

# Committee: Cabinet Member Report

**Date:** 10<sup>th</sup> April 2017

**Agenda item:**

**Wards:** Abbey

**Subject:** Proposed MP3 CPZ (Willmore End area) – statutory consultation

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

**Lead member:** Councillor Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

**Forward Plan reference number:** N/A

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## Recommendations:

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

- A) Notes the results of the statutory consultation carried out between 9<sup>th</sup> and 31 March 2017 on the proposal to introduce a Controlled Parking Zone (CPZ) MP3 to include Nursery Road, Parkleigh Road and Willmore End.
  - B) Notes and considers the 3 representations received in respect of the proposal as detailed in Appendix 2.
  - C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of a proposed MP3 CPZ to include Nursery Road, Parkleigh Road and Willmore End, operational Monday to Saturday, between 8.30am and 6.30pm as shown in Drawing No. Z78-341-01 in Appendix 1.
  - D) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.
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## 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the statutory consultation carried out on the Councils' proposals to introduce a CPZ in the Willmore End area of Abbey Ward, to include Nursery Road, Parkleigh Road and Willmore End.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMO) for the proposed MP3 CPZ to include Nursery Road, Parkleigh Road and Willmore End, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No.Z78-341-01 in Appendix 1.

## 2 DETAILS

- 2.1 The key objectives of parking management include;

- tackling of congestion by reducing the level and impact of traffic in town centres and residential areas,
- making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures,
- managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy,
- improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas and
- encouraging the use of sustainable modes of transport.

2.2 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 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.

2.5 The CPZ design comprises mainly of permit holder bays to be used by residents, their visitors or business permit holders and a limited number of pay and display shared use bays, which are mainly located near businesses. 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.

### **3 INFORMAL CONSULTATION**

- 3.1 The informal consultation on proposals to introduce parking controls in the Willmore End area took place between 17 November and 9 December 2016. Consultation documents containing a newsletter explaining the proposal, an associated plan showing the proposed parking layout and a sheet of frequently asked questions were distributed to 177 properties. Residents were directed to the Council website to fill in the online questionnaire. The consultation document was posted to all properties within the boundary of the proposed scheme.
- 3.2 The consultation resulted in a total of 49 questionnaires returned from the roads within the proposed CPZ area representing a response rate of 28%. A detailed road by road analysis of the results show that 71% support a CPZ in their road, compared to 25% who do not and 4% who are unsure or did not comment. Residents were also asked which days / hours of operation they would prefer should the CPZ be introduced in their road. Results indicate that 37% of respondents prefer Monday – Friday and 63% support Monday – Saturday. For the hours of operation, 59% of respondents prefer 8.30am – 6.30pm, 25% prefer 10am – 4pm and 16% prefer 11am – 3pm.
- 3.3 The results of the consultation along with officers' recommendations were presented in a report to the Cabinet Member for Regeneration, Environment and Housing on 27 January 2017, after which the Cabinet Member approved the undertaking of the statutory consultation for the MP3 CPZ to operate Monday – Saturday, between 8.30am – 6.30pm.

### **4. STATUTORY CONSULTATION**

- 4.1 The statutory consultation on the Council's intention to introduce the MP3 CPZ to include Nursery Road, Parkleigh Road and Willmore End was carried out between 9 March and 31 March 2017. 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, Appendix 1, was also distributed to all those properties included within the consultation area.
- 4.2 The newsletter detailed the following information:
- The outcome of the informal consultation
  - Cabinet Member decision
  - The undertaking of the statutory consultation
  - A plan detailing the following:
    - Zone operational hours (Monday to Saturday between 8.30am and 6.30pm)
    - Double yellow lines operating "at any time" without loading restrictions
    - Single yellow lines (mainly between parking bays and across dropped kerbs)
  - The various parking bays
  - Zone boundary
- 4.3 The statutory consultation resulted in 3 representations received which included 1 representation in support (with a suggestion to relocate parking bays to the opposite side of carriageway) and 2 representations objecting to the proposed restrictions with concerns for parking availability and objecting to the proposed operational hours. Details of these representations with officer's comments can be found in appendix 2.

## **Ward Councillor Comments**

- 4.4 The Ward Councillors have been engaged during the consultation process. They are supportive of the recommendations made in this report and have no further comments to make.

## **5. PROPOSED MEASURES**

- 5.1 It is recommended that the cabinet Member agrees to the making of the TMO and the implementation of the proposed MP3 CPZ, to include Nursery Road, Parkleigh Road and Willmore End, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No.Z78-341-01 in Appendix 1.

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

### 5.3 Hours of operation

Proposed operational hours are Monday to Saturday, between the hours of 8.30am and 6.30pm.

### 5.4 Permit issue criteria

It is proposed that the residents' permit parking provision should be identical to that offered in other controlled parking zones in Merton at the time of consultation. The cost of the first permit in each household is £65 per annum; the second permit is £110 and the third permit cost is £140. An annual Visitor permit cost is £140.

- 5.5 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. However, it has been agreed not to apply this new Diesel levy to the first year of permits of those zones that were consulted on (but not implemented) prior to the introduction of this levy. The levy will be applied to renewals i.e. the second year of the CPZ. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicle will only have to pay a reduced rate of £25 instead of £65.

### 5.6 Visitors' permits

All-day Visitor permits are £2.50 and half-day permits at £1.50. Half-day permits can be used between 8.30am - 2pm or 12 noon – 6.30pm. The allowance of visitor permits per adult in a household shall be 50 full-day permits, 100 half-day permits or a combination of the two.

## **6. TIMETABLE**

- 6.1 If agreed the TMO will be made soon after a decision and the measures will be implemented six weeks after the publication of the Made Order.

## **7. ALTERNATIVE OPTIONS**

- 7.1 Do nothing. This would not address the current parking demands of the residents in respect of their views expressed during the informal consultation, as well as the Council's duty to provide a safe environment for all road users

## **8. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS**

- 8.1 The cost of implementing the proposed measures is estimated at £8k. This includes the publication of the made Traffic Management Orders and the appropriate road markings and signage. This will be met by the Environment and Regeneration revenue budget for Parking Management schemes.

## **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 implementation of new CPZs and the subsequent changes to the original design affects all sections of the community especially the young and the elderly and assists in improving safety for all road users and achieves the transport planning policies of the government, the Mayor for London and the borough.
- 10.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.
- 10.3 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.
- 10.4 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.

## **11. CRIME AND DISORDER IMPLICATIONS**

- 11.1 N/A

## **12. RISK MANAGEMENT IMPLICATIONS**

- 12.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties would continue and it would do nothing to assist the residents.

- 12.2 The risk in not addressing the issues from the informal consultation exercise would be the loss of confidence in the Council. The proposed measures may cause some dissatisfaction from those who have requested status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

### **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. In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.
- 13.2 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters;
- a) The desirability of securing and maintaining reasonable access to premises,
  - 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.
- a) Appendix 1 - Statutory consultation document and Drawing No.Z78-341-01
  - b) Appendix 2 - Representations with officer's comments



ISSUE DATE : 9 MARCH 2017

**Dear Resident/Business**

The purpose of this leaflet is to let you know the outcome of the informal consultation carried out between 17 November and 9 December 2016 on the proposal to introduce a controlled parking zone (CPZ) in your road.

**INFORMAL CONSULTATION RESULTS**

The consultation resulted in a total of 49 questionnaires returned from the roads within the proposed CPZ area representing a response rate of 28%. A detailed road by road analysis of the results show that 71% support a CPZ in their road, compared to 25% who do not and 4% who are unsure or did not comment. Residents were also asked which days / hours of operation they would prefer should the CPZ be introduced in their road. Results indicate that 37% of respondents prefer Monday – Friday and 63% support Monday – Saturday. For the hours of operation, 59% of respondents prefer 8.30am – 6.30pm, 25% prefer 10am – 4pm and 16% prefer 11am – 3pm.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Environment, Regeneration and Housing at the end of January 2017. The report and the decision sheet can be viewed on our website. [www.merton.gov.uk/cpzmp3](http://www.merton.gov.uk/cpzmp3)

After careful consideration of the consultation results and officers recommendations the Cabinet Member has agreed to proceed with a statutory consultation to include Nursery Road, Parkleigh Road and Willmore End, into the proposed MP3 CPZ, operational Monday to Saturday between 8.30am and 6.30pm.

Please see plan overleaf.

**WHAT HAPPENS NEXT**

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (The Guardian), London Gazette and posted on lamp columns in the vicinity. Representations against the proposals described in this Notice must be made in writing or email to [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) by no later than **31 March 2017** quoting reference **ES/MP3**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm. A copy will also be available at Wimbledon Library. This information is also available on Merton Council's website [www.merton.gov.uk/cpzmp3](http://www.merton.gov.uk/cpzmp3)

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

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

**ABBEY WARD COUNCILLORS**

**Cllr Abigail Jones** Tel - 020 8545 3424 Email: [abigail.jones@merton.gov.uk](mailto:abigail.jones@merton.gov.uk)

**Cllr Andrew Judge** Tel - 020 8545 3425 Email: [andrew.judge@merton.gov.uk](mailto:andrew.judge@merton.gov.uk)

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**Cllr Martin Whelton** Tel: 020 8545 3425  
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(The contact details of Ward Councillors are provided for information purposes only)



KEY	
<b>EXISTING</b>	
	CROSSOVERS
	LAMP COLUMN
	POST
	TELEGRAPH POLE
	EXISTING DOUBLE YELLOW LINE
<b>PROPOSED</b>	
	PERMIT HOLDER BAY
	MOTORCYCLE ONLY BAY
	CPZ BOUNDARY
	SINGLE YELLOW LINE
	DOUBLE YELLOW LINE

Notes  
Do not scale from this drawing

Rev	Revisions	Drawn	Slp	Date	Checkd	Slp	Date	Appd	Slp	Date

**Street Scene & Waste**  
environment & regeneration

TRAFFIC & HIGHWAYS

Drawn by	Slp	Date
Checked by	Slp	Date
Approved by	Slp	Date

PROJECT  
**Controlled Parking Zones (CPZ's)**

TITLE  
**Willmore End Area MP3**

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

Drawing No. Z78-341-01  
Revision  
Consultation  
Scale  
NTS



## Appendix 2 - Representations and Officer's Comments

### ES/MP3/001

I am writing in support to the introduction of the proposed MP3 CPZ, 8:30am till 6:30pm.

I propose that the yellow lines in Willmore End are moved to the other side of the road as shown in black in the picture below. This allows more vehicles to park on that street without causing any obstruction to the emergency services and gives easier access to the garages on the other side of the road.

While writing I thank the councillors for their support in seeing this through.

#### **Officers Comments:**

***The section of Willmore End between Nursery Road and Parkleigh Road has acute junctions with these roads in comparison with the junction from Nursery Road turning right into the northern arm of Willmore End and large vehicles turning into this southern arm of Willmore End will require the clear western kerbside to proceed. For this reason the parking bays are situated on the eastern kerbside that will provide clear access on the western side for vehicles to proceed without conflict and removes the need to stop and reverse in an attempt to make a turning manoeuvre.***

### ES/MP3/002

Having received your leaflet on the proposed parking zone for Nursery Road, Willmore End and Parkleigh Road, I wish to complain, down Nursery Road we have at least 32 cars - and only enough spaces for 21 cars, residents have to use the spaces where you intend to put double yellow lines along one side of Willmore End - can you please suggest where are we going to park our cars? I may also add to the left of Nursery Road towards Abbey Rec., we have another 6 houses that also have cars and they of course use our road to park their cars - also to the right of Nursery Road, we have another set of at least 8 flats and they also park their cars down Nursery Road as well, plus we have an Indian restaurant which customers also park their cars down Nursery Road, plus a Chinese Café as well, by return of this email I would like one of your team to let me know 'where' do we park our cars - the Parking Zone will be a sham - especially as you intend to put double yellow lines - can this please be looked into and can you please let me know 'why' we have to have double yellow lines - there is still enough room for either an ambulance or a fire engine to get down that piece of road - if that was the objection. I will also add that after the cut off point for parking (6.30pm) there will still be no space for parking for the 32 cars plus all the other cars from the residents of Morden Road, due to the fact that there will be double yellow lines - this needs to be revoked I await your answer.

#### **Officers Comments:**

***The aim of the proposal is to maintain clear access at the junctions and through narrow sections of the carriageway, especially for larger vehicles and waste collection services as well as provide clear access for emergency services should the need arise. Regarding the proposal for double yellow lines (waiting restrictions) in Willmore End, the waiting restrictions are along stretches of carriageway on one side where the width is insufficient to accommodate parking on both sides of the road and where the footway is not wide enough to allow footway parking whilst providing access for pedestrians, especially prams / buggies and wheelchair users. It is important to note that the road is for use by all road users and this includes pedestrians.***

***There are available short stay parking bays situated in the red route sections of Nursery Road and Parkeigh Road that can be used by visitors to the parade of businesses on Morden Road.***

***There is an increase in car ownership over the years resulting in parking space becoming a premium especially in Greater London, not only just central London as previously used to be the case. As demand increases for parking space in areas of interest such as from commuter / other long term visitor parking then residents do find themselves under stress to be able to park close to their homes. The purpose of the CPZ is to prioritise parking provision for residents to park in their own roads during the hours of operation. It is likely that following the introduction of a CPZ an increase in vacant parking places and regular turnover will be available and reduce pressure to park in places that may cause an obstruction. Additionally permit cost increases with subsequent parking permits which is structured to discourage multi-car ownership, especially where communities experience resident parking pressure.***

## ES/MP3/003

I am writing regarding the reference ES/MP3 as I have some objections to the proposal.

I am concerned with the CPZ hours of operation and would prefer the shortest time of 11am-3pm Monday to Friday. I own the café on Morden Road and I am worried that the operating hours would affect my business as some customers park for a short period to come to the café.

I do not consider the response rate of 28% as very high. I suspect the people who are for the CPZ took more time to respond than others who may not have cars or those who do not feel it would make a difference. I note in the cabinet member decision document it says that the alternative of not having a CPZ goes against the views expressed by residents in the informal consultation. This view is less than half of the total residents would around 19% with this view.

Looking at the plan, I have another issue regarding the proposed double yellow lines on Willmore End. At the moment cars park on both sides of Willmore End so effectively, you are getting rid of all that space for parked cars. I would like to know how this would ease the parking problem that residents have complained about in the first place.

Also, I would like to question whether having parking permits and a CPZ would actually help residents as residents could potentially get three parking permits each for example so the number of cars remain the same but the number of car parking spaces has decreased.

### **Officers Comments:**

***During the informal consultation stage the majority of respondents of the local community expressed support for operational hours of 8.30am – 6.30pm, Monday – Saturday. After consideration of the communities' feedback during the informal consultation the Cabinet Member for Regeneration, Environment and Housing approved the undertaking of the statutory consultation for the MP3 CPZ to operate between 8.30am – 6.30pm Monday – Saturday, to match the community's preferred operational period.***

***There is available short stay parking bays situated in the red route sections of Nursery Road and Parkeigh Road that can be utilised by visitors to the parade of businesses on Morden Road.***

***The response rate is in relation to the total number of properties the consultation document was distributed to (as opposed to number of residents) and it is possible that not all properties are occupied; also it is Council's experience that those who either support a scheme or do not have strong opinions often do not respond. The Council does encourage all consultees to respond to consultations even if in favour of the proposal but especially if objecting; further to this your assumption that only car owners may bother to respond to the consultation is another reason it is highly unlikely the Council would receive a high response rate as not all properties may own a vehicle, therefore it is important to note that of those who responded 71% support a CPZ in their road.***

***Regarding the proposal for double yellow lines (waiting restrictions) in Willmore End, the waiting restrictions are along stretches of carriageway on one side where the width is insufficient to accommodate parking on both sides of the road and where the footway is not wide enough to allow footway parking whilst providing access for pedestrians, especially pram / buggies and wheelchair users. Waiting restrictions are also proposed at junctions to assist with sightlines and access / flow of traffic, especially emergency service vehicles and the Council's refuse collection services. Double yellow lines are introduced to remove obstructive parking and to maintain clear access at all times. Access for traffic, especially emergency services, always takes priority over parking. It is important to note that the road is for use by all road users and this includes pedestrians.***

***The purpose of the CPZ is to prioritise parking provisions for residents to park in their own roads. It is likely that following the introduction of a CPZ an increase in vacant parking places and regular turnover will be available and reduce pressure to park in places that may cause an obstruction. Further the higher price structure of subsequent parking permits encourages multi-car car ownership, especially where communities experience resident parking pressure.***