



#### 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:

We – the signatories – are in favour of air quality measures that will have a proven ability to reduce the levels of harmful emission in Merton.

This decision to move to an emissions based charging model for parking prices has not been an open decision informed by evidence, but one taken behind closed doors, without proper scrutiny, and without any consideration of the alternatives.

We fully recognise the seriousness of the air pollution problem in Merton and would wish to see this urgently addressed. However the blunt instrument of raising the cost of parking in a small proportion of the borough is not backed up by sufficient evidence to allow us to support the proposals. The proposals also discriminate against residents of Wimbledon and Raynes Park which has less pollution than the problem areas in the borough in Mitcham and Morden.

##### **(a) proportionality (i.e. the action must be proportionate to the desired outcome);**

The decision to proceed with the emissions based charges increase in car parking costs and permit prices is disproportionate to the desired outcome. The claimed outcome that a reduction in emissions will occur as residents will switch away from private vehicles is not supported by credible evidence. If this was the case then the previous increase in parking charges would make this second increase unnecessary.

The decision does not offer any practical solutions to deal with the pollution hot spots in Mitcham and Morden and nor does it offer support for low emission bus zones or other air quality mitigation measures that have been shown to work.

This policy as proposed is a blunt instrument which doesn't appear to necessarily target the behaviour which is causing the borough's air pollution problems.

##### **(c) respect for human rights and equalities;**

The equalities analysis clearly states that this policy is detrimental to the elderly, those who are pregnant and those with a low socio-economic status.

Many of negatives of the emission based parking charges will be borne by elderly residents of Merton. Page 16 states "Any increase in parking charges has the potential to negatively impact on those who are older and are more likely to have physical and health conditions. Older people are more likely to be affected by social isolation and loneliness."

This clearly shows that there is a greater risk of loneliness and social isolation as well as an impact on physical and health conditions. The Covid19 pandemic has had a similar effect on the lives of the elderly and by introducing the emission based parking charges Merton Council will be adding to these problems for some of the most vulnerable and isolated residents in Merton.

Pregnant women will also suffer if the emission based parking charges are implemented. Page 25 states "It has been identified that those within this group could potentially be negatively impacted by this as while we are trying to encourage greater use of public travel, there are still some stations that do not

have step free access, and this can be difficult to access with a buggy or young children. In addition, those with larger families may be more dependent on a personal vehicle, and as a result of that, have to pay more for their parking.”

Page 34 states “Any increase in parking charges has the potential to negatively impact on those from certain socio economic backgrounds. Significant social inequalities exist within Merton. The eastern half has a younger, less affluent and more ethnically mixed population. The western half is less ethnically mixed, older and more affluent. Largely as a result, people in East Merton have worse health and shorter lives. In the parking charges review, it was identified that those in this group are more likely to live in areas where access to public transport is not as good as in other areas of the borough.”

The effects of raising the cost of parking permits will also have an additional negative impact on the elderly, and those who are pregnant as it will prevent family and friends from visiting these vulnerable groups when they are most in need.

At a time when many families are dealing with the economic consequences of the Covid 19 pandemic, increasing the burdens on young families and those on low incomes as a result of the emission based parking charges will add to the problems that so many have faced over the last ten months.

We also consider that the introduction of emissions based parking charges would breach the Public Sector Equality Duty and therefore also the council’s own Equalities Strategy, as the emission based parking charges clearly discriminate against vulnerable groups in Merton.

#### **(d) a presumption in favour of openness;**

This decision to introduce emission based parking charges has been taken and put to a consultation that will not have a bearing on the outcome of the decision.

1,600 responses were received during the consultation. As we can see from the responses to the questions below the council has paid no attention to the results of its own consultations, which showed that clear majorities opposed the principle of emissions based parking charges.

When asked if *Merton Council should prioritise lower polluting vehicles by offering a lower parking charge over highly polluting vehicles* 61% disagreed.

84% said that the proposals were unlikely to make them reduce the journeys made by car.

No consideration has been given to their responses which support scrapping the charges. The council has therefore not listened to the residents who have decided to engage with the consultation and has therefore displayed a close minded approach, and has shown that the decision has not been made through an open process of engagement.

The decision has been sent through the scrutiny process even though the decision has already been made in the Leader’s Strategy Group and Cabinet in January. It is clear that the meetings of the Sustainable Communities Overview & Scrutiny Panel which was asked to look at this was also just for show for the council as no attempt was made by the council or the cabinet to listen to feedback from residents who spoke at the meeting and members of the panel.

Following the publication of the responses to the consultation, it is clear that the perception of residents is that this decision has been taken predominantly in order to generate revenue for the council.

### **(e) clarity of aims and desired outcomes**

The Cabinet Member says that the increase is about improving public health and reducing air pollution across the whole of the borough. The report details pollution hot spots, of which there are a few locations in Wimbledon, however many of the serious levels of pollution are in Mitcham and Morden, these are outside of the scope of the increased charges, and therefore the rationale that air quality will be improved by residents shifting away from car usage will not occur in some of the worst affected areas of the borough.

We do not see how using a hike in parking charges will actually achieve the stated aim of improving air quality. The proposed tax takes no account of the through traffic from other boroughs, industrial users, buses, HGVs and taxis. Therefore it is hard to conclude how introducing emissions based parking charges will materially make a difference to air quality, and the report does not clearly make this link and is not backed up with credible evidence.

We do not see how increasing the cost of parking in Wimbledon and Raynes Park will achieve the aim of encouraging more people to walk in the borough, as the report deliberately misunderstands why people own cars in the first place. Little to no thought has been given in the report to realise that a large number of residents in Wimbledon and Raynes Park already walk a lot, and in non-pandemic times use public transport for commutes and local trips. What extra desired outcome is the council expecting in Raynes Park and Wimbledon. Levels of walking have been very high over the last year, as anyone would observe visiting any park in the borough.

We acknowledge that forcing people out of their cars leaves them with little choice but to use public transport, or walk or cycle. However, this will not be applied to large parts of Mitcham which are not in CPZ areas. The proposed charges will not help Mitcham health levels to improve which your own report has stated is far worse than Wimbledon.

It appears to any casual reader of the report that the actual desired outcome is to achieve a budget gain to close a gap in the council's finances.

The report does not make any real display of what desired outcomes would be other than trying to reduce the number of cars in the borough. There are no specific measures to define what reductions of emission are aimed for, what metrics on increased public transport use, and no indication of what metrics will be used to measure the increase in public health across the borough.

The revenue that will be received all just appears to go in the general funds of the E&R department to spend on whatever transport or environmental items it determines. The report should have set down precisely what anti-pollution measures would be implemented with this additional revenue, i.e. new tree planting, cycle and walking infrastructure improvements, pollution abatement outside key school sites etc.

### **(f) consideration and evaluation of alternatives;**

No significant thought or effort seems to have been given to alternatives. There are other areas the council could focus on to bring down high levels of air pollution, instead of placing an additional burden on some residents.

This appears to be a single-minded exercise to raise extra income with no specific alternative having been tested or considered.

The Sustainable Communities Overview and Scrutiny panel suggested and offered

various ideas and suggestions to make the policy fit-for-purpose (and officers had asked for suggestions), but was summarily dismissed by the administration's own councillors and again by the cabinet.

We believe the council should fully investigate other options that are less of a blunt tool and will have a greater impact on the air pollution issues facing the borough before confirming this decision hence the reason for the call in.

## 5. Documents requested

All papers provided to the Director of Environment and Regeneration/Director of Corporate Services/ and relevant Cabinet Members prior to, during and subsequent to the decision making process on emissions based parking charges.

All emails, reports and associated documentation relating to the decision on parking charges provided to the relevant Cabinet Members, Leader of the Council, former Leader of the Council Chief Executive, Director of Environment and Regeneration, Director of Corporate Services and other council officers.

Meeting notes of all meetings between officers / Cabinet Members and any third parties on the parking charges increase.

Any correspondence between the council and organisations lobbying for the emissions based parking charges.

Any correspondence between the council and the Merton Residents' Transport Group

The Equality Impact Assessment (or any other equalities analysis carried out) in relation to emission based parking charges.

The risk analysis conducted in relation to the emission based parking charges.

Detailed financial analysis of the emission based parking charges, and in particular the impact on council revenue over the medium term.

## 6. Witnesses requested

**Cllr Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency**

**Cllr Rebecca Lanning Cabinet Member for Adult Social Care and Public Health**

**Chris Lee, Director of Environment and Regeneration, LB Merton**

**Hannah Doody Director of Community and Housing, LB Merton**

**Dagmar Zeuner Director of Public Health, LB Merton**

**Louise Round Managing Director, South London Legal Partnership**

**Ben Stephens, Head of Parking Services, LB Merton**

**Jason Andrews Environmental Health Pollution Manager (Air Quality), LB Merton**

**Representative of Wimbledon Union of Residents' Associations (WURA)**

**Sally Gibbons, Chair of the Edge Hill Residents' Association**

**Representatives of The Alliance of British Drivers; the RAC Foundation; and the AA**

**Raynes Park West Wimbledon Residents Association**

**St Johns Area Residents association**

**Love Wimbledon**

**The Wimbledon East Hillside Resident Association (WEHRA)**

**South Ridgway Residents Association**

**Wimbledon Park Residents Association**

**Battles Area Residents Association**

**The Wimbledon Society**

**North West Wimbledon Residents Association**

**Apostles Residents Association**

**Residents Association of West Wimbledon**

**AgeUK Merton**

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



**Cllr Daniel Holden**



**Cllr David Dean**



**Cllr Nigel Benbow**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

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 to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on  
020 8545 3864