

## 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 MTC2 CPZ – informal consultation

### 2. Decision maker

Councillor Martin Whelton, Cabinet member for regeneration, housing and transport.

### 3. Date of Decision

6 August 2018

### 4. Date report made available to decision maker

6 August 2018

### 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 18 June and 20 July 2018 on the proposals to introduce Controlled Parking Zone (CPZ) MTC2 to include Commonside East, Esher Mews and Hallowell Close.
- B) Agrees to proceed with a statutory consultation to introduce the proposed MTC2 CPZ to include Commonside East, Esher Mews and Hallowell Close, operational Monday to Saturday between 8.30 am and 6.30pm as shown in Drawing No. Z78-354-01 and attached in Appendix 1.
- C) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone as shown in Drawing No. Z78-354-01 and attached in Appendix 1.
- E) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

### 7. Reason for decision

- 1) Support shown by local residents in the consultation for the introduction of a controlled parking zone and for the hours to be Monday-Saturday 8.30 am to 6:30pm
- 2) To improve road safety on the road through the introduction of waiting restrictions.

**8. Alternative options considered and why rejected**

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.

Consideration of not implementing the proposed waiting restrictions on Hallowell Close was given but rejected due to road safety issues.

**9. Documents relied on in addition to officer report**

Meeting with local residents on Tuesday 17 July on Hallowell Close to discuss the controlled parking zone

**10. Declarations of Interest**

None

**11. Publication of this decision and call in provision**

Send this form and the officer report\* to [democratic.services@merton.gov.uk](mailto: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, housing and transport**

**6 August, 2018**

**Committee:** Cabinet Member Report

**Date:** 3th August 2018

**Agenda item:**

**Wards:** Figge's Marsh

**Subject:** Proposed MTC2 CPZ – Commonside East and Hallowell Close – Informal 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

Contact Officer: Paul Atie, Tel: 020 8545 3337

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

**Recommendations:**

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

- A) Notes the result of the informal consultation carried out between 18 June and 20 July 2018 on the proposals to introduce Controlled Parking Zone (CPZ) MTC2 to include Commonside East, Esher Mews and Hallowell Close.
- B) Agrees to proceed with a statutory consultation to introduce the proposed MTC2 CPZ to include Commonside East, Esher Mews and Hallowell Close, operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No. Z78-354-01 and attached in Appendix 1.
- C) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone as shown in Drawing No. Z78-354-01 and 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 (MTC2) to include Commonside East, Esher Mews and Hallowell Close.
- 1.2 It seeks approval to progress the above recommendations.

**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.

Pay and display shared use/permit holder bays: - For use by pay and display customers and permit holders.

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

2.4 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 2017 some residents of Commonsides East and Hallowell Close petitioned the Council requesting the introduction of a Controlled Parking Zone (CPZ) in their roads. This instigated the start of the consultation process.

### 3. ALTERNATIVE OPTIONS

3.1 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.

3.2 Not to introduce the proposed double yellow lines. In the event of an incident, however, this would put the residents at safety risk and the Council would be at risk as the Council could be considered as failing in its duties by not giving safety and access priority.

**4. INFORMAL CONSULTATION**

4.1 The informal consultation on the proposals to introduce parking controls in the Commonside East, Esher Mews and Hallowell Close commenced on 18 June and ended on 20 July 2018. 133 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 2. The consultation document was posted to all households and businesses within the catchment area.

4.2 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 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;
- Single yellow lines (mainly between parking bays and across dropped kerbs);
- Permit holder bays for use by residents, businesses and their visitor.

4.3 The consultation resulted in a total of 50 questionnaires returned, representing a response rate of 34%.

4.4 As shown in table 1 below, of the 50 who responded, 88% support a CPZ, compared to 10% who do not and 2% 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
Commonside East	28	1	0	97%	3%	0%
Esher Mews	2	0	0	100%	0%	0%
Hallowell Close	14	4	1	73%	27%	5%
<b>Total</b>	<b>44</b>	<b>5</b>	<b>1</b>	<b>88%</b>	<b>10%</b>	<b>2%</b>

4.5 As shown in table 2 below, of the 50 who responded, 86% support a CPZ in their road if their neighbouring roads were included in a CPZ, compared to 10% who do not, 4% who are unsure or who made no response.

*Table 2 – summary of results to question: Would you want support parking controls if neighbouring roads did?*

ROAD	Would you want support parking controls if neighbouring roads did?					
	YES	NO	UNSURE	% YES	% NO	% UNSURE
Commonside East	25	2	2	86%	7%	7%
Esher Mews	2	0	0	100%	0%	0%
Hallowell Close	16	3	0	84%	16%	0%
<b>Total</b>	<b>43</b>	<b>5</b>	<b>2</b>	<b>86%</b>	<b>10%</b>	<b>4%</b>

4.6 Residents were also asked which days of operation they would prefer if a CPZ was introduced in their road. Results show that 58% of respondents prefer Monday – Saturday, 22% support Monday - Friday and 20% Monday – Sunday or no response as shown in table 3 below.

*Table 3 – summary of results to question: Preferred days of operation?*

ROAD	PREFERRED HOURS OF OPERATION					
	MON-FRI	MON- SAT	Others	% MON - FRI	% MON - SAT	Others
Commonside East	4	19	6	3%	66%	21%
Esher Mews	0	2	0	0%	100%	0%
Hallowell Close	7	8	4	37%	42%	21%
<b>Total</b>	<b>11</b>	<b>29</b>	<b>10</b>	<b>22%</b>	<b>58%</b>	<b>20%</b>

4.7 Residents were further asked which hours of operation they would prefer should the CPZ be introduced in their road. Results show that 84% of respondents prefer 8.30am – 6.30pm, while 2% prefer 10am – 4pm, 8% prefer 11am – 3pm and 6% other hours or no response.

*Table 4 – summary of results to question: Preferred hours of operation?*

ROAD	PREFERRED HOURS OF OPERATION							
	8.30am - 6.30pm	10am - 4pm	11am - 3pm	Other hours or no response	% 8.30am- 6.30pm	% 10am- 4pm	% 11am - 3pm	Other hours or no response
Commonside East	26	1	1	1	90%	3%	3%	3%
Esher Mews	2	0	0	0	100%	0%	0%	0%
Hallowell Close	14	0	3	2	74%	0%	16%	11%

Total	42	1	4	3	84%	2%	8%	6%
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4.8 A number of respondents expressed concerns about loss of parking space should a CPZ be introduced in Hallowell Close and the consequence of insufficient parking to satisfy residents' demands. 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 always takes priority over parking. It is normal practice to introduce yellow lines even if a CPZ is not introduced.

#### 4.9 Ward Councillor Comments

The local Ward Councillors have been fully engaged during the consultation process. Although the Ward Members have been advised of the outcome of the consultation and officer's recommendations, at the time of writing this report, no comments have been received against the proposed measures.

### 5. PROPOSED MEASURES

5.1 Based on the results of the informal consultation, it is recommended that a statutory consultation is carried to introduce MTC2 CPZ to include Commonsides East, Esher Mews and Hallowell Close operational Monday to Saturday between 8.30am and 6.30pm as shown in Drawing No. Z78-351-01 and attached in Appendix

5.2 It recommended that a statutory consultation is carried out to introduce the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions in the Commonsides East area as shown in Drawing No. Z78-351-01 and attached in Appendix 1.

#### 5.3 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.

5.3.1 In November 2016, the Council introduced a Diesel Levy to all those permit holders with a diesel vehicle. The Levy is applied incrementally over a 3 financial year with costs set at 2017/18 = £90, 2018/19 = £115 and 2019/20 = £150. The Diesel Levy will be in addition to the cost of permit. Permit holders will be advised accordingly when making their permit application. Those residents with all-electric vehicles will only have to pay a reduced rate of £25 instead of £65.

#### 5.4 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 12pm & 6.30pm. The allowance of visitor permits per adult in a household shall be 50 full-day permits, 100 half-day permits or a combination of the two.

#### 5.5 Trades permits

Trade Permits are priced at £900 per annum. Trades permits can also be purchased for 6 months at £600, 3 months at £375, 1 month at £150 and Weekly at £50.

## **6. TIMETABLE**

- 6.1 If a decision is made to proceed, the statutory consultation will be carried out in September 2018 after the school holiday period. This will include the erection of the Notices on lamp columns in the area, the publication of the Notice 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 newsletter will be distributed to all the premises within the consulted area informing them of the decision and the statutory consultation. All representations will be reported back to the Cabinet Member for a final decision.

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

- 7.1 The cost of implementing the proposed measures is estimated at £15k. This includes the consultations, the publication of the Made Traffic Management Orders, the road markings and the signs.
- 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 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 without prejudice toward 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 progressing the proposed measures to the statutory consultation stage will be against the wishes of the majority of the residents who responded favorably to the informal consultation. Also, it will do nothing to address existing parking and access difficulties.

12.2 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. The statutory consultation will provide a further opportunity for residents to air their views.

## **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**

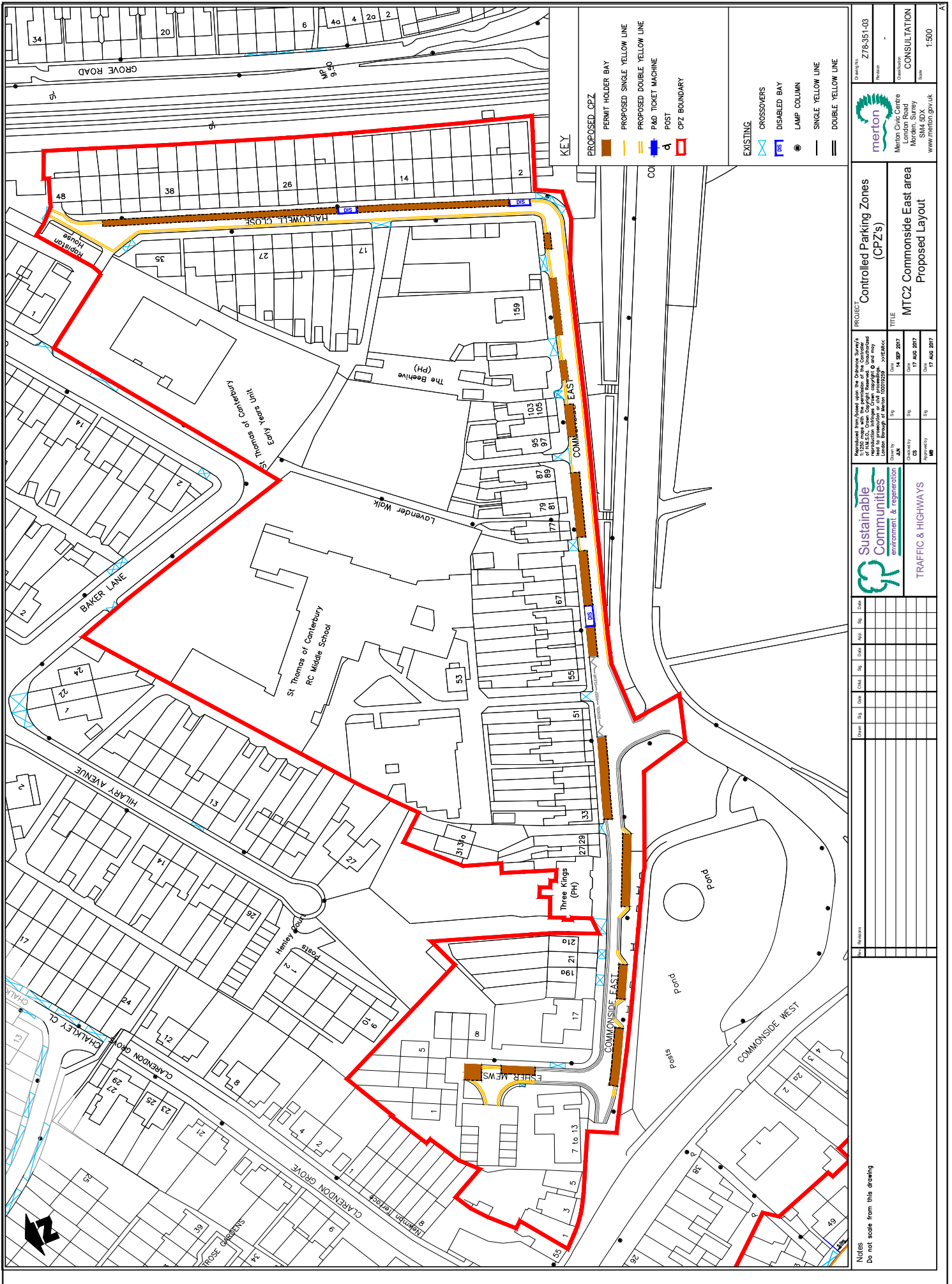
14.1 The following documents are to be published with this report and form part of the report.

Appendix 1 – Drawing No. Z78-354-01

Appendix 2 – informal Consultation Document.

**15. BACKGROUND PAPERS**

None.



**KEY**

	PROPOSED CPZ
	PERMIT HOLDER BAY
	PROPOSED SINGLE YELLOW LINE
	PROPOSED DOUBLE YELLOW LINE
	PAD TICKET MACHINE
	POST
	CPZ BOUNDARY

	CROSSOVERS
	DISABLED BAY
	LAMP COLUMN
	SINGLE YELLOW LINE
	DOUBLE YELLOW LINE

<p>                 Merton Council                  Merton Civic Centre                  London Road                  Morden, Surrey                  SM14 5JX                  www.merton.gov.uk             </p>			
<p>                 PROJECT: <b>Controlled Parking Zones (CPZs)</b>                  TITLE: <b>MTC2 Commonside East area Proposed Layout</b> </p>			
<p>                 Reprinted from/uses the Ordnance Survey's OS MasterMap, Crown Copyright Reserved. Unauthorised use is prohibited. All rights reserved. No liability is accepted for any loss or damage arising from the use of this information.             </p>		<p>                 Date: 14.08.2017                  Date: 17.AUG.2017                  Date: 17.AUG.2017             </p>	
<p>                 City of Merton                  Planning                  Planning                  Planning                  Planning             </p>	<p>                 City of Merton                  Planning                  Planning                  Planning                  Planning             </p>	<p>                 City of Merton                  Planning                  Planning                  Planning                  Planning             </p>	<p>                 City of Merton                  Planning                  Planning                  Planning                  Planning             </p>
<p>                 Sustainable Communities                  environment &amp; regeneration                  TRAFFIC &amp; HIGHWAYS             </p>			
<p>                 MTC2 Commonside East area                  Proposed Layout             </p>			

Notes  
Do not scale from this drawing

## Controlled Parking Zone (CPZ)

Proposed Zone MTC2 - Commonsides East and Hallowell



ISSUE DATE : 12 JUNE 2018

### Dear Resident / Business

The purpose of this leaflet is to seek your views on proposals to introduce a Controlled Parking Zone (CPZ) in Commonsides East, Esher Mews and Hallowell Road. This proposal is in response to a petition received from residents of Commonsides East and Hallowell Road 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 area 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 area is currently being proposed as a new zone thereby allowing residents to choose the hours of operation. You can view the plan on the website [www.merton.gov.uk/cpzmtc2](http://www.merton.gov.uk/cpzmtc2)

### 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).

### 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 commuter parking outside the restricted time, by those 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 less restrictions for residents and their visitors. 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. Residents returning 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

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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/cpzmtc2](http://www.merton.gov.uk/cpzmtc2). The online system has been created to keep costs down and allow the Council to process your views more efficiently. If, however, you require a hard copy, please contact Paul Atie, [paul.atie@merton.gov.uk](mailto:paul.atie@merton.gov.uk) and one will be posted to you. Please let us have any comments or suggestions you may have by **20 July 2018** and **it is only one vote per premises**.

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.

### WHAT HAPPENS NEXT

The results of the consultation along with officers' 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/cpzmtc](http://www.merton.gov.uk/cpzmtc)

#### FIGGE'S MARSH WARD COUNCILLORS

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#### Cabinet Member for Regeneration, Transport and Housing.

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(The contact details of Ward Councillors are provided for information purposes only)

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