

Committee: Cabinet Member Report

Date: 15th December 2023

Agenda item: N/A

Wards: Lower Morden

Subject: Proposed waiting restrictions borough wide (2023Batch 1B) statutory consultation

Lead officer: Dan Jones, Executive Director Environment, Civic Pride and Climate department.

Lead member: Councillor Stephen Alambritis, Cabinet Member for Transport

Forward Plan reference number: N/A

Contact Officer: Paul Atie paul.atie@merton.gov.uk

Recommendations:

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

- 1) Notes the result of the statutory consultation carried out between 12 October and 3 November 2023 on the proposals to introduce 'at any time' waiting and loading restrictions at various Communal entrances in Lynmouth Avenue.
- 2) Notes and considers the representations received in respect of the proposals as detailed in Appendix 2.
- 3) Agrees to reduce the extent of the proposed waiting restriction to 1m on either side of the communal accesses. Amended plans are within appendix 3.
- 4) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the waiting and loading 'at any time' at various Communal Entrances in Lynmouth Avenue as shown in Drawing No. Z27-695-08 (see Appendix 1).
- 5) 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 details the outcome of the statutory consultation on the Councils' proposals to introduce 'at any time' waiting restrictions at various Communal entrances in Lynmouth Avenue.
- 1.2 It sets out the proposed reduction of the proposed restrictions and seeks approval to progress with the above recommendations.

2.0 DETAILS

- 2.1 As part of the Borough's parking management and statutory duties, the Council responds to complaints regarding obstructive parking. Once a complaint is received, a site assessment is carried out. When considering yellow line restrictions, the deciding factors include the width of the carriageway, access / egress difficulties including manoeuvrability of a vehicle at access roads and crossovers and sightlines. If it is determined that with a vehicle parked within a certain location would cause an obstruction, then the necessary restrictions are applied.
- 2.2 The Council received complaints / concerns from residents regarding obstructive parking and safety at the communal entrances along Lynmouth Avenue due to vehicles parking partially

across the communal entrances obstructing access and sightlines. The proposed restrictions will address all these obstruction and safety concerns.

3. CONSULTATION

- 3.1 The statutory consultation on the Council's proposal to introduce waiting and loading restrictions in Lynmouth Avenue was carried out between 12 October and 3 November 2023. The consultation included the erection of street Notices on lamp columns within the vicinity of the proposals and the publication of the Council's intentions in Wimbledon and Wandsworth Times and the London Gazette. The information was also available on the Council's website and at the Civic Centre. A newsletter (appendix 1) was also delivered to all properties along Lynmouth Avenue.
- 3.2 The statutory consultation resulted in 31 representations from Lynmouth Avenue. There were 7 comments; 12 objections and of the 31 representations, 12 suggested that they would not object if the length of the restrictions were to be reduced to within the boundary of the communal entrances. All representations are detailed in appendix 2.
- 3.2.1 A petition signed by 111 households was also submitted against the waiting restrictions. Petition is attached in appendix 4.

Petition

- 3.3 It would be noted that within a statutory consultation the method of making a representation is very clear in that individuals must write directly to the Council setting out their reasons for objecting. This ensures undue influence compared to feeling obligated to sign a petition on the doorstep and at times not being affected by the restrictions or not be fully aware of the background and reasons for the proposed measures. Although a petition received during a statutory consultation is reported, it does not override the consultation results; and the outcome of a statutory consultation is considered based on the reasons and validity of objections and not about numbers. In this case, the reason provided within the petition confirms that due to demand for parking, obstruction is invariably taking place which appears to be acceptable consequence by some residents.
- 3.4 Local Ward Members were informed of the proposed restrictions and the statutory consultation.
- 3.5 Waiting restrictions are applied to areas where safety and access concerns have been received. The Council makes every attempt to minimise the extent of any parking restriction and strike a balance of ensuring safety and maintaining unobstructed access for all road users whilst being mindful of the local resident's parking needs. Consequently, it is proposed to reduce the extent of the proposed waiting restrictions.

4.0 PROPOSALS

- 4.1 Following reports of obstructive parking, all the communal access points were assessed and proposals were drafted to address this issue. Plan of the original proposed restrictions are attached in appendix 1.

5.0 Officer's recommendations

- 5.1 The Council has a statutory responsibility to respond appropriately to concerns raised regarding obstructive parking, access concerns and to ensure safety and access are maintained for all road users at all times.

5.2 The objective of any parking management including the proposed restrictions is to ensure clear access is maintained on the public highway (carriageway and footway) more specifically along narrow roads / footways; at bends, junctions, turning heads etc.

5.3 Based on feedback received during the statutory consultation, it is recommended that the Cabinet Member approves the reduced restrictions are kept to within boundaries of the communal entrances plus 1m either side. This is normal practice when managing parking and will ensure there is sufficient space for entry and egress. It is, therefore, recommended that the proposed reduced waiting restrictions are implemented to ensure safety and access for all road users at all times. Please see amended plan attached in appendix 3.

5.4 Although it is acknowledged that loss of parking albeit obstructive parking across communal access points, may be unacceptable to some residents, it is not for the Council to facilitate the parking needs of residents and visitors and obstructive parking must be discouraged if not fully prevented. The Council's statutory duty is to ensure access and safety are maintained at all times. Once the Council is aware of obstructive parking, lack of mitigating action could put the Council at risk. The Council could be accused of not acting responsibly in discharging its statutory duties.

6 TIMETABLE

6.1 If agreed, the Traffic Management Orders could be made six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in Wimbledon & Wandsworth Times and the London Gazette. The documents will also be made available on the Council's website. The measures will be introduced soon after.

7. ALTERNATIVE OPTIONS

7.1 Do nothing. This would be contrary to the concerns expressed by those who need to use the communal access points and would not resolve the obstructive parking that is currently taking place.

8 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

8.1 To introduce the proposed restrictions will cost approximately £10k. This includes the making of The Traffic Management Orders. This will be funded from the budget identified for 2023/ 2024.

9 LEGAL AND STATUTORY IMPLICATIONS

9.1 The Traffic Management Orders would be made under Section 6 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 Cabinet Member in reaching a decision.

10 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

10.1 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 parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.

- 10.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 10.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.
- 10.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 10.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.


11 RISK MANAGEMENT IMPLICATIONS

- 11.1 The risk in not introducing the proposed restrictions would be compromised access and safety for those residents who need to use the access points. It would not address concerns expressed and could lead to loss of public confidence in the Council.
- 11.2 The risk of introducing the proposed restrictions could lead to possible extra pressure on the current parking demand in the surrounding roads at each location but this can be addressed by the residents who have the option of using their off-street parking including their rear access. However, the benefits of the proposals outweigh the possible increase in demand.

12 APPENDICES

- 12.1 The following documents are to be published with this report and form part of the report.
 - Appendix 1 – plans of original proposed restrictions.
 - Appendix 2 – Representations and Officer’s Comments
 - Appendix 3 – Plan of proposed reduced restrictions
 - Appendix 4 – Petition



Key
 Proposed double yellow lines

Notes
 Do not scale from this drawing

Rev.	Revisions	Drawn	Sp.	Date	Chkd.	Sp.	Date	App.	Sp.	Date



Sustainable Communities
 environment & regeneration

FUTURE MERTON

Drawn by	SC	Date	14.09.23
Checked by	SC	Date	14.09.23
Approved by		Date	

PROJECT
 Waiting Restrictions

TITLE
 Lynmouth Avenue

PROPOSED PARKING AND WAITING RESTRICTIONS



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

Drawing No.
 Z27-695-08

Revision

Classification
 CONSTRUCTION

Scale
 N.T.S

Representations and Officers' Comments	Appendix2
Comments	
<p>015 I have received a notification about double yellow lines in Lynmouth Avenue. I have looked at the reverse of the letter but I can't figure out what houses are to be affected. Please can you confirm the numbers. Also I don't really object but do wonder why addresses would have a double yellow over their drive, I have a car parked on my drive but it would mean visitors couldn't park across my drive. I would appreciate a reply to this email.</p>	
<p>030 Would you be kind enough to supply the house numbers where the double lines will be please as the diagram is not clear enough especially above 'sustainable communities wording 'as it shows no house numbers at all . Can I please ask will this also include double yellow lines where there are already black closed gates? I live at *** and there are always people who obstruct these emergency areas</p>	
<p>035 Your representations do not show where obstructive parking is occurring which is unhelpful for me to assess in person. Of 7 images, only 6 show house numbers. I accept that access ways need to be kept clear of course. However, I suggest you stop allowing driveways to be built if lack of space is causing obstructive parking. There is not enough parking on the street for the owners at present who do not have driveways or off-street parking (I am one of these residents), and turning a space into a driveway outside a house often means between 2 houses only 2 cars are parked when 3 could fit on the street. The worst time to park on our street is in the evening after 5pm on weekdays suggesting that resident car numbers vs spaces are the issue. I often would have to park in another road very far away and perhaps not in as sensible a spot as I would like simply to get home. We do not have enough spaces to restrict the numbers further. Yellow lines will further restrict parking on the street leading to more obstructive parking, simply in different locations. I would suggest that depending on how the obstructions have occurred you instead: Narrow the pavement by removing some of the grassy area and widen the road to fit the vehicles better. Continue your plans but ensure further parking is available to properties without parking access. Our property backs onto the pylon & park and a path could be cleared in our direction to create parking access behind this, but has only occurred in the other direction. This park is poorly maintained and could double as an overflow parking area with a few paid spaces, and create some revenue for the council to maintain the remainder of the park. Keep the actual yellow lines specifically to the accessways and not so far over the properties as to restrict actual parking spaces by what in my assessment appears to be around 25 spaces.</p>	
<p>014 The plans you have sent are not very clear, please can you send me a clearer copy.</p>	
<p>082 I am contacting you further to your letter which I have just received coming back from travelling. I live in Lynmouth Avenue and have been living there for many years. I found the parking in Lynmouth Avenue a real headache due to the lack of parking spaces. Introducing a system of yellow double lines will only worsen a problem which is already a real issue in that road. As owner of a property on Lynmouth Avenue, we should be able to park in our road and very often we have to drive around and park in different roads. I think there should be a system whereas one can only park if one lives in that street in order to regulate the parking. I think parking is a real issue on Lynmouth Avenue but imposing a system of double yellow lines will only accentuate extensively the existing problem we currently have. I would ask for this measure to be seriously revisited.</p>	
<p>085 I am writing to give my observations and feedback to the proposed changes detailed in reference ES/WR2023B1 associated with Lynmouth Avenue. I can provide my constructive opinion on the access road nearest my property and general feedback on the proposal for Lynmouth Avenue. Feedback on access road nearest my property next to ***/** Lynmouth Avenue. I have reviewed the proposal and honestly feel that the change disproportionately impacts the residents more with the removal of the two parking spaces compared to the usage of this access road which since it had a white line applied has had no issues to which this proposal is attempting to resolve.</p> <ol style="list-style-type: none"> 1. The access road had a white line applied years ago and positively gave enough clearance to and from the access road when it is randomly used. 2. The current white line is 7.88m wide which upon review is wider than the white lines at 339, 372, 349, 355 & 361 	

Lynmouth Avenue and numerous alleys on the opposite side of the road. These driveways are used multiple times a day compared to the access road I am referring to. This demonstrates that it leaves enough space and more space/clearance for vehicles than the address detailed.

3. This access road is used by no more than three properties.
4. It is used minimal times a day and can go days/weeks without use.

Taking the above into account I would like the cabinet to reconsider the proposal and just reapply the white line on this access road or apply yellow lines as a worse case to the same width of the already applied white line (7.88m).

General feedback

I would ask the cabinet to consider a staged approach to this proposal as some access points don't have any white lines applied which I assume could cause issues, however the application of a white line may be all it requires to get the desired results as per the introduction of the 341/343 one has had. I would recommend this approach to allow a period of review. Stage 1 would be to apply white lines across all access roads that do not currently have one or apply yellow lines to the same width as a white line. I would then propose a 3–6-month review by the cabinet and residents to access its direct and sometimes forgotten indirect impact of this change. Stage 2 would be following its review apply the proposed changes to the required access roads only which still have registered issues and not extend the yellow lines to the properties either side.

I feel this will allow the cabinet and council to demonstrate they have listened to concerns but have acted in a considered way for all residents of Lynmouth Avenue.

I am sure that residents would like a meeting to articulate their points of as this is sometimes better than in written format. I would like to thank you for reading my constructive and considered feedback on this proposal.

090

I would like to bring the above to your attention.

Vehicles are parked both sides of the road as you turn into Lynmouth Avenue from Kingsbridge Road. It is kind of a blind spot that the drivers cannot see the oncoming vehicles. It is a very tight space for even cars when the vehicles are parked both sides of the road, specifically in the evening and the morning. (house number from 148 -150). In case of an emergency, I am sure Fire engines would not be able to pass this particular part of the road.

When we pass this part of the road, there is a risky bend (house numbers from 113 to 123 Lynmouth Avenue) where you cannot see the oncoming traffic at all as vehicles are parked on the bend. This is like an accident waiting to happen.

It would be great if you consider taking necessary actions in order to manage this situation. eg:Double yellow line , parking restrictions, etc.

We were delighted when we received the letter from the council about 'Proposed waiting restrictions (double yellow lines) Lynmouth Avenue)-Ref. ES/WR2023B1. This has been long awaited. But , it seems that these areas have not been included on your proposed plan. Hence I thought I should bring this to your kind attention.

Representation Against

007

We owners of *** Lynmouth Ave, Morden SM4 4RZ are against the proposals for double yellow lines on Lynmouth Avenue. Parking in the area is usually safe and considerate. Yellow lines will make parking for residents very difficult. There may be a couple of Van drivers that live on the road who occasionally park inappropriately. It would be much less trouble for residents of the street to occasionally send a traffic warden to ticket said van.

029

I would like to object to the proposed double yellow lines on Lynmouth Avenue for the following reasons:

1. The benefit that double yellow lines would bring here is limited. The communal alleyways are rarely used by cars anyway and all the surrounding roads also have alleyways that are not protected by double yellows. If you add double yellows in Lynmouth but not the surrounding roads then people might question why and if you then try to extend this scheme, you risk opening the floodgates for further complaints.

2. There is already a shortage of road parking for residents and visitors in and around Lynmouth Avenue. This is most noticeable with parents using Aragon School and visitors to St George's Playing Fields (most busy on the weekend because of football). However, it's even a problem with guest or tradesmen visiting residents. Road parking is therefore much needed and used.

3. The residents who live either side of the alleyway would lose the ability to park in front of their own house and because of the lack of road parking - their guests are unlikely to find an alternative space.

4. The current pinch points with parking will only get worse. This is during school drop off/pick up and Saturday mornings because of football at St George's Playing field.

031

I object to this proposal.

I do not want this outside our home, we have owned our home for over 30 years and have had a white line outside our home for over 20 years, and have never needed to contact you to complain about parking issues outside our house or the crossover between our home and *** Lynmouth Avenue either in the past or during school times or after restrictions have been placed in Aragon Road.

The suggestion that yellow lines will restrict obstructive parking and assist with the movement of traffic in the road, is based on what study of the road? How will your proposal improve the flow of traffic through the road and behaviour of individuals who persist with poor driving habits? Lynmouth Avenue has a mixture of houses and flats and a few houses up from us the flats begin. At the point where the flats begin there has always been a densely packed number of vehicles in the road

throughout the day, your proposal will intensify this issue therefore, creating further issues in the road. The lines will only add a level of inconvenience to ourselves the home owners. Our visitors can currently park over our white line and also any tradespeople and delivery drivers when they choose to, under your proposal this will not be possible, this will only cause inconvenience to us therefore causing an issue for us that we do not currently have. The access land between our house and our neighbours at *** is private land and when we needed support with an issue last year as a neighbour in the road backing on to our gardens was accessing the land to use the alley as access it was made clear this was private land and you could not assist us with the issue, but now you want to put a yellow line in the road across this land. In conclusion, as it has been identified that the issue is with parents and guardians collecting children from the local school. Why can you not enforce a fine for inconsiderate parking or causing an obstruction, as this could be rolled out across the borough?

032

I am a resident of Lynmouth Avenue directly affected by the proposal to implement double yellow lines over the alleyway exits and adjoining houses.

The proposal is disproportionate to the harm being caused, whilst exit and entry to the various alleyway systems can be challenging it is already an offence to prevent access to the highway and this would apply for all those alleyway points where vehicles are stored or regularly use the alleyways at the rear of our properties.

A more significant enforcement presence in the road would address the issues you are seeking to address by the imposition of double yellow lines.

I can appreciate that in the absence of an enforcement regime and an effective deterrent there may be a demand to mark the exit points of the alley way systems onto the road to reinforce the legal position. There is a precedent for this in this road and elsewhere around the borough with the use of "non-statutory" white lines which would clearly mark the limits of the alleyways and enable more effective enforcement of the requirement not to prevent access to the highway.

Turning to the specific proposal, the length of the proposed restrictions is also disproportionate to the challenge encountered. To restrict parking in front of domestic premises adjacent to the alleyway system goes beyond the need to provide access and seeks to unfairly penalise those that live adjacent to these alleyways. It also places a greater burden on other residents of the street restricting the acceptable street parking over ones own driveway.

The road is quite wide enough to allow vehicles of domestic size to enter and leave the highway within the width of the alley way entrances. Being extended in front of domestic premises by in some cases 5m in each direction and in others much greater distances is excessive.

I make particular reference to the alleyways adjacent and opposite to no.196 which would place double yellow lines in front of 4 residential premises. The same objective of creating a safe entrance and exit to the highway could be achieved by marking the width of the alleyways with "white lines" and effective enforcement.

I turn finally to the council approved gated alleyway scheme. These alleyways are private property and belong to the freeholders. That means that there should be very limited access and exit from these entrances. For those entrances which are not part of the scheme and without gates they are used by many different people both legally and illegally and the council should not be pandering to this failure to enforce by making access easier and implementing very long double yellow lines. In summary, I object to the disproportionate approach to addressing a failure of the council's own enforcement policy to address vehicles illegally preventing access to the highway. I do accept that greater clarity on the law through marking with white lines would be advantageous. If the council push forward with this measure I would further object on the grounds of proportionality the length of the proposed lines which far exceed the required space for the turning of the very few domestic vehicles which are stored with the confines of the alleyway system at the back of Lynmouth Avenue.

045

We wish to object to the recent proposals as they stand to put double yellow lines in front of the communal alleyways and them extending over neighbouring frontages up to 5m either side in Lynmouth Avenue. The alleyways are now hardly ever used by vehicles, other than those seeking a short cut to the next road. We know of nobody by us who uses their garage for a car. But the alleyways should be left clear in case access is required. A double yellow line directly in front of the alleyway would be an ideal solution. It should be implemented in a similar way to the single white lines indicating a driveway and just run across the lowered part of the cross over. The plan to remove parking either side of the alleyway will make an already strained parking situation worse. We have a narrow area of grass verge between ourselves 338 and 336 Lynmouth Avenue. It is slightly too short to accommodate a car. Yet when parking is strained, some people chance it and park between us, there by making it dangerous for ourselves and 336 to enter and exit our driveways. If you remove parking either side of the alleyways this parking and overhanging of our driveways will become a more regular occurrence. If you implement the scheme as is, we would require a double yellow line between ourselves and 336. It would be worth painting a double yellow line anyway or re-profiling the curb. It might be worth double yellow lines at all short runs of curb where cars will overhang. So we agree with double yellow lines immediately in front of the alleyways but not extended either side. Double yellow lines for areas of short curbside where parking is dangerous would also be welcomed.

006

I have today received notification of the councils proposed intention to introduce waiting restrictions on Lynmouth Avenue.

I am a resident on this street and would like to place an objection to these proposals.

Although the restrictions will Not affect my property, they will affect neighbours properties as the double yellow lines will extend past the entrance to the alleyways and across private residents driveways/gardens. This would mean homeowners would not be able to park over their own driveways, hence increasing the parking problems that already exist on Lynmouth Avenue. If the proposed waiting restrictions were only over the entrances to the alleyways I would not feel the need to object. Lynmouth Avenue has maisonettes on one side of the road and a large grass verge which prevents these maisonettes having drop kerbs and some properties have more than 2 cars each. If the grass verge was narrowed and a parking lay-by put in this would help with congestion and parking in my opinion.

020

I object to this proposal.

I do not want this outside our home, we have owned our home for over 30 years and have had a white line outside our home for over 20 years, and have never needed to contact you to complain about parking issues outside our house or the crossover between our home and *** Lynmouth Avenue either in the past or during school times or after restrictions have been placed in Aragon Road.

The suggestion that yellow lines will restrict obstructive parking and assist with the movement of traffic in the road, is based on what study of the road? How will your proposal improve the flow of traffic through the road and behaviour of individuals who persist with poor driving habits? Lynmouth Avenue has a mixture of houses and flats and a few houses up from us the flats begin. At the point where the flats begin there has always been a densely packed number of vehicles in the road throughout the day, your proposal will intensify this issue therefore, creating further issues in the road.

The lines will only add a level of inconvenience to ourselves the home owners. Our visitors can currently park over our white line and also any tradespeople and delivery drivers when they choose to, under your proposal this will not be possible, this will only will cause inconvenience to us therefore causing an issue for us that we do not currently have. The access land between our house and our neighbours at *** is private land and when we needed support with an issue last year as a neighbour in the road backing on to our gardens was accessing the land to use the alley as access it was made clear this was private land and you could not assist us with the issue, but now you want to put a yellow line in the road across this land. In conclusion, as it has been identified that the issue is with parents and guardians collecting children from the local school. Why can you not enforce a fine for inconsiderate parking or causing an obstruction, as this could be rolled out across the borough.

024

I'm a resident at Lynmouth Avenue and just received a letter about your frankly not well thought out proposed idea for putting double yellow lines along the communal entrances down the road. Way more importantly we need PARKING BAYS sprayed on the road, NOT obstructions like yellow lines when most of the residents who do park on the road park meters away from other cars, and waste 2/3 spaces on the road because everyone parks too far away from each other, hence why people have to park so close to the communal areas!!! This will make it ridiculously difficult (more than it is already) for the residents to park on the road. We need fines or like I say set parking spaces on the road to maximise how many cars can safely park and make the most out of the limited space there already is!!

025

To whom it may concern

I am writing to voice my concern with the proposal for the parking restrictions outlined in ES/WR2023B1.

Lynmouth Avenue parking for residents is already difficult due to the number of cars now assigned to homes. This is no doubt partly due to younger adults not being able to afford to leave home.

My home is not affected by the proposals but the ripple effect of removing 26 spaces will be enormous. Over the years I have seen arguments about parking, people blocking driveways, people moving cars off drives to save spaces for loved ones, etc etc. Its only going to get worse by reducing the number of spaces.

In addition the homes affected by these proposals means that people will not be able to park outside their homes across driveways I presume. That is very unfair.

So I reject these proposals and would like this email placed with the no doubt many other residents who are against this idea.

028, 68 71 & 93

I am writing to object to the plans to put double yellow lines across communal entrances on Lynmouth Avenue for a number of reasons.

My objection is not for yellow lines to be put across the lanes, rather relating to the LENGTH of these proposed yellow lines. Having them between 13-20m in length feels hugely excessive and impacts significantly those owners and occupiers of houses either side of the lanes as well as those that rely on on-street parking.

1. IMPACT ON ON-STREET PARKING:

Parking on this street is an issue as it is - your plans to put excessively long yellow lines will remove a significant number of parking spaces which residents here cannot afford to lose - there is no 'overflow' parking space on nearby streets. Lynmouth Avenue has a high proportion of multi-vehicle households as well as maisonettes: that's a lot of additional households this impacts. I would argue this risks even more antisocial (eg overhanging driveways) as people get desperate. People park across the lanes because there is not enough parking - removing additional parking spaces along the streets is not going to help us!

2. IMPACT ON THOSE WITH DRIVEWAYS IMMEDIATELY AFFECTED:

A) In the case where you're proposing to put double yellows across resident's driveways, you are removing the right to park across one's own driveway - which again will exacerbate parking issues along the street (many multi-vehicle households rely

on this). Where are those additional vehicles going to go if you also remove a number of on street parking spaces currently used by those without driveways?! More vehicles requiring parking; fewer parking spaces.

B) Additionally, this penalises a few households (who are not the 'problem' here) by removing the freedom to park across their driveways, which others along the street have. It is unfair.

C) Yellow lines across properties will inevitably decrease the value of those properties (which again is unfairly penalising those immediately affected).

4. I DON'T BELIEVE IT WILL CHANGE BEHAVIOUR:

While I don't have an issue with double yellows across the lanes (and no further), I would question how you think that is going to change behaviour. Currently people will park across the lines for a couple of hours or overnight when they know there is not going to be a chance of getting a ticket. Unless you are planning to install cameras or have regular patrols (at cost to the council), how are yellow lines going to deter someone from parking there for an hour, or from 11pm-7am?

5. 'THE PUNISHMENT DOESN'T FIT THE CRIME'

The solution to the problem is going to create more problems than the original problem you are seeking to solve. I live next to a lane. Apart from the odd motorbike or pedestrian, these lanes are rarely used. And people are not excessive in parking across them - it tends to be for very short periods (30-60 mins) or overnight, leaving early the following morning. I do not see this as a huge issue or one that merits such an extreme intervention! If someone is trying to enter or exit the lane, there are other routes in/out. It's inconvenient of course, but no one is getting trapped and as I've said, people access the lanes in a vehicle so infrequently. It seems unreasonable to penalise a significant number of households for something that is causing inconvenience fairly infrequently.

I would also like to complain about the way this has been managed:

1. TIMING:

We received our letter yesterday -19 October - and are being given until 3 November to submit any objections. That is only 12 business days. Not even a two week period. From what I've read, this length of time is no where near what is considered best practice.

2. LACK OF TRANSPARENCY OF THE PLANS ENCLOSED:

On 6 of the 7 plans, only one or two house numbers are listed and in many cases are not the house numbers of those directly impacted by the yellow lines. One of the plans doesn't even show any house numbers!

049

Your email advises that the complaints received state "vehicles parked across the rear entrance prevents people accessing the rear of their properties".

With all respect this is a different matter to the blocked front alley access, which a yellow line will not resolve. As you advised last year you cannot support any issue relating to the rear entrance of the alley as this is private land.

However if the complaints relates to the crossover between our house and *** Lynmouth Avenue, please detail the number of complaints which have been received, and also the period that these complaints relate to. For my understanding the statutory consultation notice states the proposal relates to obstructive parking and dangerous parking, this statement I need to challenge. I work from home currently 3 days a week, prior to September 22 I was working from home 5 days a week, so I can assure you if there had been this issue between our house and our neighbours home at *** I would have been fully aware of this, however this just not so. Also we have cctv which covers the crossover this would have identified any alleged parking issues between our home and our neighbours at *** and if we have been subjected to the parking issue of concern, again nothing.

I would really appreciate if you could please follow this up with the officer concerned.

In summary I am strongly objecting to the installation of yellow lines outside our property *** Lynmouth Avenue there has never been an instants of the crossover being blocked by a parked car in 20+ years. The installation of the yellow lines is totally unnecessary outside our home.

I look forward to hearing from you.

050 & 057

I received a letter on the 18th October 2023 (dated 9th October 2023) proposing double yellow lines outside my property, *** Lynmouth Avenue Morden Surrey SM44SA. I wish to strongly object to this proposal for a yellow line outside my property for the following reasons. I have owned the property for 30 years, and for the majority of this time, (over twenty years) a dropped curbed/crossover has been installed giving access to off road parking for my two vehicles. We have a white line demarking the crossover giving access to the parking area, in all this time we have never had any parking issues in front our home or a single case off a vehicle parking across the alley access area/dropped curb. The alley/access road is private property owned by myself and my neighbours at *** Lynmouth Avenue, access is only for private vehicles and foot passage for residents of the properties on Lynmouth Avenue. Myself and my neighbours have maintained the alleyway, if there was any parking issues rest assured we would deal with them. The alleyway/access road is monitored by Closed Circuit Television, which shows that the roadway is rarely used and the there has never been a case of access being blocked in anyway. I am a shift worker and have an overview parking issues in the vicinity of my property and I can confidently state that has been no change to the parking and traffic levels in the past twenty plus years, parking is currently not an issue. The installation of yellow lines outside our property will cause us considerable disadvantage and inconvenience to ourselves the homeowners and council taxpayer. The yellow line will affect the value of my property, surely the money used to implement this unnecessary folly could be better used to clear Merton's deficit. The implementation of yellow lines will cause major

disruption to me, as visitors who currently park over the crossover to our property would be forced to use another valuable parking spot making the alleged parking issue worse. The issues you raised maybe relevant to certain parts of Lynmouth Avenue but they are definitely not an issue in the vicinity of our property. I feel I am being victimised and severely disadvantaged due to my property being in close proximity to the alleyway access point/crossover. I also wish to inform you as a person who is treated for depression and anxiety, being treated with both medication and by therapy this unnecessarily issue is causing me great distress and has made become very unwell. A possible solution would be for yellow lines to placed only over the alleyway dropped curb/crossover area only, this would be sufficient to alley access and ingress, this I would not object to. If as you state that this is a result of persons who are causing an obstruction or have parked dangerously, wouldn't it better that you police the situation and issue fines?

053

Please view the attached photograph which shows the communal entrance opposite *** Lynmouth Avenue.

It is not used for access.

The spaces either side of it do not restrict access to it.

It seems unlikely the complaints you received were about this entrance.

Please limit your restrictive plans to only the sites where there is a problem.

Creating more parking spaces rather than reducing the amount of legal parking would be a more logical solution to inconsiderate parking.

I look forward to your revised plan,

056

I would like to oppose the unnecessary double yellow line with the reason's as below.

There are many disabled and families with young children are living, and we have limited parking space due to most of the houses are having driveway. It will be nightmare to park the car around. Council did not provide an alternate space of parking and removing the space from a residential street should not be allowed.

Line in front of house no ***_+ *** totally a waste to parking space and council funds as there is no junction, the iron gate is not in use (maybe once a year).

Opposite the *** is already have a double yellow line , extending the line will not solve any problem , just limiting the space for parking.

Please consider before add more restrictions for the residents. thanks

057b

The residents of *** Lynmouth Avenue all wish to make representations against the proposals to install excessive areas of double yellow lines along various areas of Lynmouth Avenue. The movement of traffic is not impeded and as motorists we do not encounter any difficulties in access.

If parking across the entrance to alleyways is a problem then yellow lines across those areas only will be quite sufficient to prevent it occurring without forcing residents to forfeit the right to park across their own drives, which actually eases the demand for spaces.

Your proposals will create additional parking problems, will encourage obstructive and illegal parking and are unnecessarily exaggerated, creating difficulties for residents and reducing parking facilities which are already over subscribed.

066

I am writing to inform you that I have received a letter informing me that due to complaints regarding accessing and exiting the alleyway adjacent to my property the council intend to implement some kind of traffic restrictions namely yellow lines. However, on inspection of the map (loose term) it shows that the yellow lines are to be continued right across the driveways of both *** Lynmouth and *** Lynmouth, this in my opinion is far too severe.

I was also told by the company that was erecting the signs on the lampposts warning of the future works that it was because the dustmen had trouble parking. That reason is totally preposterous as I have been a member of the refuse team that collects from this road and not once has there been access issues. Parking during the day is generally available along the length of Lynmouth Avenue it only becomes problematic during the hours of 6pm to 8am.

To proceed with the siting of yellow lines across people's driveways will only reduce the number of parking availability and exacerbate the alleged problem.

With regards to the complaints please can I ask that you release to me the "parking count", times and dates of inspections and show me the traffic count.

Please can I request this under the FOI

081

I strongly object to the proposed restrictions out side my house, *** Lynmouth Avenue.

There is no requirement for yellow lines to come across my property where there is no need for it, I haven't heard of any complaints or anyone obstructing or parking over the access alleyways for the garages behind my property. However if the yellow lines are used to go over the access alleyways only that would be understandable to ensure that it is clear, however for them to go over the whole of my drive-way, which has already been changed so that I could remove my other car off of the road (we now have a 2 car drive instead of a single so that we don't encroach on the road space) is extremely excessive.

Not only will this will also devalue my house immediately, but it will also be a huge inconvenience for any visitors I have as they would not be able to park over my drive-way. This will also lead to affecting my other neighbours along the road everyday

life and routines as visitors would have to take up other spaces, which are already very limited and very hard to find in the afternoon and evening. Also my mother has a blue badge and is unable walk very far and would not be able to park right outside my house so your proposal will make general life and parking in the whole of Lynmouth Avenue so much worse and will not solve any of the problems which you say exist, rather it would potentially create more problems as I believe that the plans for the yellow lines will remove an estimated 30 car spaces. Lynmouth Avenue is a generally clear road during the day where no one would have any problems parking, that is until people start arriving home from school, work or other journeys in the afternoon, and during the evening it is almost impossible to find a space.

In conclusion, I feel the yellow lines over people's driveways are extremely excessive and will negatively impact the people of Lynmouth Avenue and surrounding roads (as if people have no space to park they will go to other roads to find space) quality of life and give added stress. However, we understand and are fully content with the yellow lines being put over the access alleyways as a extra reminder for people not to block the access alleyway, however as previously mentioned we do not have a problem or issue with people blocking it currently. We also have dated photographic evidence which has been taken every night for just over a week and will continue. I will send attached the pictures from the 25/10/23 until 1/11/23. If you are reading this after the 02/11/23 and would like more pictures I can also send them, again I will be taking a picture every night.

083

I am writing with regards to the proposed double yellow lines along the communal areas along Lynmouth Avenue. I, myself am a resident of *** Lynmouth Avenue, and have a dipped curve (off-street parking) in front of my driveway which made me invest money into my driveway over 10 years ago. My family has three cars and hence, we use the off-street parking directly opposite my driveway to park the third car. It is immensely unfair to propose a double yellow line or even a single white line in front of my driveway, especially when I invested in off-street parking and my driveway over ten years ago without any knowledge of such proposal.

I therefore strongly reject the proposal of placing a double yellow line along the communal areas of Lynmouth Avenue and reject the placement of a single white line in front of my off-street parking.

I look forward to hearing from you soon.

Officer's comments in response to the representations

The above proposals are as a direct result of receiving complaints about safety and access due to inconsiderate and obstructive parking. Upon being made aware of safety and access issues, a site assessment was carried out to determine the appropriate extent of restrictions. Every effort is made to minimise the extent of restrictions which is primarily determined by the width of the carriageway and the footway and in this instance the extent of the communal crossovers.

Although it is acknowledged that loss of parking (which is obstructive) would be unacceptable to some residents, it is not for the Council to facilitate the parking needs of residents and their visitors but it is the Council's statutory duty to ensure that access and safety are maintained at all times. Once the Council is aware of obstructive parking, lack of mitigating action could put the Council at risk. The Council could be accused of not acting responsibly in discharging its statutory duties and not addressing the concerns raised with the Council.

When undertaking a statutory consultation, it is not normal practice nor a legal requirement to send a newsletter to frontages. The Legislation requires the Council to publish its intentions in the local newspapers and erect Notices on lamp columns within the vicinity of the proposed measures. On this occasion, given the extent of the restrictions throughout all communal entrances along the road, it was considered courteous to do a newsletter drop.

The newsletter was sent via Royal Mail and regrettably we cannot offer an explanation why it took so long for it to be delivered and there also appears to have been some printing issues with regards to the plan for which we do apologise. However, the information was available on the Council's website.

In response to comments regarding lack of response and update from officers, it is important to note that residents were informed via the newsletter that all representations will be reported and considered by the Cabinet Member before a final decision is made and residents will be advised of the decision in due course. They were also advised that a response would not be made until a final decision is made.

With regards to a statutory consultation, the Council's adopted practice and in line with legislation, all representations, officer's comments and recommendations would be included within a report to the Cabinet Member for a decision. Once the decision is made, it is published on the Council's website and officers then write to all those who made a representation informing them of the outcome of the consultation. Responding to representations without the Cabinet member's consideration of feedback received and officer's recommendations

is not considered appropriate. It is normal practice to submit all representations word for word to the Cabinet member and only then officers can make the appropriate response.

There were two requests received by Future Merton team for double yellow lines. However, the according to information held by Parking Services, between October 2022 and October 2023, 40 reports were received via the Council's online system. 28 were related to dropped kerb offences, 7 related to double yellow line offences, 3 related to blocked access and 2 related to pavement parking. This does not include those complaints that were made via telephone / voice mails.

Police do not deal with obstructive parking; this is a matter for the Highway and Traffic Authority which is the Council.


The Council responds to complaints regarding obstructive parking. Once a complaint is received, a site assessment is carried out. When considering yellow line restrictions, the deciding factors include the width of the carriageway, access / egress difficulties including manoeuvrability of a vehicle at access roads and crossovers and sightlines. If it is determined that with a vehicle parked within a certain location would cause an obstruction, then the necessary restrictions are applied.

Crossovers provide access to off street parking; they are not an extension of the private property and should not be considered as a private parking facility on the public highway. Parking capacity is an issue and it can easily be alleviated by residents using their rear access to accommodate their parking needs. It is not for the Council to provide parking for residents and visitors on the public highway and given some of the feedback received regarding multi car ownership and apparent large number of visitors, and with very little available kerbside space, it is no surprise there are complaints about obstructive parking particularly across communal crossovers. As already mentioned, residents can help by utilising their rear access facility.

In response to feedback received, the Council has reviewed the extent of the restrictions and officers are recommending a reduction in length of the restrictions; however, to ensure there is sufficient space for entry and egress, there will be a need to have a minimum of 1m on either side of the communal access.



Key

 Proposed double yellow lines

Notes
Do not scale from this drawing

Rev	Revisions	Drawn	Sp.	Date	Chk'd	Sp.	Date	App.	Sp.	Date



Sustainable Communities
environment & regeneration

FUTURE MERTON

Drawn by	Sp.	Date
BC		14.09.23
Checked by	Sp.	Date
BC		14.09.23
Approved by	Sp.	Date

PROJECT
Waiting Restrictions

TITLE
Lynmouth Avenue

PROPOSED PARKING AND WAITING RESTRICTIONS



merton

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

Drawing No. Z27-695-08
Revision
Classification CONSTRUCTION
Scale N.T.S

We, the undersigned residents of Lynmouth Avenue, vigorously object to the proposals to install extensive and unnecessary double yellow lines in various lengths of the road. Furthermore, we wish to formally complain regarding the actions of the Council in this matter. The first indication which residents received regarding these proposals was a letter dated 9th October which included a very incomplete diagram making it very difficult to identify locations and/or house numbers and which failed to indicate certain intentions at all. Not only is this very clearly a lack of transparency but also was not delivered until between 16th and 18th October, deliberately reducing the very meagre amount of time being allowed to make representations by a further 7 days. Similarly, the official copy of the order was not displayed on surrounding lamp posts until 17th October although dated 12th October. This can hardly be considered best practice, particularly since the envelopes in which the original letters were delivered were clearly marked "Important Consultation Document ". Indeed, how can this be described as a consultation in any form since clearly the planning application had already been put in place. The Oxford English Dictionary defines the word consult as follows:-

- 1) To seek information or advice from
- 2) To confer
- 3) To hold a conference or discussion

The Council is refusing totally to answer any questions or provide any further information or response until after a final decision is made, in effect giving the Cabinet Member carte blanche to come to a decision without explanation or reference to affected residents. The Council states that these proposals are the result of complaints received from the community regarding obstructive and dangerous parking along the communal entrances in Lynmouth Avenue and to assist with movement of traffic. Surely any incidents of dangerous parking should have been referred to the Metropolitan Police for formal action? During the day access to Lynmouth Avenue is generally clear and traffic movement is in no way impeded. However, the demand for evening parking is already in high demand and over-subscribed by residents returning home and naturally wishing to park close to home. The Council's proposals will reduce availability by a further 30+ spaces, creating extreme difficulty and distress and will inevitably encourage illegal parking. Residents of neighbouring streets have already expressed concern regarding the overflow parking which will inevitably occur, exacerbating parking shortages which already exist in their own streets. The alleyways in general are rarely used apart from by fly tippers or those dumping rubbish into Pyl Brook and are mostly overgrown and in poor condition. There is no objection whatsoever to double yellow lines being placed across the width of the entrances to alleyways but the proposals made by the Council are excessive, unnecessary and unjustified and will cause extreme stress and inconvenience. Similarly, restrictions to parking to free vehicle access at the width restrictions at the junction with Tudor Drive are not an issue provided they are only as necessary and not excessive. If complaints received from the community have been on such a significant and continuous scale, why are the Council refusing to elaborate or provide any details? One resident of Lynmouth Avenue who visited Crown House in person to ask for clarification on various points was told categorically that no one from the appropriate department would speak to him or answer questions and he was further advised that residents had already been canvassed. The definition of the word to canvass is to visit in order to ask for votes or opinions. While speaking to residents, it is clear that no canvassing or visits have taken place. Another resident who telephoned to ask for details and numbers of the alleged parking complaints received was again categorically refused any information. Many residents have gone to the expense of installing driveways to provide additional parking facilities but in some cases will now be prohibited from parking across their own driveways to ease the parking situation. Furthermore, parking for visiting family and friends, particularly those who are elderly or disabled and unable to walk any great distance will become virtually impossible, especially at weekends or during holiday celebrations such as Christmas.

Why is it apparently only Lynmouth Avenue that is being targeted in this manner?

Surrounding residential streets also have communal entrances.

What is the Council's response to the statement made by one of its employees that it is all because of the dust carts?

Why is the Council determined not to disclose any details of the presumably very numerous complaints

that have been received to warrant these proposals?

Residents are also very naturally concerned that this very severe increase in lack of parking and the resulting problems will significantly impact on the future resale value of properties and their desirability to prospective purchasers. Those residents who of necessity drive larger vehicles/vans will frequently be unable to park anywhere near their homes, if at all, adversely affecting not only personal convenience but the security of their vehicles and contents. Regarding the schedule attached to the lamp posts, point (b) states that the yellow lines will be installed from the boundary of 146/148 Lynmouth Avenue north eastward to a point 15 metres north eastward of the kerb line of Kingswood Road. Please clarify where Kingswood Road is. To sum up, we find the intentions of the Council ill-considered, underhand, arrogant, lacking in any sort of regard for the benefit of the residents of Lynmouth Avenue and totally excessive in relation to the stated intentions of the proposals. Given the short amount of time allocated for a response, contact has not been made with every resident. However, attached are the signatures of some of the residents who have expressed concern over these proposed restrictions. These residents have either raised concerns in conversation over the displayed signs or raised points while arranging this petition. Since the Council considers it reasonable to expect a response from residents in such a short space of time, we also demand a full, comprehensive and urgent reply to this complaint. We do not accept the Council's excuse to hide behind the statement that no responses to objections will be made until after a final decision has been made in order to avoid addressing the points and concerns raised.

Officers' response

Thank you for your email and petition against the proposed yellow lines across all communal entrances in Lynmouth Avenue.

The newsletter was sent via Royal Mail and regrettably we cannot offer an explanation why it has taken so long for it to be delivered and there also appears to have been some printing issues with regards to the plan for which we do apologise.

The Council is not hiding any information and regrettably I cannot comment on the alleged conversation with a member of staff and if you can provide a name, I can look into it. I can only confirm that it was not a member of my team.

When undertaking a statutory consultation, it is not normal practice nor a legal requirement to send a newsletter to frontages. The Legislation requires the Council to publish its intentions in the local newspapers and erect Notices on lamp columns within the vicinity of the proposed measures. On this occasion, given the extent of the restrictions throughout the road, it was considered courteous to do a newsletter drop.

With regards to a statutory consultation, the Council's adopted practice and in line with legislation, all representations, officer's comments and recommendation are included within a report to the Cabinet Member for a decision. Once the decision is made, it is published on the Council's website and officers then write to all those who made representation informing them of the outcome of the consultation. Responding to representations without the Cabinet member's consideration of feedback received and officer's recommendations is not considered appropriate. It is normal practice to submit all representations word for word to the Cabinet member and only then officers can make the appropriate response.

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Police do not deal with obstructive parking; this is a matter for the Highway and Traffic Authority which is the Council.

The Council responds to complaints regarding obstructive parking. Once a complaint is received, a site assessment is carried out. When considering yellow line restrictions, the deciding factors include the width of the carriageway, access / egress difficulties including maneuverability of a vehicle at access roads and crossovers and sightlines. If it is determined that with a vehicle parked within a certain location would cause an obstruction, then the necessary restrictions are applied.

Crossovers provide access to off street parking; they are not an extension of the private property and should not be considered as a private parking facility on the public highway. Parking capacity is an issue and it can easily be alleviated by residents using their rear access to accommodate their parking needs. It is not for the Council to provide parking for residents and visitors on the public highway and given some of the feedback received regarding multi car ownership and apparent large number of visitors, and with very little available kerbside space, it is no surprise there are complaints about obstructive parking. As already mentioned, residents can help by utilising their rear access facility.

In this instance, based on feedback received, the Council will be reviewing the extent of the restrictions but to ensure there is sufficient space for entry and egress, there will be a need to have a minimum of 1m on either side of the communal access.