

Delegated Report

Cabinet Member: Environmental Sustainability & Regeneration

Date: 5th October 2013

Agenda item: N/A

Ward: Village

Subject: Church Road area proposals to improve parking facilities – Statutory Consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

Lead member: Councillor Andrew Judge, Environmental Sustainability & Regeneration

Forward Plan reference number: N/A

Contact Officer: Paul Atie, Tel: 020 8545 3214 email: paul.atie@merton.gov.uk

Recommendations:

It is recommended that the Cabinet Member for Environmental Sustainability and Regeneration:

- A) Notes the result of the statutory consultation carried out in September 2013 on measures to improve parking for the businesses in Wimbledon Village.
- B) Notes and considers representations (detailed in Appendix 3) received in respect of the proposals as shown in Drawing No. Z78-215-01 in Appendix 4.
- C) Considers the objections against the proposed measures and officer's comments in support of upholding the objections detailed in Appendix 2.
- D) Agrees **not** to convert the Resident Only bays to shared use in Clement Road as shown in Drawing No. Z78-215-01 in Appendix 4.
- E) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) for the implementation of the proposed measures detailed below and as shown in Drawing No. Z78-215-04 in Appendix 1:-
 - I. The introduction of pay and display bays on the eastern side of Allington Close and the conversion of the existing single yellow line restrictions to double yellow lines as shown in Drawing No. Z78-215-04 in Appendix 1.
 - II. The replacement of one pay and display parking bay adjacent to property No. 5 Church Road with 'At any time' waiting and loading restrictions to assist with maintaining flow of traffic, particularly for large vehicles and buses.
 - III. Conversion of the disabled parking bay in Church Road, adjacent to property no 15 Church Road, to pay and display bay.
- F) Agrees to the making of the Experimental Order to remove the peak hour parking ban on the Pay and Display bays in Church Road to allow parking Monday to Friday between 8.30am and 6.30pm.
- G) 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 results of the statutory consultation carried out with the residents and businesses of Allington Close, Church Road and Clement Road. Based

on the consultation, meeting and feed back received, it recommends that the relevant Traffic Management Orders (TMOs) is made and the proposed measures be implemented as shown on Drawing No. Z78-215-04 in Appendix 1.

2. DETAILS

2.1. The key objectives of parking management include:

- Tackling 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.

2.2. Within any parking management proposal, 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.

2.3. On May 29th 2012 officers and the Cabinet Member Environmental Sustainability & Regeneration attended a meeting with some businesses from Church Road and on May 31st 2012, the Director for Environment and Regeneration held another meeting with the Village business Association to discuss parking difficulties affecting footfall within the Village shopping parade. The MP and officers also met with businesses on a walkabout in the Village to identify roads with spare parking capacity. Based on the discussions, the following proposals have been designed to address concerns raised.

3. PROPOSED MEASURES

3.1. The proposals are detailed below and shown on drawing Z78-215-01 attached as Appendix 4.

3.2. Currently the Pay and Display only bays (P&D) in Church Road and High Street operate between the hours of 10 am and 4 pm, Monday to Friday and Saturday all day. During the peak periods Monday to Friday parking is ban within these bays preventing customers / passing trade from stopping. The current restrictions are aimed at maintaining flow of traffic during the peak periods. To meet the demands made by the businesses, it is proposed to allow parking within these bays Monday to Saturday, between 8.30am and 6.30pm, with a maximum stay of one hour and no-return within two hours with the first 20 minutes free. This will assist in increasing footfall to the shops. It is also proposed to convert the disabled parking bay in Church Road, adjacent to property no 15 Church Road to pay and display bay. The proposals also included removing the parking bay out side 5 Church Road.

3.3. officers were also asked to consider converting some Resident Only bays in Clement Road to pay and display shared use bays. In May 2013 the Council carried out a survey of the parking pattern and usage of the bays in Clement Road. It was found that on average there was 50% spare parking capacity in the road during the hours of operation of the zone. Over the years businesses in the Village have been asking for more shared use bays for visitors to the Village. The conversion of Resident Only bays to shared use bays will allow residents and visitors to utilise the bays. Business permit holders will not be permitted to utilise these bays.

- 3.4. It is also proposed to introduce some pay and display Only parking bays on existing single yellow line on the east side of Allington Close that will provide more parking spaces for customers and visitors to the shops in the Village without compromising access.

4. CONSULTATION UNDERTAKEN

- 4.1. A statutory consultation on proposals to introduce a number of measures to improve parking in the Church Road area was carried out in September 2013. The consultation included the erection of street notices on lamp columns in the vicinity of the proposals and the publication of the Council's intentions in the Local Guardian and the London Gazette. Consultation documents were available at the Link, Merton Civic Centre and on the Council's website. A newsletter with a plan, attached as [Appendix 4](#), was also circulated to all those properties within the consultation area.
- 4.2. The statutory consultation resulted in a total of 6 representations being received, 5 of which are against the proposed changes to the parking arrangement in Clement Road and 1 representation from Allington Close in favour of proposed parking bays in Allington Close. These representations together with officer's comments are detailed in Appendix 2. A representation was also received from the Metropolitan Police with no comments or observations.

Clement Road

- 4.3. The aim of the measures is to provide more parking opportunities for visitors and thereby increase footfall. From the representations received during the statutory consultation it is clear that residents are unhappy about the proposed changes to the parking bays in Clement Road. Residents want the available spaces to remain solely for the use of the residents. They fear that business permit holders and visitors will take up all the available parking spaces. Although restrictions can be applied to prevent business permit holders from parking within these bays, given the fact that most recent surveys in September 2013 indicated no spare capacity, it would not be feasible to convert these bays as this is likely to disadvantage residents. It is, therefore, recommended that the existing Residents bays in Clement Road should **not** be converted to shared use bays.

Allington Close

- 4.4. It is proposed to introduce three pay and display parking bays on the east side of Allington Close. The provision of these bays will increase availability of parking spaces for visitors to the Village. These bays will operate Monday to Saturday from 8.30am to 6.30pm with a maximum stay of one hour with the first 20 minutes free. It is proposed to convert existing single yellow line restriction to double yellow lines. This would remove obstructive parking from this section of the Close at all times for all road users including the emergency services.

Church Road

- 4.5. The P&D only bays in Church Road currently operate between the hours of 10 am and 4 pm, Monday to Friday. To maintain flow of traffic currently the parking is banned during the peak period Monday to Friday. It is proposed to introduce an Experimental Traffic Management Orders to allow parking during the peak periods from Monday to Saturday between 8.30am and 6.30pm, with a maximum stay of one hour and no-return within two hours with the first 20 minutes free. The purpose of an Experimental Traffic Order is to allow the Council to monitor the effects of the scheme. It can remain in force for a maximum period of 18 months. Changes can be made to the scheme, if necessary during the first six months of the scheme being implemented. The first six months will also act as the consultation period during which time any comments received will be fully considered before a decision is made. The Council will

subsequently decide before the end of the 18th month period whether to remove, amend or make it permanent.

- 4.6. The pay and display bay outside property no 5 Church Road will be removed and replaced with double yellow lines. This will assist vehicles turning right from the High Street into Church Road especially buses and HGV's and improve traffic flow at all times. It is also proposed to convert the disabled parking bay in Church Road, adjacent to property no 15 Church Road, to pay and display bay. This bay has already been relocated to Courthope Road.
- 4.7. All local ward Councillors were fully engaged during the consultation process.
- 4.8. It is recommended that approval is given to make the relevant Traffic Management Orders (TMOs) for the implementation of the proposed measures as shown in Drawing No. Z78-215-04 and attached in Appendix 1.
- 4.9. In considering the proposed measures, the Council must consider whether or not the problems currently being experienced are of sufficient significance for change to go ahead; whether or not the change proposed is proportionate to the problems experienced and is acceptable in consideration of the possible impact.

5. TIMETABLE

- 5.1. If a decision is made to proceed with the implementation of the proposed measures, Traffic Management Orders could be made within six weeks of the publication of the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. A leaflet will be distributed to all the premises within the consulted area informing them of the decision. The measures will be introduced soon after. Those who objected to the consultation will be advised of the decision separately.

6. ALTERNATIVE OPTIONS

- 6.1. Do nothing. This would not address the current parking demands of the businesses in respect of their views expressed during meetings and the statutory consultation.
- 6.2. To convert the Resident bays to pay and display shared use bays in Allington Close will not meet the needs of the residents.

7. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 7.1. The cost of implementing the recommended measures is estimated at £10k. This includes the publication of the made Traffic Management Orders, road markings, resurfacing and the signs. It does not include staff cost.
- 7.2. The Environment and Regeneration capital budget for shopping parades, 2012/13 and 2013/14 contain a provision of £100k for parking improvement outside Shopping Parades. The cost of these proposals can be met from this budget.

8. LEGAL AND STATUTORY IMPLICATIONS

- 8.1. The Traffic Management Orders would be made under Section 9 and 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.

9. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

- 9.1. The implementation of the subsequent changes to the original design affects all sections of the community especially the young and the elderly and assists in improving safety for all road users and achieves the transport planning policies of the government, the Mayor for London and the borough.
- 9.2. By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.
- 9.3. The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The design of the scheme includes special consideration for the needs of people with blue badges, local residents, businesses as well as charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.
- 9.4. Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.

10. CRIME AND DISORDER IMPLICATION

- 10.1. N/A

11. RISK MANAGEMENT IMPLICATIONS

- 11.1. The risk in not addressing the issues raised by the local businesses would be the loss of confidence in the Council. The proposed measures may cause some dissatisfaction from the very few who have objected but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

12. ENVIRONMENTAL IMPLICATIONS

- 12.1. Before reaching a decision to make the necessary Traffic Management Order to implement a scheme, the Council must follow the statutory consultation procedures pursuant to the Road Traffic Regulation Act ("RTRA") 1984 and the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996. All objections received must be properly considered in the light of administrative law principles, Human Rights law and the relevant statutory powers.
- 12.2. 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.
- 12.3. By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-
 - (a) the desirability of securing and maintaining reasonable access to premises.
 - (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
 - (c) the national air quality strategy.
 - (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
 - (e) any other matters appearing to the Council to be relevant.

13. APPENDICES

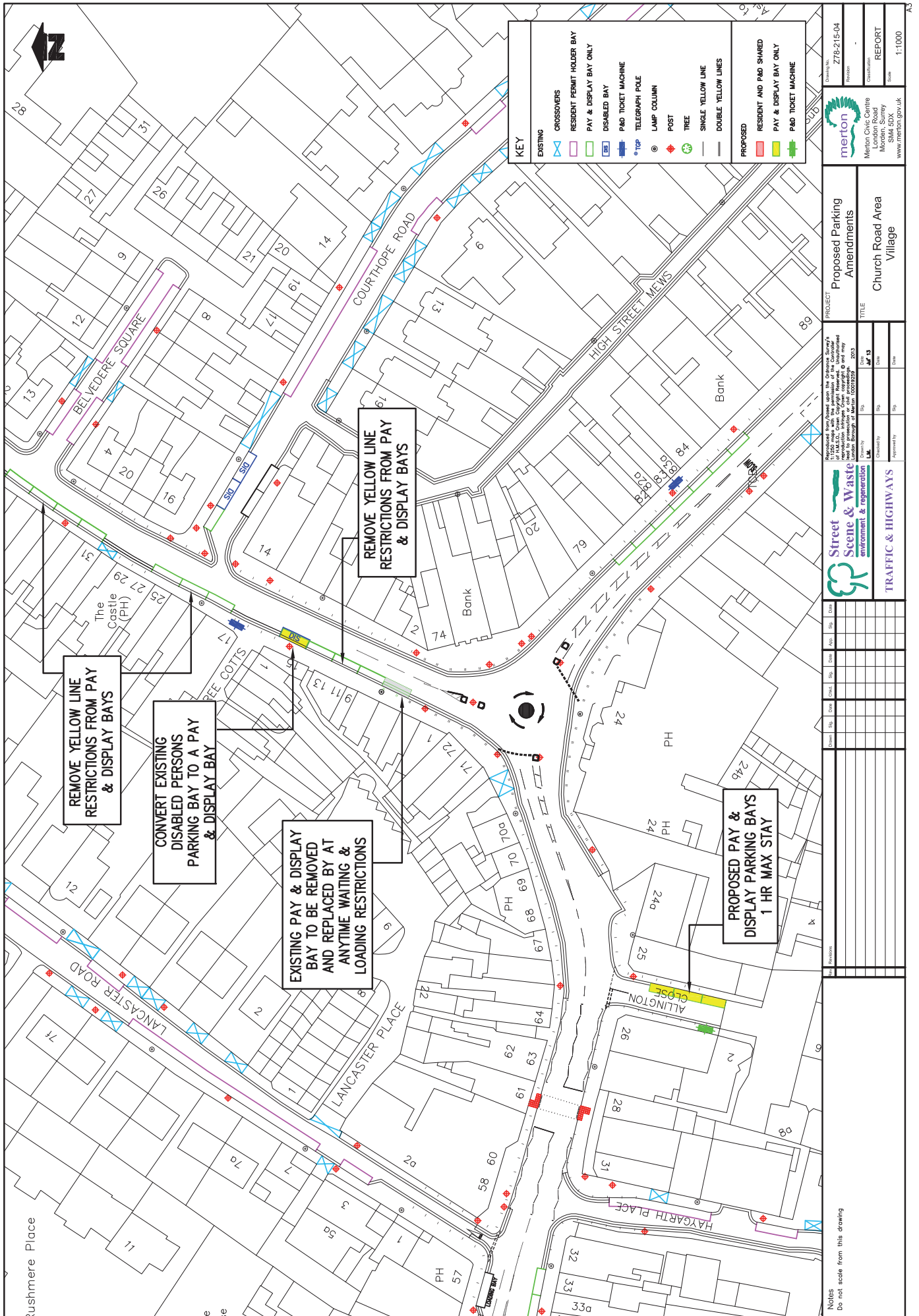
13.1. The following documents are to be published with this report and form part of the report.

Appendix 1 – Drawing no. Z78-215-04


Appendix 2 – Drawing no. Z78-215-03 experimental order plan

Appendix 3 – Representations and officers' comments

Appendix 4 – Statutory consultation leaflet



Notes
Do not scale from this drawing



 Merton Council
 London Road
 Morden, Surrey
 www.merton.gov.uk

PROJECT	Proposed Parking Amendments
TITLE	Church Road Area Village

Author	DR	Date	
Check	DR	Date	
Drawn	DR	Date	
Approved	DR	Date	

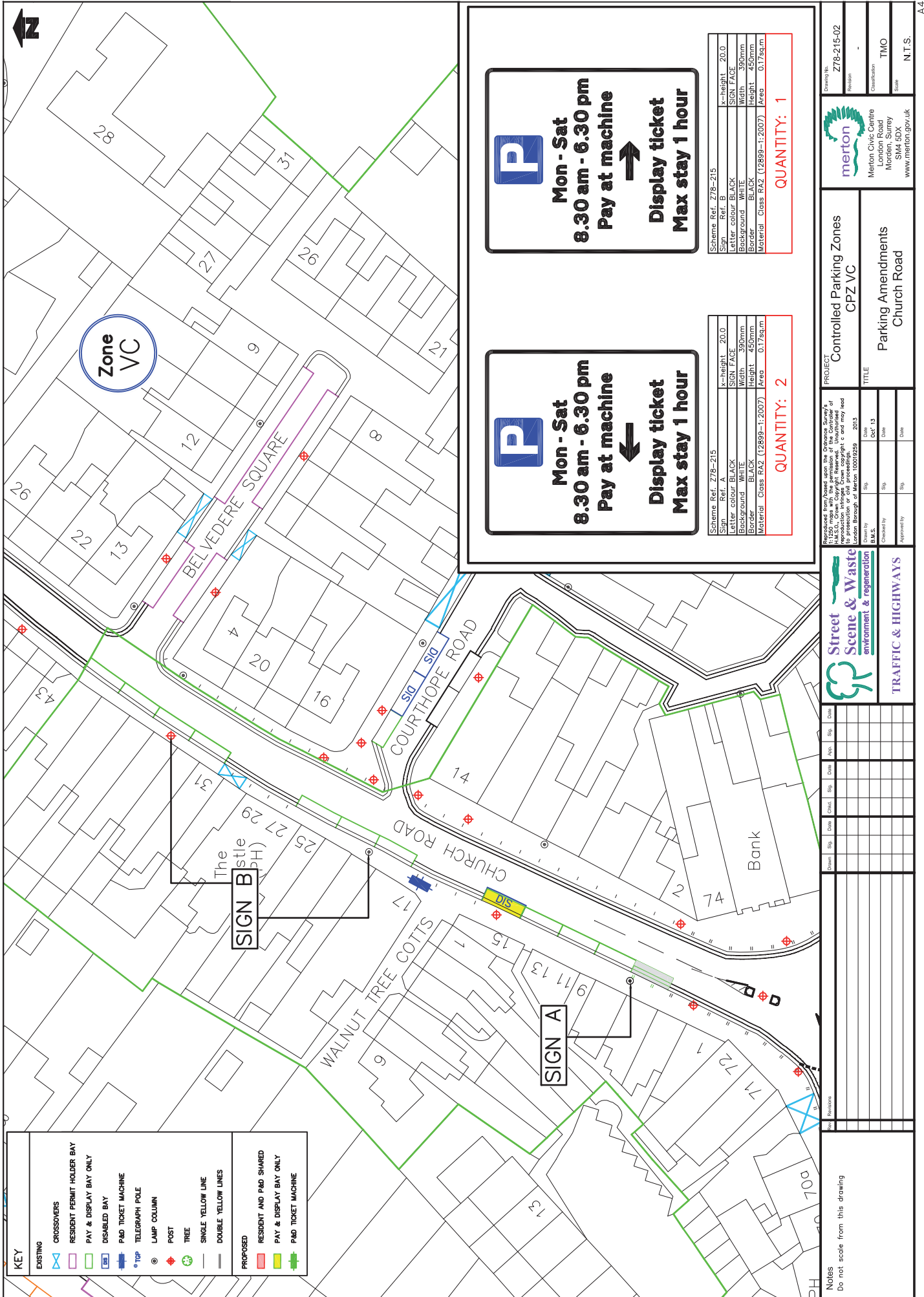


 Street Scene & Waste
 environment & regeneration
 TRAFFIC & HIGHWAYS

Revised from Other with the Date	Revised from Other with the Date	Revised from Other with the Date	Revised from Other with the Date
17/02/04	17/02/04	17/02/04	17/02/04
17/02/04	17/02/04	17/02/04	17/02/04
17/02/04	17/02/04	17/02/04	17/02/04

Revision	1	Date	17/02/04
Revision	2	Date	17/02/04
Revision	3	Date	17/02/04
Revision	4	Date	17/02/04
Revision	5	Date	17/02/04
Revision	6	Date	17/02/04
Revision	7	Date	17/02/04
Revision	8	Date	17/02/04
Revision	9	Date	17/02/04
Revision	10	Date	17/02/04

PROJECT: Z78-215-04
 DRAWING: REPORT
 SCALE: 1:1000



Representations against and Officers Comments	Appendix 3
Representations in Favour	
<p>1231066 - Allington Close With regard to the proposed parking changes in Allington Close :</p> <p>I am in favour of 3 pay and display parking places but only if the west side is changed to double yellow lines.</p> <p>The single yellow line does not deter lorries from parking for deliveries nor does it deter cars from parking at weekend.</p> <p>Emergency vehicles would not be able to access the rear car park in case of fire or medical emergency.</p> <p>There are offices and a house at the back of Allington Close and if there are vehicles parked on both sides this would restrict access for rubbish collection and access to private parking spaces.</p> <p>I therefore ask that the proposed parking changes be modified in order to avoid any possible catastrophe.</p> <p>Officer comment - See section 3 of the report.</p>	
Representation against	
<p>12309522 - Clement Road</p> <p>We write to object to the proposed parking amendments in Clement Road. We are extremely unhappy at the proposal to convert all permit holder bays in Clement Road to shared use. Our reasons are as follows:</p> <p>1. Since your leaflet arrived last week We have been testing out the premise that more Pay and Display parking is needed in the village. As we had thought, there are plenty of pay and display bays available at all times of day. For example, at midday on Saturday 7 th September, there were no less than 16 available bays in The Grange, 9 in Lancaster Rd, 15 in Belvedere Avenue , 11 in Murray Rd North, 30 on Southside Common, to name but a few. Over the week and at all times of day we have counted dozens of empty Pay and Display bays throughout the village.</p> <p>For example, we have found numerous spaces on Southside Common, Murray Rd North, Lancaster Road, Lingfield Rd, Belvedere Avenue (just yards from Clement Rd), The Grange, Peek Crescent, Parkside Avenue, Lancaster Gardens, and The Green.</p> <p>2. The Council seems to have singled out Clement Road. We are VON permit holders. We have lived in this road for two years and our only complaint has been that we are quite often unable to find a space to park here. Our spaces are very popular with permit holders from adjacent roads such as Belvedere Grove and Courthope Road. Typically at least 7 of the spaces here are used for long periods, sometimes days on end, by residents of roads other than our own. There are also residents who have permits for other village zones who park here. Yet VON permit holders are not allowed to park in other village zones. We purchased permits because we want to be sure of being able to park near to our homes. This is the whole point of Residents Parking. We do not mind sharing with permit holders from other roads and other zones but converting our spaces to shared use Resident Parking/ Pay and Display will just make it very difficult to park near our homes. We have paid a lot for our permits in return for the right to use these spaces.</p> <p>3. Clement Rd is an extraordinarily unsuitable choice for P and D parking. It is a short cul-de-sac with parking on both sides and a limited turning space. Large vehicles cannot turn and sometimes have to back down into Belvedere Grove. We are worried that our road will become a really unpleasant traffic jam and an unsafe place for our children, grandchildren and pets. That is exactly what has happened at Grosvenor Hill on the other side of the Ridgway.</p> <p>4. The implication of the notice we have received is that businesses in the village are suffering because of lack of Pay and Display parking. It is clear to us that there is plenty of parking available and that the businesses would do well to prepare some kind of map for their clients, showing them where to find it. However we also suggest that the reason a few businesses are having difficulties is not the shortage of parking but other factors such as the high rents and rates in the village and the huge increase in internet shopping. It is most unjust to penalise the residents of the village under these circumstances.</p> <p>I mentioned earlier that we feel as though we have been singled out. Should the council pursue this inappropriate scheme, surely in the interests of fairness, ALL residents' parking spaces in the village should be converted to Pay and Display.</p> <p>Officer comment - See section 3 of the report.</p>	
<p>12310457 - Belvedere Grove</p> <p>I refer to . the proposal dated 28 August entitled "Proposed Parking Amendments Church Road, Clement Road, Allington Close - Wimbledon Village" ("Proposal").</p>	

The Proposal states that "following representations made by some local businesses to the Council, it is proposed to make some changes to the parking, waiting, and loading provisions" in the above roads. It is my understanding that the local businesses in question have claimed that there is a lack of parking spaces in the vicinity of their retail outlets and that this lack is prejudicing their businesses. However, I question whether you have sought to verify the accuracy of this claim in terms of:

- comparing the financial performance of such businesses with that of other neighbouring businesses.
- Determining or even modelling the extent (if at all) that the claimed lack of parking spaces has prejudiced their businesses.
- Whether such businesses are not performing financially in terms of failing to provide prospective consumers with the right products at competitive prices. In short whether there has been a failure to provide the market with what it wants.

I am aware that others have made representations against the Proposal and in doing so have pointed to the surfeit of available parking spaces. I will not reiterate what they have said.

However I note :

1. That the Proposal is stated to be just that - a proposal. Despite this Councillor Bowcott has stated that it is in fact a consultation. It may be that Councillor Bowcott is confused. It is, however, the case that in his decision dated 3 January 2013 Cabinet Member Judge stated that he would carry out a statutory consultation. One thing is certain - the Proposal is not a statutory consultation.

2. Irrespective of 1, the speed at which Merton has acted in respect of the above representations and its continued failure to take any action in respect of the excessive volume of traffic passing through the Belvederes.

In view of the above, I object to the Proposal.

Officer comment - See section 3 of the report.

12310460

I write in response to the proposal for Z78-215-01.

The loading bay restrictions which it is proposed to remove under item 1 of the proposals were put in place to ease traffic flow on Church Road, given the excessive amount of traffic flowing through Belvedere Grove and the Belvedere area generally. Although these are residential roads, they remain some of very few residential roads in the village that do not benefit from some form of traffic calming/limiting measures to encourage traffic flow on to the local distributor roads, of which Church Road is one.

I don't understand how more parking is needed to sustain local businesses given that the metered parking in Belvedere Grove is rarely full. It could and should be used more intensively.

I wrote some time ago to Councillor Judge about the speed of traffic on Belvedere Grove as it does not have a 20mph limit unlike some other residential roads in the area. The recent surveys indicated median speeds close to 30 mph which is excessive for a residential road, and a danger to our young children.

If parking is to be reinstated in Church Road, it needs to be done in conjunction with traffic limiting measures in the adjacent residential roads, including Belvedere Grove which would be severely impacted by your proposals.

We Object to the Proposal As Drafted for the reasons outlined above

Officer comment - See section 3 of the report.

12310695 - Belvedere Grove

Further to our telephone conversation earlier this week I wish to inform you that this morning – Friday 13th September – at 11 a.m. I was unable to find a residents parking space in either Belvedere Grove or Clement Road and was forced to park in Highbury Road. I make the following observations on **spaces in Clement Road this week:**

1500 Monday - 2
1300 Tuesday - 1
1500 Wednesday – 2
1000 Thursday - 2
1100 Friday – 0

The cars parked there all belong to residents of Von, Vc, or Von. All the Residents Parking Bays in Belvedere Grove

were completely full.

I shall continue to monitor the parking in Clement Road as I believe that Merton's proposal to change the use of these spaces **discriminates** against those living within Belvedere Grove and Clement Road.

Officer comment - See section 3 of the report.



Councillor Andrew Judge
Cabinet Member for
Environmental Sustainability
and Regeneration
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Proposed Parking Amendments
Church Road, Clement Road,
Allington Close - Wimbledon Village

ISSUE DATE: 28 AUGUST 2013

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

Copies of the proposed Traffic Management Order (TMO) and other documents giving more details of the proposals may be viewed 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 and Wimbledon Library. If you require further information, you may contact Paul Altie directly on 020 8545 3214 or email trafficandhighways@merton.gov.uk. This information is also available on Merton Council's website www.merton.gov.uk.

The purpose of an experimental Order (No. 1 above) is to allow the Council to monitor and access the effects of a scheme. It can remain in force for a maximum period of 18 months. Changes can be made to the scheme, if necessary during the first six months of the scheme being implemented. The Council will subsequently decide before the end of the 18 month period whether or not to continue the provisions of the experimental order, with any changes, on a permanent basis. Subject to the outcome of this consultation, the order will come into effect on 11 October 2013. This means that the signs and road markings will be changed prior to the Order coming into effect. An Experimental Order also provides an opportunity for representations to be made within the first 6 months which will be considered prior to making a final decision

Dear Resident / Business,
The purpose of this leaflet is to advise you that, following representations made by some local businesses to the Council, it is proposed to make some changes to the parking, waiting and loading provisions in Church Road, Clement Road and Allington Close.

PROPOSED CHANGES

The proposed changes are detailed below and shown on the drawing (Z78-215-01) overleaf.

1. To remove the peak hour parking ban on the Pay and Displays bays in Church Road to allow parking Monday to Friday between 8.30am and 6.30pm.

This will be done on an experimental basis and will be monitored for its effects on the peak hours traffic flow for a period of up to 18 months.

2. To convert the disabled persons parking bay in Church Road, adjacent to property no 15 Church Road, to pay and display bay. This bay has now been relocated to Courthope Road.

3. To remove one pay and display parking bay adjacent to property No. 5 Church Road to assist with the free flow of traffic, particularly large vehicles and buses. This bay is being replaced by at any time waiting and loading restrictions.

4. To introduce three pay and display parking bays on the east side of Allington Close. These bays will operate Monday to Saturday from 8.30am to 6.30pm with a maximum stay of one hour and 20 mins free.

5. To convert the residents permit holder parking bays on Clement Road to resident and pay and display shared-use parking bays with a maximum stay of 5 hours. Business permits will not be permitted in these bays.

Village Ward Councillors

Councillor John Bowcott
Tel - 020 8946 1011
Email: john.bowcott@merton.gov.uk

Councillor Richard Chellew
Tel - 020 8545 3396
Email: richard.chellew@merton.gov.uk

Councillor Samantha George
Tel - 020 8545 3396
Email: samantha.george@merton.gov.uk

Request for document translation
PROPOSED PARKING AMENDMENTS - CHURCH ROAD
If you need any part of this document explained in your language, please tick box and contact us either by writing or by phone using our contact details below.

None
 Bengali
 Bhojpuri
 French
 Korean
 Polish
 Portuguese
 Somali
 Spanish
 Urdu

Large print Braille Audiotape

Your contact:
Name:
Address:
Telephone:

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

