

Sustainable Communities Overview and Scrutiny Panel

8th March 2022

Wards: Hillside

W2 Controlled Parking Zone (CPZ) Review Statutory Consultation – Call In

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

Lead member: Councillor Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency.

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Recommendations:

That the Sustainable Communities Overview and Scrutiny Panel consider the information provided in response to the call-in request and decide whether to:

- A. Refer the decision back to the Cabinet Member for reconsideration; or
 - B. Decide not to refer the matter back to the Cabinet Member, in which case the decision shall take effect immediately.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. On 7th February 2022, the Cabinet member resolved to approve the following:
 - to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the additional parking bays in Woodside and Compton Road operational Monday to Saturday between 8.30am and 6.30pm.
 - To introduce additional parking bays in Alwyne Road that can be used by permit holders within the zone.
 - To proceed with the proposals to convert some permit holder bays in Alwyne Road, Compton Road and Worcester Road to Resident permit holder only bays as shown.
 - To proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the existing zone.
- 1.2. Following the Cabinet Member's decision, the decision was called in on the 13th February 2022 by the Hillside Ward Councillors.
- 1.3. The reasons for the call in focus on:-
 - Clarity of aims and desired outcomes
 - Consideration and evaluation of alternatives

2 DETAILS

- 2.1. W2 CPZ was introduced in 1996 and a review was instigated by some of the residents submitting a petition in 2016. Objectives of a controlled parking zone

include removing commuter parking; maximise the number of on street parking without compromising access; give priority to residents and their visitors and remove obstructive parking.

2.2. As with any review, a full assessment was carried out and a number of improvements such as potential change in hours; modification to existing yellow line restrictions, additional bays and converting some bays to Resident Only bays were proposed and subject to two separate informal consultations and the more recent statutory consultation. The outcome of the statutory consultation and officer's comments were reported to the cabinet Member who agreed to officer's recommendations. This decision was called in based on the following reasons:

2.3 (e) Clarity of aims and desired outcomes:

2.3.1 *Additional parking bays will change the character of the street and impede the flow of traffic. There are concerns about the nature of the traffic generated by Willington School (at the furthest point from Wimbledon Hill Road), the changing nature and increase in volume of delivery vehicles using 'passing places' to stop. Future proposals for Bank Buildings (in Wimbledon Hill Road between Alwyne Rd. and Compton Rd.) are likely to bring greater volumes of lorries. No account appears to have been taken of these factors.*

Officer's response

It is unclear how the character of the road is perceived to change by regulating the parking that is already taking place albeit during the evenings. The reason of *change in character of the road* appears to be somewhat selective in that after the CPZ hours, the road is heavily parked. It is difficult to fathom why it would be unacceptable by the objectors to allow resident permit holders to park within marked bays during the day and yet not be concerned with uncontrolled parking after 6.30pm.

The current single yellow lines allow for stopping and loading and the proposed bays will not hinder servicing. Parking bays would control the area better. Servicing of the new development has already been considered and addressed via the planning process. Where the bays are being proposed will not be affected by the development.

Additional bays will not lead to any adverse change to the traffic generated by the school. As set out in Cabinet member report, parents are not permitted to park within permit holder bays or on yellow line restrictions.

2.3.2 *Council officers' desired outcome of improving access and safety. It is not clear how this outcome will be achieved when Willington School has large coaches accessing these roads, the proposals would make this and residents' access more difficult, and potentially unsafe.*

Officer's response

The additional bays will not impact access to service vehicles including coaches. The carriageway width is sufficient to accommodate strategically placed bays and the proposed yellow lines will ensure that sufficient passing gaps facilitate flow of

traffic. These roads are no different to any other road with parking controls other than the fact that because they are not through routes, they are subject to less traffic. Within any parking management scheme, priority is always given to safety and access whilst maximising safe available space for residents.

- 2.3.3 *Another outcome is “need for maintaining free movement of traffic”. These proposals would not give rise to this as there will not be space for the rise of delivery vans, the school coach, bin lorries etc. which would effectively block the road and cause more congestion. Increased congestion would not help with the desire outcome of improving air quality.*

Officer’s response

These roads are not open to through traffic. As already mentioned, each road is of sufficient width to accommodate the proposed parking bays whilst maintaining flow of traffic and access of service vehicles will not be impeded. The additional bays are to be used by resident permit holders and therefore will not attract additional use; in fact currently those residents who cannot find a parking space are driving around within the zone looking for a parking space and are often having to park in neighbouring roads. This is considered as unnecessary.

- 2.4 (f) Consideration and evaluation of alternatives;

- 2.4.1 *Council officers offered 2 options to the cabinet member, both of which proved unpopular with residents, in Alwyne Road especially. There was a third way which ward councillors and residents sought and encouraged officers to consider. Local residents set up a working group to find an equitable way forward which would satisfy the various stakeholders. This third way is the conversion of existing parking bays to resident only and maintain the single yellow line in Alwyne, and insertion of some passing places in Compton Road. This would help alleviate problems of the increased use of home delivery vans blocking the road, as a result of changed habits during and since Covid. This third way was not given due consideration by officers.*

Officer’s response

The proposal does include converting some of the bays to Resident Only bays. The suggestion of retaining the single yellow lines contradicts some of the reasons that is being provided for objecting to the proposed parking bays and the double yellow lines. It is either safe to park or it is not. It is being suggested that controlled parking bays for residents’ own use will cause an obstruction but parking on single yellow lines does not. There is an increase in home deliveries throughout the borough and the objector’s proposal to retain the existing single yellow lines to facilitate random deliveries implies that the Council would need to reconsider all its parking management throughout the borough.

Given that this road is not a through route, any delivery vehicle that may need to stop may only cause an obstruction for a few short moments and to give this eventuality more weight than to providing additional parking bays for the residents’ own use is difficult to justify. Based on this principle, it would mean that in all parts of the borough, the Council should consider removing a reasonable volume of kerbside space to facilitate home deliveries.

- 2.4.2 *Some residents have suggested that a trial could have been conducted (using experimental TMO like used with the School Streets schemes). This would allow for a review of measures on a trial basis and a full consultation.*

Officer's response

Introducing parking bays using an Experimental Order is considered as disproportionate and unnecessary. Experimental Orders are often used when introducing complex traffic / transport related schemes that may have a greater level of or unknown impact or require further assessment which can only be gathered once operational. The Council does not need to trial parking bays to know that they will fulfil a need for resident permit holders. Design of parking bays are reliant on site conditions as well as site constraints which can be easily assessed and are known.

In terms of consultation, the Council has carried out 2 informal consultations and a statutory consultation which when put in perspective can be considered as somewhat excessive, after all the bays are to be used by the residents and their visitors.

- 2.5 There is evidence that additional parking bays are needed in these roads. Officers have identified areas where parking bays could be installed without compromising safe flow of traffic. However, some objectors are adamant that additional parking bays are not wanted nor needed in their road and want what they consider as an overflow of vehicles from their road to go into neighbouring roads. It also important to note that apart from the inconveniences faced daily by those who live in this road without off-street parking, who have to park some distance away, (having to drive around for sometime during the day looking for a parking space) seeking to park in roads such as St Mary's and Lake roads, which have dual purpose use (shared use for both permit holders and pay and display) thereby having to compete with paying visitors. This has then resulted in lack of parking provisions for paying visitors

There are instances where the Council cannot provide additional parking bays to meet demand and permit holders are advised to park elsewhere within the zone. In this instance, however, this is not the case. It is considered unreasonable for some residents who have paid for their permits to seek parking along St Mary Road or Lake Road some distance away from their homes whilst there is an opportunity to add more bays closer to home.

- 2.6 The Council considers that the benefits of the additional bays outweigh some of the perceived concerns some residents may have.

3 ALTERNATIVE OPTIONS

- 3.1. Alternative options are set out in section 3.12.2 and section 5 of the Cabinet Member report which is within appendix A.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Details are online <https://www.merton.gov.uk/streets-parking-transport/parking/consultations/cpz/w2>

5 TIMETABLE

- 5.1. None for the purpose of this report

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. All the associated costs are covered by the Environment and Regeneration revenue budget for 2022/23 which contains a provisional budget for Parking Management schemes.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. 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.
- 7.2. 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.
- 7.3. 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.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. 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, school children and businesses without prejudice toward charitable and religious facilities.
- 8.2. 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.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. There may be some dissatisfaction amongst the objectors but the benefits of the scheme outweigh majority of the comments made against the scheme.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A - Scrutiny pack

Appendix B - Requested documents

1. Consultation letters and reports from the Council officers to residents, from 2017 onwards relating to the initial and subsequent consideration of the hours of operation of the CPZ which led to proposals to amend parking bays in Compton/Worcester/Alwyne Roads (including the yet unpublished results of the 2020 parking places consultation)
2. Also, an email from Paul Atie to Hillside Ward Councillors dated 19 November 2021 detailing the additional parking bays and significant increase in provision for residents only bays
3. Any letters/emails to officers from residents or others which requested new parking (which triggered officers' recommendations)

12 BACKGROUND PAPERS

- Cabinet Member report - W2 Controlled Parking Zone (CPZ) Review Statutory Consultation dated 16th December 2021
- Cabinet Member report - W2 Controlled Parking Zone (CPZ) Informal Review Consultation dated 9th October 2019
- Cabinet Member report - W2 Controlled Parking Zone (CPZ) Informal Review Consultation dated 18th September 2017