Half-day permits can be used between 8.30am & 2pm or 12pm & 6.30pm. 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.

4.5 Trades permits

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

5. **ALTERNATIVE OPTIONS**

- 5.1 Do nothing. This would not address the current parking needs of the residents and would be contrary to the level of support expressed during the informal consultation. Also it would not address the Council's duty to provide a safe environment for all road users.
- 5.2 Not to introduce the proposed double yellow lines. In the event of an incident, however, this would put the residents and other road users at risk in terms of safety and the Council could be considered as failing in its duties by not giving safety and access priority.

6. **TIMETABLE**

- 6.1 If a decision is made to proceed, the statutory consultation will be carried out in October 2022. This will include the erection of the Notices on lamp columns in the area, the publication of the Notice in the Local Wimbledon and Wandsworth Times and the London Gazette. The documents will be made available at the Link, Civic Centre and published on the Council's website. A newsletter will be distributed to all the premises within the consulted area informing them of the decision and the statutory consultation. All representations will be reported back to the Cabinet Member for a final decision.

7 **FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 7.1 The cost of implementing the proposed measures is estimated at £10k. This includes consultations, the publication of the Made Traffic Management Orders, the road markings and the signs.
- 7.2 The Environment and Regeneration revenue budget for 2022/23 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.

9. HUMAN RIGHTS & EQUALITIES & 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 without prejudice toward charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.
- 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 DISORDE IMPLICATIONS

- 10.1 N/A

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The risk of not progressing the proposed measures to the statutory consultation stage will be against the wishes of the majority of the residents who have responded favorably to the informal consultation. Also, it will do nothing to address existing parking and access difficulties.
- 11.2 The proposed measures may cause some dissatisfaction from those who have requested status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing. The statutory consultation will provide a further opportunity for residents to air their views.

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. 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.



PROPOSED INTRODUCTION OF LS CONTROLLED PARKING ZONE – SEATON ROAD

THE MERTON (PARKING PLACES) (LS) ORDER 202*

THE MERTON (WAITING AND LOADING RESTRICTION) (LS) ORDER 202*

THE MERTON (WAITING AND LOADING RESTRICTION) (AMENDMENT NO. *) ORDER 202*







STATEMENT OF REASONS

The policy of the Council is to improve the environment by regulating the number of parked vehicles and increase safety for both motorists and pedestrians. The key objective of the controlled parking scheme in Seaton Road is to reduce and control non-essential parking, to prioritise parking for Seaton Road residents and to improve safety for all road users. This is in line with the Mayor's Transport strategy, which aims to tackle congestion and reduce traffic and specifically supports Controlled Parking restrictions.

A controlled parking zone aims to provide safe parking arrangements whilst giving priority access to parking space to residents. It is a way of controlling the parking whilst improving and maintaining safety for all road users.

The measures also include waiting restrictions. The proposed measures will improve access, sightlines and safety for all road users particularly for pedestrians and other vulnerable road users.



- KEY**
- PROPOSED**
-  PERMIT HOLDER BAY
 -  SINGLE YELLOW LINE
 -  DOUBLE YELLOW LINE
 -  CPZ BOUNDARY
- EXISTING**
-  DISABLED BAY
 -  LAMP COLUMN

Notes
Do not scale from this drawing

Rev.	Revisions	Drawn	Sig.	Date	Chkd.	Sig.	Date	App.	Sig.	Date



FUTURE MERTON

Drawn by	Sig.	Date
Checked by	Sig.	Date
Approved by	Sig.	Date

PROJECT	CONTROLLED PARKING ZONES (CPZ)
TITLE	LS CPZ ZONE SEATON ROAD



Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No.	Z78-370-01
Revision	-
Classification	DRAFT
Scale	1:500

Proposed Controlled Parking Zone - CPZ

LS – Seaton Road



Dear Resident / Business

The purpose of this leaflet is to seek your views on proposals to introduce a Controlled Parking Zone (CPZ) in adopted section of Seaton Road. This proposal is in response to a petition received from some residents who are experiencing parking difficulties in their road. To address residents' parking and access concerns, the Council is undertaking an informal consultation to seek your views on proposals to control parking in your road (see enclosed plan for the proposals).

This is currently being proposed as a new zone thereby allowing residents to choose the days and hours of operation. Options for hours and days of operation are set out below.

HOW WILL IT WORK?

All road space in a CPZ must be managed by some form of restrictions. Parking is only permitted where safety, access and sight lines are not compromised. It is, therefore, normal practice to introduce double yellow lines at key locations such as at junctions, bends, turning heads, along narrow roads and at specific locations along lengths of roads where parking would impede passing of vehicles. It is also necessary to provide yellow lines (effective during the CPZ hours of operation or "At Any time") where the kerb is lowered, i.e. at crossovers for driveways. As part of this scheme, all illegal and obstructive on the public highway will be addressed regardless of the outcome of the CPZ consultation.

PROPOSAL

The proposals include a number of provisions which are detailed below.

Operational Hours - The options for operational hours are explained below:

All Day Controls (8.30am - 6.30pm) - This will provide maximum protection to the residents by removing short and long-term parking. It will, however, be less flexible for residents and their visitors who will need to obtain a visitor's permit from the resident they are visiting in order to park in the permit holder bays.

Part Time Controls (10am - 4pm) - These operating times offer less restrictions on residents and their visitors than 'all day' controls. It is still effective in preventing long-term parking. However, it may encourage other short term commuter parking outside the restricted time by those who may also work their way around the 6 hours by moving their vehicles and then returning to park for the rest of the day. Residents returning from work later in the afternoon may find less available parking in their street due to this.

4 hours controls (11am - 3pm) - These operating times offer less restrictions for residents and their visitors. It is still effective in preventing commuters and other long stay parking. However, it may encourage short-term parking outside the operating times by non-residents, consequently, residents returning later in the afternoon may find less available parking. Motorists unable to park in nearby roads without controls may also take advantage of the available parking outside the controlled times.

The proposed operational days include:

Monday to Friday - This will offer more flexibility to residents and visitors at weekends. However, it allows non-residents to park on Saturdays and Sundays, therefore reducing available parking.

Monday to Saturday - Provides more protection to the residents. However, it will be more restrictive on visitors who would require a visitor's permit to park during the controlled times.

Monday to Sunday - Provides maximum protection to the residents. However, it will be most restrictive on visitors who would require a visitor's permit to park during the controlled times.

It is important to note that the proposed double yellow lines in the road are essential to ensure safety and access for all road users. Regardless of the outcome of the proposed CPZ consultation officers will strongly recommend to the Cabinet Member that the proposed double yellow lines are introduced. This will ensure clear access for all road users including pedestrians.

To fully note the extent and nature of the proposed yellow lines, please view the plan on the website.

LET US KNOW YOUR VIEWS

The decision on whether or not to proceed with the next step, which would involve a statutory consultation on the proposals, will be subject to the responses received during this informal consultation. Please complete and return the enclosed prepaid questionnaire (no stamp required), with any further comments /suggestions you may have by **23 July 2022**.

We regret that due to the number of responses received during an informal consultation, it will not be possible to reply individually to each respondent. We welcome your comments on this proposal, which will be noted and included within the proposed measures where appropriate.

WHAT HAPPENS NEXT

The results of the consultation along with officers' recommendations will be presented in a report to the Cabinet Member for Transport. Once a decision is made you will be informed accordingly.

Costs of Permits

Permit tariffs vary depending on several factors including period of operation. This means that the permit price for your zone (should it go ahead) would depend on the days and hours of operation and can only be confirmed after the outcome of the informal consultation is realised and on commencement of a statutory consultation.

Further information on how CPZs work & details of permits including examples that can be used as a reference point can be found in our Frequently Asked Questions (FAQ's) at www.merton.gov.uk/cpzls

LAVANDER WARD COUNCILLORS (contact details of Ward Councillors are provided for information purposes only)

Cllr Billy Christie Email: billy.christie@merton.gov.uk
Cllr Edith Macauley Email: edith.macauley@merton.gov.uk
Cllr Slawek Szczepanski Email: slawek.szczepanski@merton.gov.uk

Cabinet Member for Transport

Cllr Stephen Alambritis stephen.alambritis@merton.gov.uk

Public Consultation Proposed Controlled Parking Zone LS - Seaton Road

We would like to know your views.

Please tick the appropriate boxes and return this card by **23 July 2022**

Please only use this reply card if you cannot respond on-line at www.merton.gov.uk/cpzvsw_chester

Please write in BLOCK capitals

Name: Signature:

Road: Property No./Name:

Email: Post Code:

Please tick if you would like the above information to be confidential.

1. Are you a resident or business? Resident Business Other - Specify
2. How many vehicles do you have in your household/business?
3. Do you support a proposed CPZ in your road? Yes No Undecided
4. If a CPZ is introduced which days would you like the controls to operate? Mon - Fri Mon - Sat Mon - Sun
5. Which hours of operation would you prefer? 8.30am - 6.30pm
 10am - 4pm
 11am - 3pm

Do you have any additional comments regarding the proposals? (Please write in BLOCK capitals)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Please Note: In view of the large number of responses received during a public consultation it will not be possible to reply individually to each respondent.

Merton Council - call-in request form

1. Decision to be called in: (required)

--

2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy and Electoral Services, 1st floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy and Electoral Services on

020 8545 3409