

**Committee: Cabinet Member report**

**Date:** 05 December 2022

**Wards:** Lavender

**Subject:** Proposed LS CPZ Seaton Road – Statutory Consultation

**Lead officer:** Adrian Ash, Interim Director of Environment & Regeneration

**Lead member:** Councillor Stephen Alambritis, Cabinet Member for Transport.

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

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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 6 October and 4 November 2022 on the proposal to introduce a Controlled Parking Zone (CPZ) in Seaton Road (in Lavender Ward) to operate Monday to Sunday between 8.30am and 6.30pm.
  - B) Notes the representations received in respect of the proposal as detailed in section 3.2 and officers' response in section 3.3 of this report.
  - C) Agrees to proceed with making of the Traffic Management Orders (TMOs) and the implementation of the proposed LS CPZ to include Seaton Road operational Monday to Sunday between 8.30pm and 6.30pm as shown in Drawing No. Z78-370-01 and attached in Appendix 1.
  - D) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) for the implementation of the proposed 'At any time' waiting restrictions as shown in Drawing No. Z78-370-01 and attached in Appendix 1.
  - E) 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 Seaton Road operational Monday to Sunday between 8.30am and 6.30pm; and the implementation of yellow line restrictions.
- 1.2 It seeks approval to make the relevant TMOs and implement the proposed LS CPZ and associated double yellow line restrictions.

**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.

- 2.3 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 the appropriate measures if and when there is sufficient majority of support or there is an overriding need to ensure access and safety. Additionally, 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 of yellow line restrictions and 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.
- 2.6 In April 2021 some residents of Seaton Road petitioned the Council requesting the introduction of a Controlled Parking Zone (CPZ). This instigated the start of the consultation process.

### **3 CONSULTATIONS**

#### **3.1 INFORMAL CONSULTATION**

- 3.1.1 The informal consultation on the proposal to introduce a Controlled Parking Zone (CPZ) LS to include Seaton Road commenced on the 1<sup>st</sup> July and concluded on 23<sup>rd</sup> 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 complete 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.

The proposals included:

- 'At any time' waiting restrictions (double yellow lines) at key locations such as at junctions and narrow sections of roads.
  - Single yellow lines (mainly between parking bays and across dropped kerbs) operational during the CPZ hours of operation.
  - Permit holder bays for use by residents and their visitors.
- 3.1.2 The consultation resulted in 15 responses, representing a 41.6% response rate. Of the 15 who responded, 66.67% (10) support a CPZ, compared to 26.67% (4) who do not and 6.66% (1) who is unsure.

3.1.3 Further analysis of the results revealed that of the 15 who responded, 40% (6) prefer Monday – Sunday; 27% (4) prefer Mon - Friday, 20% (3) are unsure or did not respond and 13% (2) prefer Monday – Saturday. Results also showed that of the 15 who responded, 60% (9) of respondents prefer 8.30am to 6.30pm, while 6.67% (1) prefer 10am to 4pm, 6.67% (1) prefer 11am to 3pm and 26.67% (4) unsure or did not respond.

3.1.4 The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Transport on the 6 August 2022. On 8 August 2022, the Cabinet Member agreed the recommendation for the scheme to proceed to statutory consultation.

### 3.2. STATUTORY CONSULTATION

3.2.1 The statutory consultation on the Council's intention to introduce LS CPZ to include Seaton Road was carried out on 6 October and concluded on 4 November 2022. 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 paper and the London Gazette. Consultation documents were available at the Link, Merton Civic Centre and on the Council's website. A newsletter with a plan, (see Appendix 2), was also distributed to all those properties included within the consultation area.

3.2.2 The newsletter detailed the following information:

- Seaton Road to be included within the proposed LS CPZ operating Monday to Sunday between 8.30am and 6.30pm.
- Outcome of the informal consultation and the Cabinet Member decision.
- The undertaking of the statutory consultation process.
- A plan detailing the proposed double yellow lines operating "at any time" without loading restrictions and the scheme design layout and zone boundary.

3.2.3 The statutory consultation resulted in 1 comment against the Council's parking tariff. The representation is set out below:

I am a resident on Seaton Road with my wife and daughter. I supported the action to introduce permit parking on our road without being told all the facts by Merton Council.

Both my wife and I rely on our cars for work therefore this proposed permit costs you are proposing will not allow us to afford to park our cars on our road, causing further parking problems within the area. We live in Mitcham not Chelsea!!!!

I have spoken to a neighbor on another local road, and they pay £80 per annum per vehicle and with no extra over cost for diesel vehicles as going to be imposed on Seaton Road. To make matters worse I used all my saving last year to buy a secondhand diesel car that was ULEZ compliant.

With you currently proposed parking tariffs, will be required to pay £90 (car 1) + £140 (car 2) + £150 (diesel surcharge) totaling £380 per year, which is ridiculous for the lower income suburb of Mitcham. I have spoken to other residents on Seaton Road, and they like me are shocked by these costs and can neither afford to pay. The way this is going is Seaton Road is going to be a ghost town due to the greed of Merton Council.

I request this is reviewed and my email fully responded to.

### 3.3 Officers comment

#### Costs of Permits

Within the informal consultation document it was explained that permit tariffs vary depending on several factors including period of operation. This means that the permit price for any zone 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.

During informal consultation the majority of those who responded voted for Monday – Sunday between 8.30am and 6.30pm. The tariff for the proposed zone is based on this principle i.e. operating days and hours. A link to the CPZs tariff list in the Borough was provided, where residents could view all zones permit charges. The closest zones to LS CPZ are MT, MTC, MTC1 and MTC2 CPZs which are priced as per days and hours of operation. The only zone that has comparable days and hours of operation to the proposed zone is MTC (no Sunday but more hours) and it is priced accordingly.

<https://www.merton.gov.uk/streets-parking-transport/parking/new-charges-2020/parking-permits>

With regards to the diesel levy, this is a levy that is applied to all diesel vehicle regardless of the zone.

In terms of reviewing the permit tariff, this is a Council policy issue and any review would require political approval and would be a lengthy process. It would not be carried out based on this particular single road.

#### Ward Councillor comments

- 3.4 The Ward Councillors have been engaged during the consultation process. The Ward Members have been advised of the outcome of the consultation and officer's recommendations.

### 6.0 RECOMMENDATIONS

- 6.1 It is recommended that the Traffic Management Orders (TMOs) be made to implement the proposed LS CPZ to include Seaton Road operating Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-370-01 and attached in Appendix 1.

- 6.1.1 To make the relevant Traffic Management Orders (TMOs) and implement the proposed 'At any time' waiting restrictions in Seaton Road even if the CPZ does not go ahead.

- 6.1.2 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 therefore, access for all road users take priority over parking. It is therefore essential that the yellow lines are introduced as proposed even if the CPZ does not go ahead.

#### Permit issue criteria

- 6.2 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 levy 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.

#### Visitors' permits

- 6.3 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.

#### Trades permits

- 6.4 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.

## **7 Alternative options**

- 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 and statutory consultations. 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.

## **8.0 TIMETABLE**

- 8.1 If a decision is made to proceed with the implementation of the proposed LS CPZ Traffic Management Orders will be made six weeks after the decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the local paper and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. A newsletter will be distributed to all the premises within the consulted area informing them of the decision. The measures will be introduced soon after.

## **9 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 9.1 The cost of implementing the proposed measures is estimated at £15k. 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.

## **10 LEGAL AND STATUTORY IMPLICATIONS**

- 10.1 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.
- 10.2 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.
- 10.3 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.
- 10.4 The Exemption Order for the footway parking will be made under section 15 of the Greater London Council (General Powers) Act 1974.

## **11 RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 11.1 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.
- 11.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.
- 11.3 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.

- 11.4 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.

## **12. CRIME AND DISORDER IMPLICATIONS**

N/A

## **13. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 13.1 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.
- 13.2 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 amongst 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.

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

- 14.1 The following documents are to be published with this report and form part of the report.
- a) Appendix 1 – Drawing No.Z78-370-01
  - b) Appendix 2 – Statutory Consultation Documents

## **15. BACKGROUND PAPERS**

- 15.1 Informal consultation report LS CPZ. Cabinet Member for Transport report dated 5 August 2022



**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

**Sustainable Communities**  
environment & regeneration

FUTURE MERTON

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<b>PROJECT</b> CONTROLLED PARKING ZONES (CPZ)	<b>TITLE</b> LS CPZ ZONE SEATON ROAD
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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 CPZ – Seaton Road

Issued date: 3 October 2022



The purpose of this leaflet is to let you know of the outcome of the informal consultation carried out between 1<sup>st</sup> July and 23<sup>rd</sup> July 2022 on the proposals to introduce a Controlled Parking Zone (CPZ) LS to include Seaton Road (Public highway section only).

### LS CPZ CONSULTATION RESULTS

The consultation resulted in 15 responses, representing a 41.6% response rate. Of the 15 who responded, 66.67% (10) support a CPZ, compared to 26.67% (4) who do not and 6.66% (1) who is unsure.

Residents were also asked which days of operation they would prefer should the CPZ be introduced. Of the 15 who responded, 40% (6) prefer Monday – Sunday; 27% (4) prefer Mon - Friday, 20% (3) are unsure or did not respond and 13% (2) prefer Monday – Saturday.

Residents were also asked which hours of operation they would prefer should the CPZ be introduced. Of the 15 who responded, 60% (9) of respondents prefer 8.30am to 6.30pm, while 6.67% (1) prefer 10am to 4pm, 6.67% (1) prefer 11am to 3pm and 26.67% (4) unsure or did not respond.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Transport on the 6 August 2022. The report and the decision sheet can be viewed on our website. [www.merton.gov.uk/cpzls](http://www.merton.gov.uk/cpzls)

The following recommendations which were made to the Cabinet Member have now been agreed:

- 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.
- 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.

### WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (Wimbledon and Wandsworth Times) and the London Gazette and posted on lamp columns in the vicinity. Representations against the proposals described in this Notice must be made in writing or email [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) by no later than **4<sup>th</sup> November 2022** quoting reference **ES/LS**. 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. This information is also available on Merton Council's website [www.merton.gov.uk/cpzls](http://www.merton.gov.uk/cpzls)

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



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

The cost of the first permit in each household will be £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 pay £20 for a permit.

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.

Further information on how CPZs work, can be found in our Frequently Asked Questions (FAQ's) at [www.merton.gov.uk/cpzls](http://www.merton.gov.uk/cpzls)

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

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