

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

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

1. Title of report and reason for exemption (if any)

Proposed LF CPZ – informal consultation

2. Decision maker

Councillor Martin Whelton, Cabinet Member for Regeneration, Transport and Housing.

3. Date of Decision

4. Date report made available to decision maker

10 January 2019

5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel

6. Decision

- A) Notes the result of the informal consultation carried out between 15 November and 7 December 2018 on the proposals to introduce Controlled Parking Zone (CPZ) LF, to include Lavender Grove.
- B) Agrees to abandon the proposed LF CPZ in Lavender Grove as shown in the consultation leaflet and attached in Appendix 1.
- C) Agrees to proceed with the statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions as proposed in Lavender Grove as shown in Drawing No. Z78-352-01 attached in Appendix 1.
- D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

A majority of residents' have opposed the introduction of a controlled parking zone.

The decision not to implement waiting restrictions has been taken following correspondence from Lavender Fields councillors. I also note that waiting restrictions already exist at the junction of Lavender Avenue and Lavender Grove

8. Alternative options considered and why rejected

Introduce the proposed LF CPZ. This would be against the wishes express by majority of residents who responded to the consultation. This would also be against the Council's adopted practice of only introducing a CPZ in roads that are in support of such proposals

9. Documents relied on in addition to officer report

Correspondence from local councilors

10. Declarations of Interest

11. Publication of this decision and call in provision

Send this form and the officer report* to democratic.services@merton.gov.uk for publication. Publication will take place within two days. The call-in deadline will be at Noon on the third working day following publication.



Councillor Martin Whelton
Cabinet Member for Regeneration, Transport and House
11 January, 2019

Committee: Cabinet Member Report

Date: 9th January 2019

Agenda item:

Wards: Lavender Fields

Subject: Proposed LF CPZ – Lavender Grove – Informal consultation.

Lead officer: Chris Lee, Director of Environment & Regeneration.

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

Forward Plan reference number: N/A

Contact Officer: Paul Atie, Tel: 020 8545 3337

Email: <mailto:paul.atie@merton.gov.uk>

Recommendations:

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

- A) Notes the result of the informal consultation carried out between 15 November and 7 December 2018 on the proposals to introduce Controlled Parking Zone (CPZ) LF, to include Lavender Grove.
- B) Agrees to abandon the proposed LF CPZ in Lavender Grove as shown in the consultation leaflet and attached in Appendix 1.
- C) Agrees to proceed with the statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions as proposed in Lavender Grove as shown in Drawing No. Z78-352-01 attached in Appendix 1.
- D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the informal consultation carried on the Council's proposals to introduce a CPZ (LF) to include Lavender Grove.
- 1.2 It seeks approval to abandon the proposed scheme other than the introduction of the proposed double yellow lines at key locations.

2. DETAILS

- 2.1 The key objectives of parking management include:
 - Tackling of congestion by reducing the level and impact of traffic in town centres and residential areas.
 - Making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures.
 - Managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy.

- Improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas.
- Encouraging the use of more sustainable modes of transport.

2.2 Controlled parking zones aim to provide safe parking arrangements, whilst giving residents and businesses priority access to available kerbside parking space. It is a way of controlling the parking whilst improving and maintaining access and safety for all road users. A CPZ comprises of yellow line waiting restrictions and various types of parking bays operational during the controlled times. These types of bays include the following:

Permit holder bays: - For use by resident permit holders, business permit holders and those with visitor permits.

2.3 A CPZ includes double yellow lines (no waiting 'At Any Time') restrictions at key locations such as at junctions, bends and along certain lengths of roads (passing gaps) where parking impedes the flow of traffic or would create an unacceptable safety risk e.g. obstructive sightlines or unsafe areas where pedestrians cross. These restrictions will improve access for emergency services; refuse vehicles and the overall safety for all road users, especially those pedestrians with disabilities and parents with prams. Any existing double yellow lines at junctions will remain unchanged.

2.4 The CPZ design comprises of permit holder bays to be used by residents, their visitors or business permit holders. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.

2.5 Within any proposed CPZ or review, the Council aims to reach a balance between the needs of the residents, businesses, visitors and all other users of the highway. It is normal practice to introduce appropriate measures if and when there is a sufficient majority of support or there is an overriding need to ensure access and safety. In addition, the Council would also take into account the impact of introducing the proposed changes in assessing the extent of those controls and whether or not they should be implemented.

2.6 In November 2016 some residents of the Lavender Grove petitioned the Council requesting the introduction of a Controlled Parking Zone (CPZ) in their road. This instigated the start of the consultation process.

3. INFORMAL CONSULTATION

3.1 The informal consultation on the proposals to introduce parking controls in the Lavender Grove area was carried out between 15 November and 7 December 2018. 59 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking layout and a sheet of frequently asked questions. Residents were directed to the Council's website to fill in the online questionnaire. A copy of the consultation document is attached as Appendix 1. The consultation document was distributed to all households and businesses within the catchment area.

- 3.2 Notification of the proposals along with the web link to the online questionnaire (e-form) was also posted on the Council’s website showing the proposed parking controls within the zone including the following:
- ‘At any time’ double yellow lines at key locations such as at junctions, bends, and ends of cul-de-sacs;
 - Passing gaps
 - Single yellow lines (mainly between parking bays and across dropped kerbs);
 - Permit holder bays for use by residents, businesses and their visitor.
- 3.3 The consultation resulted in a total of 13 online questionnaires and hard copies after removing duplicates/multiple returns from households, the consultation resulted in a response rate of 22%.

Road Name	No. of Properties	No. of responses	Response rate
Lavender Grove	59	13	22%

- 3.4 As shown in table 1 below, of the 13 who responded, 38% support a CPZ, compared to 54% who do not and 8% who are unsure.

Table 1 – summary of results to question: Do you support a CPZ?

ROAD	DO YOU SUPPORT A CPZ					
	YES	NO	UNSURE	% YES	% NO	% UNSURE
Lavender Grove	5	7	1	38	54%	8%

3.6 Ward Councillor Comments

- ‘Please do not introduce the extra double yellow lines. This will reduce the parking capacity and is almost certainly the reason residents did not support the proposals.’
- ‘Thanks for the email together with the result of the consultation on the proposed Lavender Grove CPZ. I am not at all surprised with the outcome as it was quite clear speaking to most of the Residents that they were not in favour of the CPZ. I also agree with the sentiments which Councillor Allison has expressed, not to introduce the extra double yellow lines. The area in question is very tight and confined.’

- 3.7 Lavender Grove is not wide enough to accommodate parking on both sides, and the footways are not wide enough to accommodate partial footway parking and pedestrians’ access. Currently vehicles park fully on one side on the carriageway with very occasional partial footway parking on the other side of the road and given the relatively narrow nature of the carriageway, clear access for service vehicles,

emergency Services and refuse vehicles cannot be maintained. If vehicles were to park fully on the footway to allow refuse and emergency services, there would not be any footway space for pedestrians. In fact, on the rare occasion that there is footway parking, pedestrians are forced to walk on the carriageway or having to cross the road to the other side which given the kerb height can be difficult for those with mobility and visual difficulties. Since the Council is aware of this unsafe and illegal practice, we are compelled to take the appropriate action. And given that as a rule residents refrain from parking on both sides, the proposed restrictions will not have a huge impact on the residents and will simply prevent the occasional contravention.

- 3.8 Within any parking management design, every effort is made to maximise the number of safe parking spaces; however, it is important to note that safety and access for all road users always take priority over parking. It is normal practice to introduce yellow lines even if a CPZ is not introduced and this was detailed in informal consultation leaflet.

4. PROPOSED MEASURES

- 4.1 Based on the results of the informal consultation, it is recommended to abandon the proposed LF CPZ in Lavender Grove.
- 4.2 Due to safety and access issues, it is recommended that a statutory consultation is carried out on the proposed 'At any time' waiting restrictions in Lavender Grove as shown in Drawing No. Z78-352-01 Rev A and attached in Appendix 1.

5. ALTERNATIVE OPTIONS

- 5.1 Introduce the proposed LF CPZ. This would be against the wishes expressed by majority of residents who responded to the consultation. This would also be against the Council's practise of introducing a CPZ in only roads that are in support of such proposals.
- 5.2 Not to introduce the double yellow lines. This however will do nothing to prevent the occasional obstructive parking.

6. TIMETABLE

- 6.1 If agreed, the TMO will be made soon after the publication of the Cabinet Member's decision and be implemented 6-10 weeks after the Order is made.
- 6.2 A letter will also be distributed to all consultees detailing the results of the consultation; Cabinet Member's decision and the time table for the implementation of the proposals.

7. ALTERNATIVE OPTIONS

- 7.1 Do nothing. This would not address the current access and safety issues highlighted in this report and would not resolve the dangerous and obstructive parking that is currently taking place.

8. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 8.1 The cost of implementing the proposed measures is estimated at £3K. This includes the publication of the Made Traffic Management Orders, the road markings. This will be met by the Environment and Regeneration revenue budget for Parking Management schemes.
- 8.2 The Environment and Regeneration revenue budget for 2018/19 currently contains a provisional budget for Parking Management schemes. The cost of this proposal can be met from this budget.

9. LEGAL AND STATUTORY IMPLICATIONS

- 9.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 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 Council in reaching a decision.
- 9.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

10. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

- 10.1 The measures will address obstructive parking and thereby ensuring access and safety for all road users and the residents.
- 10.3 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.

11. CRIME AND DISORDER IMPLICATIONS

- 11.1 N/A

12. RISK MANAGEMENT IMPLICATIONS

- 12.1 The risk of not introducing the proposed measures is that obstructive parking will continue with pedestrians having to walk on the road and emergency access cannot be maintained.
- 12.2 The proposed measures may cause some dissatisfaction from those who have requested retention of the status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

13. ENVIRONMENTAL IMPLICATIONS

- 13.1 When determining the type of parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties.
- 13.2 In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.
- 13.3 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-
- (a) the desirability of securing and maintaining reasonable access to premises.
 - (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
 - (c) the national air quality strategy.
 - (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
- (e) any other matters appearing to the Council to be relevant.

14. APPENDICES

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

Appendix 1 – informal Consultation Document.

15. BACKGROUND PAPERS

None.

Controlled Parking Zone (CPZ)

Proposed Zone LF - Lavender Grove



ISSUE DATE : 15 NOVEMBER 2018

Dear Resident / Business

The purpose of this leaflet is to seek your views on proposals to introduce a Controlled Parking Zone (CPZ) in Lavender Grove. This proposal is in response to a petition received from residents of Lavender Grove who are experiencing parking difficulties in their road.

To address residents' parking and access concerns the Council is undertaking an informal consultation to seek your views on proposals to control parking in your road (see enclosed plans for the proposals).

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

This road is currently being proposed as a new zone thereby allowing residents to choose the hours of operation. You can view the plans on the website www.merton.gov.uk/cpzlf

HOW WILL IT WORK?

All road space in a CPZ is managed by some form of restrictions. Parking is only permitted where safety, access and sight lines are not compromised. It is, therefore, normal practice to introduce double yellow lines at key locations such as at junctions, bends, turning heads and at specific locations along lengths of roads where parking would impede the passing of vehicles. It is also necessary to provide yellow lines (effective during the CPZ hours of operation or "At Any time" where the kerb is lowered, i.e. at crossovers for driveways.

The Council aims to reach a balance between the needs of the residents, businesses and the safety of all road users. In the event that the majority of those consulted do not support a CPZ in their road or area, and if the Cabinet Member agrees, officers will recommend that only the proposed double yellow lines identified at key locations are introduced to improve safety and maintain access for all road users including pedestrians.

Due to the scale of the attached plan it may be difficult for some to view the proposed restrictions. It is, therefore, recommended that residents view the plans on the website www.merton.gov.uk/cpzlf or inspect a larger scale plan deposited at the Civic Centre reception and Mitcham Library.

PROPOSAL

The proposals include a number of provisions which are detailed below

Operational Hours - The choice of operational hours are explained below:

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

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

www.merton.gov.uk

returning from work later in the afternoon may find less than 'all day' controls. It is still effective in preventing long-term parking. However, it may encourage other short term parking outside the restricted time, by non-residents and non-residents who may also work their way around the 6 hours by moving their vehicles and then returning to park for the rest of the day. Residents returning from work later in the afternoon may find less available parking in their street due to this.

4 hours controls (11am - 3pm) - These operating times offer fewer restrictions for residents and their visitors than the "all day" or 6 hours control. It is still effective in preventing commuters and other long stay parking. However, it may encourage short-term parking outside the operating times by non-residents or businesses. Residents returning from work later in the afternoon may find less available parking in their road due to this. Motorists unable to park in nearby roads without controls may also take advantage of the available parking outside the controlled times.

The proposed operational days include:
Monday to Friday - This will offer more flexibility to residents and visitors at weekends. However it allows non-residents, to park on Saturdays, therefore reducing available parking for your visitors.

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

The standard annual parking permit charges apply regardless of the days or hours the zone operates.

LET US KNOW YOUR VIEWS

The decision on whether or not to proceed with the next step, which would involve a statutory consultation on the proposals, will be subject to the responses received during this consultation. We would ask that you submit your questionnaire online using this link (**one vote per household or business**) www.merton.gov.uk/cpzlt. The online system has been

created to keep costs down and allow the Council process your views more efficiently. If, however, you require a hard copy, please contact Paul Atie, paul.atie@merton.gov.uk and one will be posted to you. Please let us have any comments or suggestions you may have by **7 December 2018** and **it is only one vote per household or business**.

We regret that due to the number of responses received during an informal consultation, it will not be possible to individually reply to each respondent. We welcome your comments on this proposal, which will be noted and included within the proposed measures where appropriate. It should be noted that subject to the responses received, a recommendation may be made to only include those roads where there is a majority support of the proposals.

WHAT HAPPENS NEXT

The results of the consultation along with officer recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. Once a decision is made you will be informed accordingly.

Further information on how CPZs work, details of permit costs can be found in our Frequently Asked Questions (FAQ's) at www.merton.gov.uk/cpzlt

LAVENDER FIELDS WARD COUNCILLORS

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(The contact details of Ward Councillors are provided)