

**CORPORATE SERVICES DEPARTMENT**  
Director – Caroline Holland



**Democracy Services  
London Borough of Merton  
Merton Civic Centre  
London Road  
Morden SM4 5DX**

**Direct Line: 0208 545 3357  
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**Date: 18 April 2017**

Dear Councillor

**Notification of a Decision taken by the Cabinet Member for  
Regeneration, Environment and Housing**

The attached non-key decision has been taken by the Cabinet Member for  
Regeneration, Environment and Housing, with regards to:

- **Proposals to improve parking facilities in selected borough  
parks – authorisation to carry out statutory consultation**

and will be implemented at **noon on Friday 21 April** unless a call-in request  
is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant  
sections of the constitution.

Yours sincerely

**Amy Dumitrescu  
Democracy Services**

## **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)**

Proposals to improve parking facilities in selected borough parks - authorisation to carry out statutory consultation.

### **2. Decision maker**

Councillor Martin Whelton, Cabinet Member for Environmental Sustainability and Regeneration

### **3. Date of Decision**

13 April 2017

### **4. Date decision sheet made available to decision maker**

10 March 2017

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

N/A

### **6. Decision**

A) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) for the implementation of the proposed measures detailed below at Wimbledon Park, Haydon's Road, Sir Joseph Hood Memorial Playing Fields, Abbey Road Recreation Ground and Tamworth Recreation Ground. The pay and display bays in parks are to operate Monday to Saturday between the hours of 8.00am and 4.00pm  
B) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

### **7. Reason for decision**

To address demand for parking spaces within parks.  
The impact of traffic on parks and green spaces.

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

None were considered as the above option was considered the only practicable to meet the needs of the park users and our customers

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

None

**10. Declarations of Interest**

None

A handwritten signature in black ink, appearing to read 'Martin Whelton', written in a cursive style.

Cllr Martin Whelton

Cabinet member for regeneration, environment and housing

13 April 2017 .

# Delegated Report

**Cabinet Member:** Regeneration, Environment & Housing

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

**Agenda item:**

**Subject:** Proposals to improve parking facilities in selected borough parks - authorisation to carry out statutory consultation.

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

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

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

**Contact Officer:** Alan Trumper, Parks Development & Investment Manager,  
Tel 020 8545 3655; email: [alan.trumper@merton.gov.uk](mailto:alan.trumper@merton.gov.uk)

**Recommendations:**

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It is recommended that the Cabinet Member for Regeneration, Environment & Housing:

- A) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) for the implementation of the proposed measures detailed below at Wimbledon Park, Haydon's Road, Sir Joseph Hood Memorial Playing Fields, Abbey Road Recreation Ground and Tamworth Recreation Ground. The pay and display bays in parks are to operate Monday to Saturday between the hours of 8.00am and 4.00pm
- B) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. It seeks approval to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) for the implementation of the proposed measures.

**2. DETAILS**

- 2.1. The key objectives of parking management with the selected parks include:
  - Tackling congestion by reducing the level and impact of traffic in parks and green spaces.
  - Making the borough's parks safer and more secure, particularly for pedestrians and other vulnerable park users through traffic management measures.
  - Making better use of park spaces for the benefit of people, goods and services, ensuring that genuine park users' parking needs are prioritised.
  - Improving the attractiveness and amenity of the borough's parks, particularly in high-use 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 Car Park. 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. The car parks are non-residential without any form of restriction. Over the years they has been subject long-stay commuter parking which is not considered the best use of available space as it does not cater for the parking needs of the local community including visitors who visit the parks for leisure activities. The situation has over the last few years deteriorated particularly with caravans and abandoned vehicles being parked on car parks. The Council has spent vast amount of resources on a continuous legal battle to move these vehicles; however, this process of moving the culprits on is simply not sustainable. To address this problem and to manage the parking, the Council is seeking to introduce double yellow lines and install parking bays within the identified car parks. The proposed parking management will allow the Council to manage and maximise the parking for all users.

### **3. PROPOSED MEASURES**

- 3.1. The pay and display bays in parks are to operate Monday to Saturday between the hours of 8.00am and 4.00pm, but not including Sundays or Bank Holidays.
- 3.2. The locations to be included within the current scheme are:
  - i) Wimbledon Park (Revelstoke Road car park), Wimbledon
  - ii) Haydons Road Recreation Ground, Wimbledon
  - iii) Sir Joseph Hood Memorial Playing Fields, Motspur Park
  - iv) Abbey Recreation Ground, South Wimbledon
  - v) Tamworth Recreation Ground, Mitcham
- 3.3. The proposed standard parking charge is 30p per hour, except at Haydons Road Recreation Ground where the charge is 60p per hour due to local recurring demands.
- 3.4. Mobile phone and coin payments will be possible.
- 3.5. Parking will not be permitted between 11pm and 6am and sanctions will be applied to vehicles left overnight.
- 3.6. Parking will be free between 4pm and parks' closure time (typically around the time of dusk) and between 6am and 8am in those parks where parking is possible between those hours.
- 3.7. Untaxed and abandoned vehicles left in these car parks will be removed without notice.
- 3.8. The income secured from this new parking scheme will be retained within Greenspaces' accounts and will support the service's on-going revenue costs and new developments, particularly in those key parks where the parking schemes is being introduced.
- 3.9. The overall capital costs of the scheme is anticipated to be recovered during the second full operational year and on that basis the scheme is considered to be a worthwhile investment.

#### **4. CONSULTATION UNDERTAKEN**

Informal consultations have taken place with key stakeholders. A formal consultation on the site proposals listed below will occur prior to the scheme's implementation:

- 4.1. Haydon's Road Recreation Ground: 60p per hour charge paid in 20 minute time slots; minimum fee 20p. Applies from 8am to 4pm. Free parking thereafter until park closure. No overnight parking between 11pm and 6am.
- 4.2. Tamworth Recreation Ground: 30p per hour charge paid in 20 minute time slots; minimum fee 10p. Applies from 8am to 4pm. Free parking thereafter until park closure. No overnight parking between 11pm and 6am.
- 4.3. Sir Joseph Hood Memorial Playing Fields: 30p per hour paid in 20 minute time slots; minimum fee 10p. Applies from 8am to 4pm. Free parking thereafter until park closure. No overnight parking between 11pm and 6am.
- 4.4. Wimbledon Park: 30p per hour paid in 20 minute time slots; minimum fee 10p. Applies from 8am to 4pm. Free parking thereafter until park closure. No overnight parking between 11pm and 6am.
- 4.5. Abbey Recreation Ground: 30p per hour paid in 20 minute time slots; minimum fee 10p. Applies from 8am to 4pm. Free parking thereafter until park closure. No overnight parking between 11pm and 6am.

#### **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 newsletter 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 problems.
- 6.2. Not to introduce double yellow line restrictions. This will not enable the Council to discharge its duty to provide a safe environment for all park users.

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

- 7.1. The cost of implementing the recommended measures is estimated at £60k. This includes the publication of the made Traffic Management Orders, road markings and the signs. It does not include staff costs.
- 7.2. The estimated cost will be met by the Greenspaces capital budget allocation for parks traffic and parking management, already secured.

## **8. LEGAL AND STATUTORY IMPLICATIONS**

- 8.1. 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.
- 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. The Council carries out careful consultation to ensure that all park 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, as well as charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of park users.
- 9.3. 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.

## **10. CRIME AND DISORDER IMPLICATION**

- 10.1. Reduction of dumped and untaxed and/or uninsured cars by local garages, business and residents.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1. The proposed measures may cause some dissatisfaction from the few who may object, 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

# Merton Council - call-in request form

## 1. Decision to be called in: (required)

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## 2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

## 3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

**4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

**5. Documents requested**

**6. Witnesses requested**

**7. Signed (not required if sent by email): .....**

**8. Notes**

Call-ins must be supported by at least three members of the Council  
(Part 4E Section 16(c)(a)(i))

The call in form and supporting requests must be received by by 12 Noon on the third working day following the publication of the decision  
(Part 4E Section 16(c)(a)(iii)).

The form and/or supporting requests must be sent **EITHER** by email from a Councillor's email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) **OR** as a signed paper copy (Part 4E Section 16(c)(a)(iv)) to the Assistant Head of Democracy, 8<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Assistant Head of Democracy on 020 8545 3361