

Merton Council

Council Meeting

Membership

The Mayor: Councillor Agatha Mary Akyigyina

The Deputy Mayor: Councillor Laxmi Attawar

Councillors: Stephen Alambritis, Mark Allison, Stan Anderson, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Fidelis Gadzama, Ross Garrod, Suzanne Grocott, Jeff Hanna, Joan Henry, Daniel Holden, James Holmes, Janice Howard, Mary-Jane Jeanes, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Edith Macauley MBE, Russell Makin, Maxi Martin, Peter McCabe, Oonagh Moulton, Ian Munn BSc, MRTPI(Rtd), Katy Neep, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson CBE, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor OBE, Imran Uddin, Gregory Patrick Udeh, Peter Walker, Jill West, Martin Whelton and David Williams

Date: Wednesday 19 November 2014

Time: 7.15 pm

**Venue: Council chamber - Merton Civic Centre, London Road,
Morden SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact

democratic.services@merton.gov.uk or telephone [020 8545 3361](tel:02085453361).

All Press contacts: press@merton.gov.uk, 020 8545 3181

Council meeting

19 November 2014

1	Apologies for absence	
2	Declarations of interest	
3	Minutes of the previous meeting	1 - 10
4	Announcements by the Mayor, Leader of the Council and Chief Executive	
5	Public questions to cabinet members The questions and written responses will be circulated at the meeting.	
6	Councillors' ordinary priority questions to cabinet members The questions and written responses will be circulated at the meeting	
7a	Strategic theme: Councillors' questions to cabinet members The questions and written responses will be circulated at the meeting.	
7b	Strategic theme: Main report	11 - 24
7c	Strategic theme: motions	
8	Report of Colliers Wood Community Forum	25 - 28
9	Report of Mitcham Community Forum	29 - 32
10	Report of Morden Community Forum	33 - 38
11	Report of Raynes Park Community Forum	39 - 44
12	Report of Wimbledon Community Forum	45 - 50
13	Notices of motion - Conservative	51 - 52
14	Polling Place & Polling District Review	53 - 76
15	Electoral Registration Officer – delegation of powers	77 - 80

16	Council Tax Empty Homes Premium	81 - 84
17	Council Tax Support Scheme	85 - 92
18	Additions to the Approved Capital Programme above £500,000	93 - 104
19	Review of Part 4F of the Constitution - Financial Regulations	105 - 140
20	Fairtrade resolution	141 - 146
21	London Council's Transport & Environment Committee Agreement with the British Parking Association for an Appeals Service for Parking on Private Land	147 - 156
22	South London Partnership - Establishment of Statutory Joint Committee and resourcing of Partnership	157 - 164
23	Recording of non-key delegated executive decisions	To follow
24	Changes to membership of committees and related matters	165 - 168
25	Petitions	169 - 170
26	Business for the next ordinary meeting of the Council	

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

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Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

COUNCIL

10 SEPTEMBER 2014

(19.15 - 21.55)

PRESENT

The Mayor of Merton, Councillor Agatha Mary Akyigyina,
The Deputy Mayor of Merton, Councillor Laxmi Attawar

Councillors: Stephen Alambritis, Mark Allison, Stan Anderson, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Fidelis Gadzama, Ross Garrod, Suzanne Grocott, Jeff Hanna, Joan Henry, Daniel Holden, James Holmes, Janice Howard, Mary-Jane Jeanes, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Oonagh Moulton, Ian Munn, Katy Neep, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor, Imran Uddin, Gregory Udeh, Jill West, Martin Whelton and David Williams.

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors David Dean and Peter Walker.

2 DECLARATIONS OF INTEREST (Agenda Item 2)

No declarations were made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the Council meeting held on the 9 July 2014 were approved as a correct record.

Councillor Crowe asked that it be noted that he and Councillor Judge had spoken on the Strategic Themes Main Report, Minute 7b on page 3. He asked that in the future that it be recorded when Councillors speak on reports within the minutes. The Mayor confirmed this would happen in the future.

4 ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 4)

The Mayor provided the Council with an update on her recent Mayoral duties and highlighted how a number of her fellow Councillors had been raising money for her Mayor's charities.

The Mayor then invited Councillors Phillip Jones and David Williams to say a few words on the death of Honorary Alderman and former Councillor Bernard Clifford. A copy of their speeches is attached as Appendix A to these Minutes.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a supplementary question to the appropriate Cabinet Member.

A copy of the supplementary questions and the responses would be included within the 'Public questions to Cabinet Members' published document.

6 COUNCILLORS' ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the Members' ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member.

A copy of the supplementary questions and the responses would be included within the 'Councillors' ordinary priority questions' to cabinet members published document.

7a STRATEGIC THEME: COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 7a)

The responses to the Members' strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member.

A copy of the supplementary questions and the responses would be included within the 'Strategic theme: Councillors' questions to cabinet members' published document.

7b STRATEGIC THEME: MAIN REPORT - HEALTHIER COMMUNITIES (WITH PARTICULAR REFERENCE TO EMBEDDING PUBLIC HEALTH - ONE YEAR ON FROM TRANSITION) (Agenda Item 7b)

The report was moved by Councillor Caroline Cooper-Marbiah and seconded by Councillor Maxi Martin.

Councillors Suzanne Grocott and Daniel Holden also spoke on this item

RESOLVED:

That the report is agreed

7c STRATEGIC THEME: MOTIONS (Agenda Item 7c)

Strategic Theme Motion Agenda – Liberal Democrat Motion Agenda – Item 7c(i)

The motion was moved by Councillor Mary-Jane Jeanes.

The motion was not seconded, and the motion as a result falls.

Strategic Theme Motion Agenda – Conservative Motion – Item 7c (ii)

The motion was moved by Councillor Gilli Lewis-Lavender and seconded by Councillor Brian Lewis-Lavender

The Labour amendment, as set out in item 17 (a) was moved by Councillor Peter McCabe and seconded by Councillor Ross Garrod.

Councillors Andrew Judge, John Sargeant and David Williams also spoke on this item.

A roll-call was called on the Labour motion

Voting in Favour: Councillors: Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Brenda Fraser, Ross Garrod, Jeff Hanna, Joan Henry, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Ian Munn, Katy Neep, Dennis Pearce, Judy Saunders, Marsie Skeete, Geraldine Stanford, Imran Uddin, Gregory Udeh and Martin Whelton (33)

Voting Against: Councillors: Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Charlie Chirico, Stephen Crowe, Edward Foley, Suzanne Grocott, Daniel Holden, James Holmes, Janice Howard, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Oonagh Moulton, John Sargeant,

David Simpson, Peter Southgate, Linda Taylor, Jill West, and David Williams. (22)

Not voting: Councillors: Agatha Mary Akyigyina and Mary-Jane Jeanes. (2)

The Mayor declared the amendment to be carried.

The substantive resolution was agreed.

RESOLVED:

This Council welcomes the announcement from the NHS that the new Nelson Local Care Centre will open in Spring 2015, providing the following services:

- Two GP practices – Cannon Hill Lane Medical Practice and Church Lane Practice – which will be relocating there
- Outpatient appointments
- Minor surgery and procedures
- X-ray, ultrasound and blood tests
- Physiotherapy
- Pharmacy services
- A range of community mental health services

This Council congratulates everyone involved in the construction of the Nelson Local Care Centre, which is set to be delivered within budget and on schedule, and which will complement the excellent services already provided at the new Raynes Park Health Centre, including antenatal clinics, counselling services, family planning advice and minor surgery.

Council believes that the needs of local residents and quality health outcomes must be at the forefront when taking decisions on how the services offered at the Nelson are developed. Therefore, in choosing a provider for specialist consultation and diagnostic services at the Nelson, Council calls on the local NHS to prioritise the health of local residents over the maximisation of profit for private sector providers. Council notes the significant health inequalities in the borough and regrets that the local NHS has focused on the development of a local care service in the west of the borough whilst neglecting services in the east where the need is greatest. This Council fully supports plans for a facility in Mitcham similar to the Nelson, which would mean residents in the east of the Borough could also benefit from popular, local health services within Merton's own borders but wishes to see greater urgency and importance given to taking this forward by the local NHS.

This Council therefore calls on NHS planners to speed up developing similar new health facilities in Merton for Mitcham-based residents as quickly as possible, including full consultation with the local community. However Council also resolves that local care services should not be used as a reason to close accident and emergency or maternity services at St Helier.

8 REPORT FROM WIMBLEDON COMMUNITY FORUM (Agenda Item 8)

Councillor James Holmes presented the report, which was received by the Council.

He asked that his thanks, on behalf of Wimbledon Community Forum, be recorded to his predecessor, former Councillor Henry Nelless for all the hard work he had put in during his time in the Chair.

9 NOTICE OF MOTION - CONSERVATIVE 1 (Agenda Item 9)

The motion was moved by Councillor Najeeb Latif and seconded by Councillor Stephen Crowe

The Merton Park Ward Independent Residents (MPWIR) amendment, as set out in item 16 was moved by Councillors John Sargeant and seconded by Councillor Edward Foley.

The Labour amendment, as set out in item 17 (b) was moved by Councillors Andrew Judge and seconded by Councillor Sally Kenny.

Councillors Oonagh Moulton and David Simpson also spoke on this item.

The MPWIR amendment was then put to the vote and fell – votes in favour 23, and votes against 33 with 1 abstention.

The Labour amendment was then put to the vote and was carried – votes in favour 33, and votes against 19 with 5 abstentions

The substantive resolution was agreed.

RESOLVED:

This Council welcomes the recent consultation on extending Tramlink so that it connects Merton to Sutton via Morden and Wimbledon. Council notes the consultation ended on 17 August and over 10,000 responses from residents were received over the course of the consultation.

Merton Council, in partnership with Sutton Council, put forward the preferred route included in the consultation as follows:

- A link from Sutton to Wimbledon
- An interchange at Morden town centre
- A stop at St Helier Hospital

Additional options of a route via Nursery Road Playing Fields and Abbey Recreation Ground and a route that would by-pass St Helier Hospital were added to the consultation by Transport for London, which is chaired by the Mayor of London.

The final report has now been compiled and has been forwarded to TfL. It will be published tomorrow. The results show that an overwhelming majority of respondents support the extension of the tram along both councils' preferred route from Wimbledon to Sutton via Morden town centre, with a stop at St Helier Hospital. Residents have also backed Merton's position in not supporting any extension via Nursery Road Rec or Abbey Playing Fields.

However, council notes that the Mayor of London's Infrastructure Plan does not envisage an extension to the tram until 2030 at the earliest.

Council reiterates its support for a tram extension along the preferred route as it believes that, whilst the costs of the final route must clearly be affordable and deliver good value for money for the taxpayer, it is vital that the St Helier Hospital loop goes ahead in order to deliver improved access to the hospital for many local families and older residents. Council also calls on the local CCGs to take into account the potential investment in the tram and the confidence this shows in St Helier hospital as a provider of quality emergency, maternity and related services as they continue to consider the future of the hospital. Council further reiterates the administration's position that it is also vital that disruption to residents and local neighbourhoods is minimised and that the option of a route through Abbey Recreation Ground and Nursery Road playing fields is explicitly ruled out by Transport for London and the Mayor of London.

This Council resolves to take every opportunity that arises:

- a) to use the results of the consultation to lobby TfL to extend the tram from Wimbledon to Sutton via Morden, thus contributing to the regeneration of Morden town centre; and
- b) to continue to press the case for the St Helier Hospital loop with our partners at the London Borough of Sutton, Transport for London and the Mayor of London; and
- c) to continue to strongly resist any alternative route option from TfL and the Mayor of London which would impact adversely on Abbey Recreation Ground and Nursery Road Playing Fields and residents' enjoyment of these open spaces.

Council welcomes the findings of the consultation and has forwarded the results to TfL with a joint letter from both councils supporting the preferred route. Council also looks forward to Scrutiny reviewing the findings of the consultation.

Now that residents have backed the proposals in principle, the next step will be to lobby TfL to fund much more detailed consultation on the preferred route. If TfL agree to fund such a consultation we will be seeking to ensure the following:

- 1) That the consultation is over a suitably long period and at an appropriate time of year so as to ensure maximum feedback from residents;
- 2) That the Scrutiny function of both Council's can fully engage in all stages of the process;
- 3) That any impact on traffic flows into surrounding residential areas is fully explored and the potential for rat running and congestion is minimised; and

- 4) That any changes to bus routes are fully outlined and consulted on; and
- 5) That any agreed extension backed by local people would be prioritised for delivery by the Mayor of London so that residents do not have to wait until 2030.

10 NOTICE OF MOTION - CONSERVATIVE 2 (Agenda Item 10)

The motion was moved by Councillor James Holmes and seconded by Councillor Michael Bull.

The Labour amendment, as set out in item 17 (c) was moved by Councillor Martin Whelton and seconded by Councillor Imran Uddin.

Councillor Peter Southgate also spoke on this item.

The Labour amendment was then put to the vote and was carried – votes in favour 34, and votes against 19 with 5 abstentions

The substantive resolution was agreed.

RESOLVED

This council congratulates all of our GCSE and A Level students on their excellent results this year, with record results at GCSE level in particular. Council also acknowledges the hard work of our Governors, Headteachers, Teachers, Teaching Assistants and other school staff in assisting our young people to reach their full educational potential.

This Council notes the opening of Merton's first free school, Park Free School, in September 2014. This Council does not support the current government's free school policy which allows the establishment of unregulated schools with unqualified teachers and unsuitable premises to be established in areas already well served by good schools whilst additional school places for children in areas of scarcity are left unfunded by government.

Whilst wishing the staff and all the pupils at Park Community School a successful future, as we would for all our Merton pupils and schools staff, council deplores the sub-standard accommodation pupils will have to endure and the uncertainty created due to the delay in identifying a site.

Recognising the enormous costs and challenges for the borough in meeting the growing demand for school places among Merton's primary age group as a result of increased birth rates and also recognising the even greater costs to be incurred for when this cohort of children reaches secondary school age, this Council reiterates its decision of 20 November 2013 to look at all options for meeting the need for more school places, including, and in accordance with the wishes of parents, free schools led by parents in areas of school places shortages employing properly qualified teachers and with proper systems of financial accountability and transparency, and academies.

As per the decision of 20 November 2013 full Council, where a free school wishes to set up in the borough, this Council expects that it will adhere to the following principles:

- Agree to be part of Merton's admissions procedures, working closely with officers;
- Employ only qualified teachers;
- Participate fully in the Merton Education Partnership; and
- Demonstrate genuine community support.

Council regrets that these principles are not supported by central government, leaving children at the mercy of unregulated providers who may not have the best interests of our young people at heart.

However, in order to ensure that Merton's education system is able to offer local families both quality and choice, this Council resolves to continue to support all of our local schools, and where there is an identified need, to consider supporting providers with a proven track record of success who are willing to adopt the aforementioned principles and where the Council is confident that the standard of education offered is comparable with the best schools in the borough.

11 OVERVIEW AND SCRUTINY COMMISSION ANNUAL REPORT: 2013-2014 (Agenda Item 11)

The report was moved by Councillor Peter Southgate and seconded by Councillor Peter McCabe.

Councillor Oonagh Moulton also spoke on this item

RESOLVED:

That the Council notes the Overview and Scrutiny Annual report.

12 CALL-IN AND URGENCY (Agenda Item 12)

RESOLVED:

That Council noted the taking of an urgent key decision and the waiving of the call-in procedure.

13 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS
(Agenda Item 13)

RESOLVED:

That Council:

- A). noted the changes to the membership of Committees approved under delegated powers since the last meeting of the Council.
- B). endorsed the establishment of the new South West London Joint Health Overview and Scrutiny Committee along with its Terms of Reference and Rules of Procedure.
- C). appoints Councillor Brian Lewis-Lavender and Councillor Greg Udeh to the South West London Joint Health Overview and Scrutiny Committee and Councillor Brenda Fraser and Councillor Suzanne Grocott as substitutes.
- D). appoints Councillor Andrew Judge to the Groundwork London's Local Authority Strategic Input Board.

14 PETITIONS (Agenda Item 14)

Petitions were presented by Councillors Mary-Jane Jeanes and Andrew Judge.

15 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 15)

RESOLVED:

That the Strategic theme for the next ordinary meeting of the Council to be held on 19 November 2014 shall be Safer and Stronger Communities.

TESTIMONIES FOR ALDERMAN BERNARD CLIFFORD

Councillor Philip Jones:

I first met Bernard Clifford about half a century ago, but even then he was an established, municipal figure. I think he was probably the last surviving member of the urban district council, where he ran for a seat in West Barnes for Labour the first time and so far for the last time, although we're still working on it. After that he was elected for Graveney Ward in 1964 and carried on to 1986, this meant that after the landslide in 1968 he was one of only 4 labour members on the council. The highlight of his municipal career was in the first labour administration 1971 - 1974 where he was chair of the Education Committee. After that he was the then youngest Mayor from 1974-75. His period on the education committee was at a time when the newly introduced comprehensive system was to settle in and he had to do a lot of work on that. I think he thought that his main achievement was establishing residential Surrey Centre in South Wales which was a valuable facility much appreciated by several generations of Merton school children even though it eventually fell victim to changes in education funding in 1990s. A more lasting memorial to him is the old people accommodation at The Oaks, where he initiated the start of the development at The Oaks for sheltered accommodation and a day centre. Outside the council his job was a Fleet Street printer, and was very active in his union. This was at the time when the union had a reputation for trigger happy bloody mindedness. It is difficult to think of anyone more opposite than Bernard who was sensible, cautious and conscientious. He was so popular that he actually got on with Rupert Murdoch, not one of my favourite characters. Bernard made a very valuable contribution to the life of Merton and I am sure we will all want to send his widow, Iris, our deepest sympathy.

Councillor David Williams:

Councillor Jones and I are the only members of the council to serve with him although Bernard did serve until 1986. He joined the council when he was 25 in 1959, but he became Mayor in 1974 which was when I joined the council and he was the Labour Mayor under the conservative administration, and fulfilled that role honourably and with distinction. It's perhaps just thinking back that it was only after the elections in 1974 that any sort of allowances were introduced, and there was a maximum of £4 per day or £10 per week, and as Mayor Bernard had been working for Bradley Wilkinson who had their site in New Malden where Tesco is (there is a plaque in Tesco near the tills), but Bernard lost his job because he was mayor. His company said they couldn't possibly afford to him taking all the time off. Again, the legislation wasn't there to force them to keep him in employment. Although most of you didn't know him, he gave 37 years in public service, most of that time without ever being able to claim a penny for it, and his family suffered, but he contributed immensely to the council, that's why his name appears on the board as honorary alderman and former mayor.

Committee: Council

Date: 19 November 2014

Wards: All

Subject: Strategic Theme – Safer & Stronger Communities

Lead officer: Chris Lee

Lead member: Cllr Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities

Contact officer: Chris Lee / Kate Herbert

Recommendations:

A. That Council consider the content of this report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. Council at its meeting of 5 March 2014 approved the Business Plan 2014-18.
- 1.2. The Business Plan represents the way in which the Council will deliver the Community Plan, which having been refreshed in 2013 is grouped into five headings (Merton a place to work, A healthy and fulfilling life, Better opportunities for youngsters, Keeping Merton Moving, and Being safe and strong). These are delivered by four Thematic Partnership Boards.
- 1.3. Each meeting of the Council will receive a report updating on progress against one of these strategic themes. This report provides Council with an opportunity to consider progress against the priorities that are delivered under the 'Being safe and strong' theme.
- 1.4. The ambition for this theme is for everyone in Merton to feel safe in their community so we aim to prevent and reduce crime, anti-social behaviour and misuse of drugs and alcohol. To make our communities strong, we also want residents to play an active part in the life of the borough and to feel truly valued.

2 DETAILS

2.1. Crime levels / fear of crime and resident satisfaction

- 2.1.1 Crime as recorded by Total Notifiable Offences reported to the Police is reducing in Merton.
- 2.1.2 Appendix 1 to this report is an excerpt from the Metropolitan Police daily scorecard dated 01/10/2014, showing performance for Total Notifiable Offences (TNOs) and the "MOPAC 7" offences for the current 12 months, compared to the previous 12 month period.
- 2.1.3 Generally, the picture is positive with overall crime down by 1,169 offences and reductions seen in Burglary, Criminal Damage, Robbery and Theft from Person offences. Whilst the overall amount of Theft of and Theft from Motor Vehicles offences is showing a decrease, there has been an increase by 21 offences for Theft/Taking of Motor Vehicles.

- 2.1.4 The two crime types which are showing an increase in the current period are Violence With Injury (VWI) and Domestic Abuse.
- 2.1.5 When drilling down into the VWI offences, it can be seen that while there are fewer Domestic Abuse VWI than Non-Domestic Abuse VWI offences, the domestic cases are showing the bigger increase in terms of both number and percentage. Overall, Domestic Abuse cases are up by 21.4% in the last 12 months compared to the previous period. There are further details later in this report on what activity the Community Safety Partnership is undertaking around Domestic Abuse.
- 2.1.6 Crime is a lower concern for Merton residents when compared to the London average. The 2013 Annual Residents survey (reported earlier this year) found that crime remained one of the top concerns for residents, but a slight fall this year to 30% from 32% last year, saw the level of concern score significantly below the London average of 36%.
- 2.1.7 Young people's concerns are similar to those of adults, with 46% mentioning crime in their top three concerns. The figure is slightly below the London average of 47%.
- 2.1.8 The Annual Residents' Survey also asks for opinions about Policing. For 2013, 62% of respondents stated that they thought it was Excellent, Very Good or Good. This is a significant increase of 5% from 2012 and Merton scores remain consistently above London-wide scores.
- 2.1.9 Every year the Council undertake a borough wide public consultation to seek the views of residents about areas of concern and satisfaction with services. One of the key questions that the survey asks is how concerned residents are about crime. Whilst the Merton average was 50% there were variations with residents in Area 6 (Colliers Wood, Graveney and Longthornton wards) significantly more worried about crime (61%).
- 2.1.10 The consultation also asked residents how safe they felt in their local area. Reflecting that crime continues to be a top concern to residents, feeling safe in your local area is clearly the most important factor to residents with 63% rating it as important to their sense of health and wellbeing. 52% of residents feel that this could be improved. Residents in Area 3 (Cannon Hill, Merton Park, West Barnes, Lower Morden wards) rate feeling safe as significantly more important than the average, whilst residents in Area 5 (Ravensbury, St Helier and Cricket Green wards) and Area 6 (Colliers Wood, Graveney and Longthornton wards) are significantly more likely to say that this could be improved to increase their sense of health and wellbeing.
- 2.1.11 With young people, feeling safe in your local area is also the most important factor, with 74% rating it as important to their sense of health and wellbeing. 55% of young people felt that this could be improved.
- 2.1.12 In terms of confidence in the police, with 75% Merton had the 7th highest confidence in London (Richmond had the highest confidence with 86%), and was above the MPS average of 68% but saw a fall of 1% compared to Quarter 1 2013/14.
- 2.1.13 A new neighbourhood confidence tool is currently being trialled by the Police, which maps the confidence survey data to neighbourhood policing areas. The results for Merton are as follows: Wimbledon: 80% (6th highest confidence in

London), Morden: 76% (17th highest confidence in London), Mitcham: 70% (41st highest confidence in London). There are a total of 108 neighbourhood areas in London. This performance places Merton's neighbourhood policing area in the top 38% across London.

2.1.14 At 81%, Merton police user satisfaction was the joint 8th highest in London and above the MPS average for 80%. The figure was 4% behind the joint highest boroughs (Hammersmith & Fulham and Kingston) on 85% and saw a fall by 2% compared to Q1 2013/14.

2.2. CDRP Strategic Assessment and priorities

2.2.1 Every year the Safer Merton Partnership has a statutory responsibility to undertake a strategic assessment (SA) of the borough. The aim of an SA is to present and interpret the summary findings of intelligence analysis and its purpose is to assist the partnership in identifying the major issues within the local area, to allow resources to be allocated and activities prioritised. The SA is a restricted internal document that does not need to be published and is designed to assist the partnership in developing and updating a three-year rolling Partnership Plan.

2.2.2 The Strategic Assessment process in Merton was changed last year to use a model proposed by the Jill Dando Institute of Security and Crime Science at University College London. This model is based around the problem-solving model and seeks to look at the borough from a victim, offender and location perspective, rather than by crime type. As such, the priorities selected were more cross-cutting in nature than in previous years. The priorities for the CSP for 2014-15 are as follows:

- **Supporting our communities** – assessing the needs of the borough's vulnerable locations to see how the partnership can start to make real changes in these areas. Look at the differences between the day-time and night-time needs of the town centres, which are amongst the biggest crime generators on the borough.
- **Building confidence** – how can we better reassure and inspire confidence in our communities that Merton is a safe place to live and work? Can we ensure that both our communication methods and messages are more targeted to those in which we are trying to reach?
- **Supporting our victims** – how can we better support victims of crime in Merton? In what ways can we reduce the numbers of repeat victims and how can we better support those who do not necessarily feel confident in reporting?
- **Management of offenders** – examine our work on borough with regards to offenders, particularly with regards to Integrated Offender Management and the Transforming Rehabilitation agendas.

2.2.3 The Strategic Assessment for 15/16 is underway.

2.3. Anti- Social Behaviour

2.3.1 One of the key questions that the Annual Resident Survey asks is how concerned residents are about anti-social behaviour. Whilst there are variations, on average 44% of Merton residents are concerned about ASB. This has seen a drop from 51% 2 years ago.

- 2.3.2 The proportion of residents who felt informed about measures to combat anti-social behaviour rose to 35%, reversing the fall seen in 2012 where the figure fell to 29% from 36% in 2011. Residents in Area 4 (Lavender Fields, Pollards Hill and Figges Marsh wards) felt significantly more informed (43%) than the Merton average (35%).
- 2.3.3 There has been an increase in ASB reported to the Council with 147 cases reported to the ASB Unit in Quarter 1 2014/15, compared to 119 during the same time period 2013/14, an increase of 23.5%. In Q2 there were 192 cases compared to 175 cases for Quarter 2 2013/14 an increase of 9.7%. This is against a background of a 25.8% reduction in the number of anti-social behaviour calls recorded by Police in the same timeframe.
- 2.3.4 Despite the increase in caseload, the overwhelming majority of cases continue to have had first contact within the agreed timeframe and at the same or higher level of performance as last year. There was only one case which did not have first contact within the agreed timeframe.
- 2.3.5 ASB legislation changed recently following the enactment of the Anti Social Behaviour Crime and Policing Act 2014. This introduces new remedies to tackle ASB including 'Community Triggers' to require action of agencies as well as Community Protection Notices and Public Spaces Protection Orders. The Council is implementing procedures and protocols to ensure this legislation and the new powers can be used efficiently
- 2.3.6 In keeping Merton safe we have in the last year introduced a borough-wide Controlled Drinking Zone which is having some positive effect in reducing alcohol related ASB, particularly in Mitcham. We have also implemented a Dispersal Zone in the vicinity of Tamworth Rec and Figges Marsh which is helping reduce ASB.
- 2.4. Domestic Violence
- 2.4.1 Police crime figures show that domestic abuse involving violence with injury has increased (by approx. 40% in the last 12 month reporting period). This may reflect increased confidence in the crime being handled but what is certain is that there is an increase in cases presenting. There were a total of 59 clients attending the One Stop Shop during Quarter 1 2014/15, and 63 clients in Quarter 2 2014/15 an increase from 43 clients seen during the same period in 2013/14. We have recently increased the frequency of MARAC (Multi Agency Risk Assessment Conferences) to deal with the increased caseload.
- 2.4.2 Merton is trialling a bespoke domestic abuse reporting car with a PC, detective and IDVA on board to provide a better level of service at initial reports of DA.
- 2.4.3 Repeat victims - Through the domestic abuse multi-agency risk assessment conference (MARAC) process and research, repeat victims of DA are being identified and bespoke packages are being put together to break the cycle of DA.
- 2.4.4 Repeat offenders - Active targeting of repeat offenders through Integrated Offender Management (IOM) processes and through Operation Dauntless, the Metropolitan Police initiative to tackle DA.

- 2.4.5 Education - Relationships and DA is a priority for work with schools including the focus for the Growing Against Gangs and Violence programme.
- 2.4.6 The One Stop Shop celebrated its 4 year anniversary in September alongside partners including the Polish Family Association. Since its launch in 2010 it has given support and practical advice to over 700 clients.
- 2.4.7 We have recently completed an external review of need and provision in this area the results have been reported to the Crime and Disorder as well as Health and Wellbeing Partnership. A new partnership working body (VAWG Board) has been established to oversee the work to reduce Violence against Women and Girls.
- 2.5. CCTV
- 2.5.1 The Council continues to operate a Public surveillance CCTV service 24/7 365 days of the year. A recent report to Overview and Scrutiny Commission set out the findings of a review of the operation. The findings are being acted on and investment is being planned to improve the performance. Work is in hand to renew the maintenance contract which will also provide the Automatic Number Plate Recognition (ANPR) equipment. There are opportunities for this to be utilised for crime reduction purposes as well as traffic management which are being developed.
- 2.5.2 CCTV has been instrumental in reducing crime and close work with the Police and other partners, including Circle Anglia Merton Priory, has greatly assisted in identifying perpetrators and bringing them to justice. Through the CCTV Steering Group, work is in hand to develop closer working with the business community in order to ensure it plays as full a role as possible in tackling crime in town centres and other business areas.
- 2.6. Drugs and alcohol
- 2.6.1 The performance of commissioned substance misuse services continues to be above the national rates in respect of the key indicator of successful completions as a proportion of all in treatment with a local rate of 44.1% against a national average of 39.8%. Successful completions are a key measure of a recovery focused treatment system.
- 2.6.2 The performance of the drug treatment system, as measured by the Public Health Outcomes Framework (PHOF) indicator regarding presentations to treatment, continues to be strong in Merton. Performance remains above the national averages in relation to both opiate and non-opiate using clients.
- 2.6.3 The number of people receiving alcohol treatment has shown a 4% rise compared to 2012/13, however rates of successful completion (26.9%) are slightly above the national average of 26.6%. Rates of subsequent representation to treatment within six months (8.9%) are lower than the national average for this client group. Successful alcohol treatment is likely to support local performance against the Public Health Outcome indicator of alcohol related admissions to hospital.
- 2.7. Neighbourhood Watch
- 2.7.1 Neighbourhood Watch schemes cover just over 37% of the borough. 577 Coordinators are involved across the 30,000+ homes. Recent changes in the way we recognise NHW schemes will increase coverage. This follows

analysis from burglary reassurance visits carried out by the Police and the opportunity to engage and involve more residents in the scheme. Work is well advanced in renewing signage on streets to indicate the presence of schemes.

2.7.2 The Neighbourhood Watch AGM on 16th October held in the Civic Centre celebrated 10 years of Neighbourhood Watch in Merton. The event was very well attended and received a presentation from the Police Anti-Terrorist Squad.

2.8. Integrated Offender Management

2.8.1 This is principally work carried out by the Police and Probation services. As of October 2014, there were 28 individuals in the IOM cohort. As part of the work around IOM, analysis was undertaken by the police in July 2014 to ascertain if being on the scheme had reduced the level of offending amongst the cohort.

2.8.2 The analysis found out that for 33 members of the cohort, in the 12 months prior to them joining, there had been 97 arrests, while there had been 33 arrests whilst on the scheme (duration varies between 3 to 6 months). In terms of the number of convictions, there were 101 in the 12 months prior to them joining the cohort, while there had been 19 convictions whilst part of the cohort (duration varies between 3 to 6 months), with 18 members not having any convictions during that time. Whilst not directly comparable in terms of timeframes (12 months compared to a 3-6 month period), the initial indications point to a decrease in arrests and convictions whilst on the scheme. This analysis is due to be updated when 12 months of cohort data becomes available.

2.8.3 The Probation service is in a state of change at present with the establishment of a contracted service and Community Rehabilitation Companies to provide services to low risk offenders alongside the Probation service dealing with the higher risk offenders. On 29th October the Justice Secretary announced that MTCNovo, a Joint venture of private companies and charitable bodies, had been selected as preferred bidder for the London CRC contract.

2.9. Local Policing Model - information from Merton Police

2.9.1 Since the introduction of the Local Policing Model in July 2013, crime has continued to fall in almost all areas. Confidence levels remain good and have generally remained static since the model was introduced. The main difference arising from the introduction of the Local Policing Model for the public is that the LPTs cover a greater range of hours according to demand profile and are therefore on duty often later at night.

2.9.2 Police officers on Merton Borough are divided according to the roles they are tasked to conduct. Many of these roles are demand led rather than geographic responsibility. In simple terms the following outlines police officers on the Borough:

Total Police Officer Numbers	332
Demand-led Response Team Officers (ERPT)	125

CID Numbers – Demand-led (except a Crime Squad of 1 DS and 8PC/DCs)	69
Local Policing Teams (LPTs) – Equally divided across sectors except Task force - see below	123
Partnership and control room functions - Not on active patrol mostly back office type functions - e.g. control room staff, Gangs officer, court officer etc.	8
Senior Management Team/Support	7

2.9.3 Within the LPT numbers we have 20 PCs Faces of the Ward (Home beats). The rest of these numbers are equally split between each of the three sectors, apart from a Task Force (of 1 PS and 7 PCs). This task force is tasked to key sector crime problems at a fortnightly tasking meeting. It will therefore tend to be tasked according to crime issues presenting at that time.

2.9.4 We also have 20 PCSO's as Faces of the Ward - one based on each ward. The Police have recently flexed the additional 4 PCSOs on the BOCU to act as a town Centre Team in Mitcham to deal with the increased crime numbers experienced in this area

2.9.5 The only other taskable unit across the Borough is the Crime Squad of 1DS and 8PC/DCs that are tasked to specific crime issues. They will tend to be focused on more serious crime problems than the task force such as burglary and robbery.

2.10. Safer Merton restructure

2.10.1 Driven by the Medium Term Financial Strategy a restructure of the Safer Merton Team is currently well advanced. This will see the deletion of the Head of Safer Merton post as well as the integration of the teams into other parts of the Council. Whilst ASB and CCTV will remain in Environment & Regeneration, within Public Protection working alongside other regulatory services and parking, the remainder of the community safety staff will move to Public Health following the transfer of drugs and alcohol commissioning earlier this year. The research and data analysis functions will work well alongside those responsible for the Joint Strategic Needs Assessment in Public Health. The new structure is expected to be implemented in the new calendar year.

2.11. Increasing community cohesion and integration

2.11.1 Building on the Merton Partnership's commitment last year to the Armed Forces Community Covenant, Armed Forces Day was marked in the borough on 28 June. A dedication service took place at the war memorial outside the Civic Centre and was followed by a parade through the streets of Morden to honour members of Merton's armed forces. A multi faith service then was held at St Lawrence Church. The Mayor of Merton, Councillor Agatha Akyigyina, was joined by the Queen's Deputy Lieutenant for Merton, the right Honourable Sir John Wheeler JP, and local representatives from the Royal British Legion, local MPs, and Merton councillors. Members of the Royal British Legion, Army Cadets from Wimbledon College, the Territorial Army, the Scouts and Guides, Air Training Corps and the Wimbledon and Wandle

Scout Band also attended to pay their respects to the armed forces in the UK and overseas.

- 2.11.2 A range of events took place across the borough to commemorate the start of World War I, including Morden Park hosting a performance of a narrated piece highlighting the mood of Britain in Merton 2014, and Lights Out on 4 August which issued an invitation to everyone in the UK to turn off their lights for one hour leaving one single light or candle glowing. Other activities and events throughout the four year commemoration will be advertised through press releases, My Merton and our website.
- 2.11.3 The Council has led a partnership project on financial resilience and financial capability of local people. The project has included some mapping of advice and support services across the borough and identifies a multi agency action plan to strengthen skills and ability to access appropriate financial support across the council.
- 2.11.4 The Croydon, Merton and Sutton Credit Union has recently received a review with recommendations for improving the offer and take up of Credit Union services. A pilot project has started in Pollards Hill to promote the credit union and develop skills locally. The Credit Union has invited the Merton Partnership to play a role in overseeing their work, and the Safer and Stronger Thematic Partnership will lead on this.
- 2.11.5 The 2013/14 target for the percentage of residents who agree that their local area is a place where people of different backgrounds get on well together was met, with 90% of respondents agreeing with this statement.
- 2.12. Empowering local people to have a greater choice and influence over local decision making and a greater role in public service delivery
- 2.12.1 The recent local elections saw 22 new councillors elected. The Council supported new councillors in getting to grips with their new roles through a Member Induction programme, which included topics such as safeguarding, local government finance and overview and scrutiny, and also covered guidance around undertaking case work and engaging with local communities.
- 2.12.2 The Council continues to invite questions from members of the public to be put to the administration at every meeting of Full Council. Following a 12 month trial, the Council has agreed to continue to webcast Full Council and Planning Committee meetings for a further two years, ensuring opportunities for local people to engage with council meetings. There is also the potential to webcast other meetings on an ad hoc basis if there is likely to be public interest in the meeting.
- 2.12.3 The Healthier Communities & Older People Scrutiny Panel is planning to recruit co-opted members onto the panel in a more transparent way. The positions will be advertised and individuals and groups will be able to apply to be co-opted onto the panel.
- 2.12.4 A meeting took place on 9 September to explore how to support and develop Black, Asian and Minority Ethnic (BAME) voice in the borough. A follow up session took place on 11 November and the outcomes of this will be reported back to the JCC in December.

- 2.12.5 The online consultation database available at www.merton.gov.uk/consultations now has a facility for people to subscribe to alerts on particular subjects or geographical areas as new consultations are added.
- 2.12.6 The Safer Neighbourhood Board has been engaging with local representative groups seek co-opted members to increase the diversity across the board. For example, Merton CIL, Interfaith Forum, BAME community, and Youth Parliament/ Youth ambassadors.
- 2.13. Developing the council's leadership role and the capacity of the community and voluntary sector, including increasing the scope and impact of volunteering
- 2.13.1 Volunteer Centre Merton (VCM) and Merton Voluntary Service Council (MVSC) formally merged on 1 July. There will be some exciting developments ahead as the organisations integrate and improve access to volunteering and organisational support in the borough. A new Chief Executive for MVSC has been appointed – Khadiru Mahdi will start the role on 5 January 2015. Currently Chief Executive of Tower Hamlets CVS, he has over 15 years senior leadership and management in the public and voluntary sectors. His career has varied between working for large and small community organisations in Hackney and Lambeth to the regional voluntary organisation, London Voluntary Service Council (LVSC). We look forward to welcoming Khadiru in January.
- 2.13.2 In November 2014, the Merton Compact will celebrate 10 years of continued Compact excellence. A celebratory event took place on 4 November to recognise the impact the 'compact way of working' has had in the borough and the value it has added both to partnership working and outcomes for local residents. The event included the Merton Compact Awards, commendations for key figures instrumental to the Compact's continuing success and good practice examples of what Compact working has achieved in the borough. The award winners were as follows:

Award category	Awarded to
<p>Merton Compact Best Project Award – Celebrating projects that have successfully embraced Compact principles</p>	<p>Wandle Valley Resource Centre – Grenfell Housing and Training and the London Borough of Merton partnered on this project to ensure that an unused council building in Mitcham has been brought back into use for the benefit of the local community. Funding has been secured to deliver training on site to unemployed people living in the four most deprived wards in the borough.</p>
<p>Merton Compact Inclusion Award – Recognising projects, groups and organisations that have worked with a wide range of partners in the delivery of their projects</p>	<p>Merton Community Health Champions project – Merton's Community Health Champions project is a partnership between London Borough of Merton Public Health, Merton Voluntary Service Council, local community groups and the NHS through LiveWell Merton. The programme recruits and trains Community Health Champions from diverse backgrounds to support local community groups and their members and promote healthy lifestyles in East Merton.</p>

Award category	Awarded to
<p>Merton Compact Change Award – Celebrating those groups and organisations who have applied Compact principles to negotiate changes to the delivery of projects and services</p>	<p>Healthwatch Merton – Healthwatch Merton is the local consumer champion for the children, young people and adults of Merton and works to help them get the best out of their local health and social care services.</p>
<p>Special Recognition Awards – Discretionary awards to recognise an outstanding contribution to strengthening, supporting and improving partnership working between the statutory and voluntary sectors</p>	<p>Merton Means Business – This is an outstanding example of collaborative work between Merton Voluntary Service Council and & Merton Chamber of Commerce</p> <p>Mitcham Town Community Trust – This is a true partnership initiative offering wider community access to school facilities and a number of community programmes</p> <p>Mrs Leigh Terrafranca – Leigh has been a very active member of the Wimbledon East Hillside Residents Association</p>
<p>Chris Frost Award – Recognising individuals who have demonstrated continued commitment to the Merton Compact. This award honours the late Chris Frost, who did so much to promote the Compact locally and nationally</p>	<p>Lola Barrett – Lola Barrett has been driving the work of the Merton Compact for the last 10 years as a CEO of Grenfell Housing and Training, Chair of MVSC and Chair of Merton Unity Network and an active voluntary sector representative. She is one of the most established and recognisable leaders in the voluntary sector in Merton.</p>

2.13.3 The Merton Compact was also recognised at the 2014 National Compact Awards. Merton was shortlisted in four categories:

- **Compact Advancing Equality category –** Merton Community Health Champions
- **Compact Leadership category –** Lola Barrett
- **Compact Engagement category –** Transforming Families in Merton
- **Compact Impact category –** Merton Adult Education and St Mark's Family Centre community learning

This years National Compact Awards recognised Chris Frost by renaming their Compact Voice Chair's Special Award the Chris Frost Award. Awarded by the Chair of Compact Voice (Simon Blake OBE) to recognise excellence in Compact working, the award commemorates the work of Chris Frost, who passed away in 2013. It was therefore poignant that the first Chris Frost award was presented to Lola Barrett, in recognition of her work to champion the Merton Compact and bring about real change in the borough.

- 2.13.4 The Merton Community Fund now has a steady regular income from standing orders and payroll giving. There needs to be more work undertaken to increase the number of regular donors. MVSC have developed a campaign to increase the profile and sign up to the fund. It is anticipated that the first awards will be made in January 2015 for projects to start in April 2015.
- 2.13.5 The Merton Means Business initiative is still in operation linking businesses to voluntary and community groups in the borough. The project has been identified as a model of good practice by the Cabinet Office and NAVCA and will feature in a number of publications in the coming months. The partnership between MVSC and Merton Chamber of Commerce has also been selected as one of the pilot areas to participate in the new programme developed nationally. At present Merton Means Business is unfunded and is being sustained by the partners.
- 2.13.6 Through the transformation work underway within council departments, progress is being made to explore areas of work in which volunteers can be included to add value to public services.
- 2.13.7 The member induction programme mentioned above involved a session on 1 July for newly elected councillors on the subject of Community Leadership. This event conveyed information about the changing demographics in the borough, key messages from our communities through the Annual Residents' Survey and details of the Merton Partnership and the Merton Compact. Partners from Merton Police, Merton Fire, MVSC and Merton Chamber of Commerce and Enterprise attended to share their views and experiences of partnership working and respond to members' queries.

3 SCRUTINY FEEDBACK

- 3.1. In the past year the Overview and Scrutiny Commission has scrutinised a number of items related to the stronger communities theme, including:
- 3.2. Volunteering – the Commission has continued to monitor implementation of recommendations made by its volunteering scrutiny task group. It has been pleased with progress made on these and the level of detail provided by the council working in partnership with Merton Voluntary Service Council.
- 3.3. Equalities – the Commission receives a report each year so that it can scrutinise progress in regard to the council's equalities commitments and provide comments as appropriate
- 3.4. The Commission has also received a detailed report on predicted demographic changes to 2017 and the implications for council services, community cohesion and borough infrastructure. This information provided the context for budget scrutiny discussions last year and for selection of topics for inclusion in the 2014/15 scrutiny work programme.
- 3.5. The Borough Commander has attended Commission meetings regularly to answer questions about crime and policing in Merton. The Commission has formally thanked him and his officers for excellent work in continuing to keep crime rates low. It has examined detailed information on officer numbers and performance so that the impact of the move to the Local Policing Model could be assessed.

- 3.6. The Commission has continued to monitor the outcome of its civil unrest scrutiny task group and is now satisfied that all recommendations have been implemented.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Merton Police have been consulted on this report

5 TIMETABLE

- 5.1. None

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are no direct financial implications arising from this report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. There are no legal or statutory implications arising from this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. There are no direct implications arising from this report

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None

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

- Latest Crime statistics

12 BACKGROUND PAPERS

MOPAC Crime	FY 11/12^	Offences Current R12	% Chg
MOPAC 7	7,746	5,944	-23.3 %
Burglary	2,232	1,614	-27.7 %
Criminal Damage	1,637	1,216	-25.7 %
Robbery	677	299	-55.8 %
Theft From MV	1,445	1,117	-22.7 %
Theft/Taking Of MV	431	357	-17.2 %
Theft From Person	272	259	-4.8 %
Violence With Injury	1,052	1,082	+2.9 %

Target	SD Rate	
	FY 11/12	Current R12
	11.1%	13.5%
	6.4%	9.9%
	13.0%	12.7%
	12.0%	17.1%
	1.7%	1.7%
	4.9%	4.8%
	5.1%	2.7%
	34.3%	36.5%

Increase Confidence	Target	Q4 12	Q4 13	% Chg
Police in my local area do a good or excellent job	66%	73%	76%	+3.0% pt

Reduce Cost	Target	Previous R12	Current R12	% Chg
Delivery of the agreed 2013/14 Budget				

Crime Type	Target	Previous R12	Offences Current R12	% Chg
TNO		12,469	11,486	-7.9 %
State-based		975	763	-21.7 %
Victim-based		11,494	10,720	-6.7 %
Burglary	-5.0%	1,888	1,614	-14.5 %
Burglary In a Dwelling		1,200	974	-18.8 %
Burglary In Other Buildings		688	640	-7.0 %
Criminal Damage	0.0%	1,231	1,216	-1.2 %
Robbery	-5.0%	494	299	-39.5 %
Personal Robbery		468	282	-39.7 %
Business Robbery		26	17	-34.6 %
Robbery of mobile phone*		260	130	-50.0 %
Theft Of/From MV		1,625	1,474	-9.3 %
Theft From MV	-8.0%	1,317	1,117	-15.2 %
Theft/Taking Of MV	-1.0%	308	357	+15.9 %
Theft From Person	-15.0%	381	259	-32.0 %
Theft of mobile phone*		243	143	-41.2 %
Violence With Injury	-5.0%	889	1,082	+21.7 %
Non-Domestic Abuse VWI		574	668	+16.4 %
Domestic Abuse VWI		315	414	+31.4 %
Domestic Abuse		921	1,125	+22.1 %

Weekly Excppts	Trends	Target	SD Rate		Primary SD Rate	
			Previous R12	Current R12	Previous R12	Current R12
			22.0%	21.0%	20.3%	20.7%
			79.3%	90.3%	79.3%	90.3%
			17.1%	16.1%	15.3%	15.8%
			12.2%	9.9%	4.6%	8.4%
			15.7%	9.9%	4.2%	8.1%
			6.3%	9.8%	5.2%	8.8%
			16.1%	12.7%	16.1%	12.7%
			16.2%	17.1%	15.8%	17.1%
			15.8%	16.3%	15.6%	16.3%
			23.1%	29.4%	19.2%	29.4%
			18.1%	15.4%	-	-
			6.8%	2.4%	3.2%	2.2%
			6.7%	1.7%	2.3%	1.4%
			7.1%	4.8%	7.1%	4.8%
			2.9%	2.7%	2.9%	2.7%
			2.9%	4.2%	-	-
			37.9%	36.5%	37.9%	36.5%
			28.2%	28.6%	28.2%	28.6%
			55.6%	49.3%	55.6%	49.3%
			50.1%	43.9%	50.1%	43.9%

ASB	Previous R12	Current R12	% Chg
Total ASB Demand	6,739	5,153	-23.5 %
ASB Repeat Callers	138	131	-5.1 %
CCC Despatch	Previous R12	Current R12	% Chg
I Calls within 15 mins	93.3%	92.9%	-0.3% pt
S Calls within 60 mins	90.8%	90.1%	-0.7% pt
Satisfaction	Q4 12	Q4 13	% Chg
Overall Satisfaction	79.0%	83.0%	+4.0% pt
Burglary	87.0%	87.0%	0.0% pt
Motor Vehicle Crime	81.0%	87.0%	+6.0% pt
Violent Crime	69.0%	76.0%	+7.0% pt

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance**
- Red is worsening performance**
- Sky Blue indicates a SD Rate increase on last year**
- Plum indicates a SD Rate decrease on last year**

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Colliers Wood and North East Mitcham Community Forum 21 October 2014 Chair's Report

Councillor Greg Udeh chaired the meeting. 25 residents attended, as well as eight other councillors and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Police Update

Unfortunately the police were unable to attend due to an operational issue. Any questions for the police could be sent to getinvolved@merton.gov.uk and would be taken up with officers.

Cavendish House Redevelopment

Michael Wood from Indigo Planning, Andrew Davies and Sarah Hufford from URB Group and Mark Maurizi from LDA Design set out the plans to redevelop Cavendish House including Donald Hope Library. Michael said that 140 people had attended the recent exhibition with 45 feedback forms received. These were generally positive with 80% agreeing that the plans would help regenerate the area. Following the exhibition the plans would be further developed and should be submitted for planning approval at the beginning of November. If approved it is possible the work could commence in mid-2015.

Mark Maurizi explained the design concepts behind the plans. This includes the stepping of the building to reflect the profile of the area and the use of colour along with brick finish to create a bright entry point into the town centre. The plans have taken into account the views of the Design Review Panel and community feedback. The presentation and images of the plans can be found at <http://www.merton.gov.uk/community-living/communityforums/collierswoodcommunityforum.htm>

The new library facilities would be over three floors and include quiet space, space for community activities and children's activities. The development would be car free and none of the residents would be provided with on-street permits for the controlled parking in the area. Secure cycle parking would be available. Under the plans there would be a total of 60 units, mainly one or two bed with some 3 bed units on the top floor. Some affordable housing would be included but the exact number would not be known until a Viability Appraisal was completed. The site will also include a commercial unit but it was not yet decided what this would be.

Concerns about flooding were raised and in response Michael said that they had consulted with the Environment Agency and engaged a specialist hydrologist. The design will improve the resilience to flooding and will be much better than the current building. It was acknowledged that some disruption to the High Street will occur during construction but this will be managed through a Construction Management Plan that will be submitted to the Council as part of the planning application. In response to a question about pollution Maurizi said that the materials being used should resist the

damage from pollution but would need cleaning every few years. This would form part of the maintenance costs met by residents of the building. Maurizi also said that a sustainability audit would be submitted and that the building would have a high energy efficiency rating.

Concern was raised that central Colliers Wood would have another community facility but in neighbouring Lavender Fields ward there were insufficient facilities for the community. Opportunities to improve this situation have not been taken and money from section 106 money has been diverted elsewhere. The chair agreed to provide a response on the issue of section 106 spending following the meeting.

Merton Council Budget

Councillor Mark Allison presented an update on the Council's budget and how decisions would be for the next four years. The presentation can be found at: <http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

Councillor Allison said that Council Tax would continue to be frozen at the 2010 level until 2018. Along with continued reductions in government grant this would create pressures on the budget of £32m over the next four years. The Council is reviewing every service to find savings or cuts and will be making announcements over the next few years. Decisions would be made using the 'July principles', which emphasis protecting the vulnerable.

Asked about spending on consultants Councillor Allison said that sometimes it was necessary to seek external challenge and advice to ensure the best value was being achieved. In response to a question about health funding to the voluntary sector Councillor Allison said that all the public health contracts had been maintained following the transfer of the service from the NHS to the Council but as these came up for review it was possible that new providers would be successful. Councillor Allison also said that they would have frozen council tax without the government grant for doing so but whilst they had considered reducing council tax they did not think this was sensible and had received a mandate for continuing to freeze it. Councillor Allison agreed it was important to take a firm approach with non-payers of council tax but was proud they had protected the most vulnerable from having to pay more.

Connecting Colliers Wood

Pip Howson from the Future Merton provided an update on the Connecting Colliers Wood programme was trying to achieve and how residents could get involved. The project was close to commencing with initial works on Holmes Place, Wandle Bank and Christchurch Road starting in November. This would see some disruption to buses but should be completed by Christmas.

Works to the junctions on the A24 would start in January and take around three months. The area would also be improved with new benches, tree planting and a new entrance to Wandle Park, with colours being used to

reflect the heritage of the area. The work will include replacing the railings near the Istanbul restaurant with a more attractive small wall.

When asked about the Colliers Wood Tower Pip said that the delays have occurred with Criterion Capital, the building's owner. They tried to secure a partnership with a house builder (Weston Homes) to implement the scheme last year and these contract negotiations failed in February 2014. Criterion has re-tendered the construction contracts and is now progressing with the scheme themselves. We are told that they are, very shortly, due to appoint construction firm JJ Rhatigan as contractors to commence with the scheme.

TfL will have their site compound to the rear of the tower, so people will see activity on site from November. However, we expect Criterion won't be far behind as they have agreed dual use of the site compounds for JJ Rhatigan and TfL.

Criterion & JJ Rhatigan have been working closely with the Council and TfL in coordinating the design details for the public realm, utility and drainage connections and site access arrangements during construction.

Any further updates can be found at
<http://www.merton.gov.uk/connectingcollierswood.htm>

Safer Merton consultation

Ian Callaghan from the Safer Merton team at Merton Council asked residents and local businesses to get involved in their annual survey of crime and community safety. The survey is designed to get beyond simple crime statistics and record how safe residents feel. The survey is open until 31 October and can be found at www.merton.gov.uk/consultations

Soapbox

Concern about illegal parking was raised around Tooting station and VB & Sons. The parking was dangerous and placing pedestrians at risk so more enforcement was needed. It was agreed to raise this with Parking services and provide a response.

The state of the Holiday Inn was also raised as pollution from the road was impacting on the condition of the paint work. This will be raised with the owners.

Officers were also asked to look into smell from the drains on the High Street near the junction with Cavendish Road.

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Mitcham Community Forum 25 March 2014 Chair's Report

The meeting was held at Vestry Hall, and chaired by Councillor Ian Munn. 20 residents attended, as well as five other Councillors, and officers of the council and its partners. The Chair welcomed everyone to the meeting.

Police Update

Inspector Stuart Buchan said that the budget cuts since the Olympics had resulted in considerable changes to neighbourhood policing. However, he was pleased to announce that five new officers would join the Mitcham sector in November with another five joining in the New Year. This would take the number of officers slightly over the other two sectors. Insp Buchan also confirmed that there are no plans to close Mitcham police station, and works were taking place to improve the building so that specialist teams could use it.

Insp Buchan said that crime rates were falling in most areas but Merton has seen an increase in Domestic Violence being reported in line with the whole of London. The police have worked to encourage reporting so hopefully this is having an impact. Insp Buchan also said that his team were aware of the issues of street drinkers in Mitcham and they have been using the power to confiscate alcohol, with more than 400 litres seized to date. They would also be looking to issue Anti-social behaviour orders to the most prolific street drinkers. The problem seems to stem from the culture difference for some East Europeans where street drinking was socially.

A number of concerns were raised that Insp Buchan agreed to look into further:

- Motorcyclists using the Tramway path on their way to Mitcham Common, especially on Sundays
- Speeding on Rowan Road
- Cycling on pavements if residents could identify hot spots

Merton Council Budget

Councillor Mark Allison presented an update on the Council's budget and how decisions would be for the next four years. The presentation can be found at: <http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

Councillor Allison said that Council Tax would continue to be frozen at the 2010 level until 2018. Along with continued reductions in government grant this would create pressures on the budget of £32m over the next four years. The Council is reviewing every service to find savings or cuts and will be making announcements over the next few years. Decisions would be made using the 'July principles', which emphasis protecting the vulnerable.

Burn Bullock

Sam Amoako-Adofo, Planning Enforcement Team Leader updated the meeting. English Heritage has added the building to their Heritage at Risk Register from October 2014. It will remain on the list until the required works for its preservation have been carried out and the building is occupied. A Listed Building Repairs notice to require identified works to be carried out for the preservation of the building, was issued in August and the owner has until 27 October to submit a Listed building application to the Council for approval. If they fail to do so the Council would consider applying to the Secretary of State for a compulsory purchase order. That process may take around six months. In addition they have until Monday 20 October to cease the use of the car park and remove the cars for sale from the site or be subject to prosecution. Officers are also aware of the presence of squatters..

Rediscover Mitcham update

Anthony Bailey from the Future Merton team, Merton Council, presented an update on the proposals for improving Mitcham Town Centre. The presentation can be found at:

<http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

Anthony confirmed the planned timetable for works, with enabling works starting in October; removal of the clock tower in November; phase one construction starting in January and the wider works taking place in winter 2015. There is also a consultation on parking restrictions taking place until 25 October.

In response to questions Anthony confirmed a commitment to a public toilet but the location is yet to be decided. He also confirmed that Transport for London have approved the phase one works and will be approving the wider works once the review process has been completed. Anthony said that the new marked cycle lanes on Majestic Way should reduce conflict with pedestrians, and that the new water feature would be suitable for children's play, using the same standard as in Tamworth.

Anthony also offered to circulate further information about the Christmas lights switch on event and the maps being produced for local businesses.

Heritage Lottery Fund bids

Jil Hall from Merton Council's Parks team described the two proposals that have been submitted to the Heritage Lottery Fund (HLF). One of the bids is under the Parks for People funding programme and relates to the Canons and Madeira Hall. The proposal would see the park upgraded and the hall converted to use for weddings, events and community groups. This bid will be considered by (HLF) on 16 December and if successful a second, more detailed bid would be submitted in 2016 with a view to starting works in 2017.

The second bid is under the Townscape and Heritage programme and relates to the Cricket Green area. Under the bid improvements would be made to the

Burn Bullock, the Cricket Pavilion, Vestry Hall, the Fire Station, and other buildings on Church Road. This bid will be considered on 26 January and if successful and stage two bid would be submitted later in 2015 with a view to commencing works in 2016. Both bids are for five year projects.

The images used by Jil in her presentation can be found at:

<http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

In response to questions Jil said that there would be extensive community involvement in putting together stage two bids if we are successful. There would be a range of projects and events to encourage the local community to get involved. Jil also said that under the plans the playing fields would be retained but would be reconfigured to accommodate a new path. An additional play ground would also be added and the current one improved along with a new natural play environment. Jil was not aware of plans being considered by Merton Clinical Commissioning Group for redevelopment of Birches Close so will speak with colleagues. Jil also confirmed that war memorials would be protected and are being added to the local list.

Safer Merton consultation

Ian Callaghan from the Safer Merton team at Merton Council asked residents and local businesses to get involved in their annual survey of crime and community safety. The survey is designed to get beyond simple crime statistics and record how safe residents feel. The survey is open until 31 October and can be found at www.merton.gov.uk/consultations

Soapbox

The Merton CCG plans for a new local healthcare centre were raised. Councillor Munn confirmed that the Council does not have a preferred site but has been offering support and advice to the CCG. All of the sites being considered by the CCG were included in the Sites and Policies document and for those that are rejected they would be available for other development.

A question was asked about a transport survey of the use of Church Road. Councillor Munn said that those results had not yet been published. Further surveys were needed but when full results were available, and conclusions drawn they would be published. A meeting with the Community Liaison Group would take place with SITA on the 20 October. Those residents experiencing unpleasant smells should continue to complain to SITA.

Concern was also raised about the impact on traffic resulting from the expansion of Date Valley and Cramner Schools. Richard Lancaster from Future Merton said that both schools have travel plans in place but there have been noticeable problems since the start of the term in September. His team would be meeting with Date Valley to address these issues with them. If necessary increased parking enforcement of restrictions will be put in place.

It was reported that businesses had responded well to Merton in Bloom and an award ceremony would take place on 23 October. There are no plans to stop Merton in Bloom.

A consultation will shortly be taking place on the junction of Cedars Avenue and St Georges Road.

Date of next meeting: 18 March 2015, 7.15pm, at Vestry Hall.

LONDON BOROUGH OF MERTON	
	<u>NOTES OF MEETING</u>
	Subject: Morden Community Forum
	Date: 9th October 2014 Time: 19.15
Action Needed By:	
	<p>1. <u>Welcome and Introductions</u></p> <p>1.1 Cllr. Philip Jones introduced himself as the new Chair of the Morden Community Forum and welcomed all to the meeting, including newly-elected councillors for Morden.</p> <p>1.2 Approximately 22 residents attended, as well as 12 Councillors, and officers from the council and its partners, including police officers for Morden.</p>
	<p>2. <u>Update on Travellers</u></p> <p>2.1 Following a request from Councillor Sally Kenny for an update on the travellers located on Cannon Hill and Morden Parks, a statement was read out from Jacquie Denton, the Principal Estate Surveyor at Merton Council: "The travellers moved off Morden Park on the evening of Wednesday 8 October, however 7 caravans remained on the adjoining car park. The police have advised that these remaining caravans have now moved from the car park and have left the borough."</p> <p>2.2 Sergeant Steven Dorrington commented that moving the travellers on and preventing their return is a difficult matter. Under Section 61 of the Criminal Justice Act, an order can be given to the travellers, dictating that they leave within a given time frame, but this does not prevent them from returning at a later date.</p> <p>2.3 Councillor Kenny suggested council officers and members set up a working group to look at how the issue might be dealt with in future.</p>
	<p>3. <u>Police Update</u></p> <p>3.1 Sergeant Dorrington attended the forum with a number of his team to provide an update on priorities for the Morden area, which focused around additional patrols and problem-solving activity.</p> <p>3.2 There are five ASB priorities that the Morden team is focusing on: drug-taking in Morden Park; a person who is living in a tent in Morden Park; an attempted break-in of the caretaker's shed at the Sir Joseph Hood Memorial playing fields; scramble bikes in Ravensbury Park; and drug-use in Mostyn Gardens.</p> <p>3.3 Crime figures by postcode can be seen by visiting the Met Polive website at http://content.met.police.uk/Page/YourBorough.</p>

	<p>3.4 Sgt Dorrington informed residents that there is no plans to move PCSO Michelle Cooper away from St Helier.</p>
	<p>4. <u>Ask the Leader and budget update – Councillor Stephen Alambritis</u></p> <p>4.1 Leader of the Council, Stephen Alambritis, gave an overview of the council's budget, explaining that proposed spending for the coming year is the equivalent to income, therefore the budget is balanced and the council is financially sound. Additionally, the General Purposes Committee, which scrutinises the council's budget, and external auditors Ernst and Young have both given it a clean bill of health.</p> <p>4.2 Council Tax was frozen for the last four years and will continue to be frozen for the next four. Central Government cuts to funding for Council Tax Support have also been absorbed by the council so that those on benefits are not affected.</p> <p>4.3 The council has £18m in reserves, which is in line with other councils. There is another £49m in allocated reserves which covers things such as school expansions and PFIs</p> <p>4.4 Whilst discretionary funding from Central Government has decreased, council tax revenue is around £75m and has been frozen at £75m. Figures relating to the Council's accounts can be seen at http://democracy.merton.gov.uk/ieListDocuments.aspx?CId=136&MId=1965&Ver=4. Some money is also coming in from developers.</p> <p>4.5 The council's pension is 89% fully funded and is the 9th best in the country, which is positive in terms of financial management and good for council employees.</p> <p>4.6 The council is trying to make savings by sharing services with other local authorities, for example Legal Services are now shared with Richmond, Sutton and Kingston, saving the four boroughs about £600,000 over four years.</p> <p>4.7 Further savings have been made through volunteers; all of Merton's libraries remain open and with extended opening hours thanks to volunteers.</p> <p>4.8 Asked about business rates and whether some of the money received from these rates can be ploughed back into struggling businesses, Councillor Alambritis explained that income from business rates is used to pay for the services the council provides to residents. There are small businesses schemes such as a £1,000 discount on rates. Small businesses can also apply for hardship relief, which waives business rates for a year.</p>
	<p>5. <u>Morden Leisure Centre</u></p> <p>5.1 Christine Parsloe, the Leisure and Culture Development</p>

Manager, at Merton Council provided an update on the proposed new Leisure Centre for Morden.

5.2 A number of facilities will definitely be included in the plans, based on recommendations by Sports England: a 6-lane pool; a secondary teaching pool; a hall with four badminton courts/one basketball court; exercise studios; and a 100-station gym.

5.3 There is a £10m budget for the build. Public consultation on which specific facilities some of this money should be spent on has been undertaken and the results showed that the majority would like: a café; a movable floor in the pool to allow for diving to continue; extra lanes in the pool; a climbing wall; a sauna; a crèche. It may not be possible to provide all of these with the £10m but the council will provide as much as the money will allow.

5.4 A series of decisions now need to be made by Cabinet; the first of which – in November this year - will be on the location of the new centre within Morden Park, as well as to tie up the project brief and formally accept the findings of the public consultation.

5.5 A number of specialist consultants will need to be employed to carry out surveys and provide reports on matters such as ecology.

5.6 The aim is for the new centre to open towards the end of 2017/beginning of 2018. Build time is roughly 12-18 months.

5.7 Consultation with stakeholders and other groups is on-going. Regular updates will be provided to the public.

5.8 Christine Parsloe said that the council would work together with the Community Trust in relation to proposals that have come forward regarding the sports fields.

5.9 The park is a conservation area, therefore if the new centre is built on a different part of the park, the land that the existing centre is on would need to be returned to open space.

5.10 GLL will continue to run the new leisure centre once built, and this has been written into their contract with the council.

5.11 It is unusual to receive grants or extra funding for installation of gym equipment.

5.12 The new building will be designed as flexibly as possible so that if extra funds are received, new facilities could be added.

5.13 The existing leisure centres at Canons and Wimbledon already have solar panels on the roofs and the new centre will also be energy efficient, although it has not yet been determined what

	<p>type of energy efficiency mechanism will be used.</p> <p>5.14 Residents will be able to continue to pay and play for facilities at the new centre without needing membership.</p>
	<p>6. <u>Tramlink extension</u></p> <p>6.1 Richard Lancaster, the Future Merton programme manager, gave a presentation on the consultation carried out on proposals to extend the Tramlink from Wimbledon to Sutton via Morden. http://www.merton.gov.uk/tramlink_wimbledon_community_form_presentation_sept_2014.pdf</p> <p>6.2 The majority of the funding for the extension will come from Transport for London. Any contribution from the local boroughs would be low, and proportionally Sutton would pay the larger share of costs.</p> <p>6.3 It is anticipated that the council will be asked to carry out more work on the development side of the project over the next 6-12 months, therefore any decision would be unlikely to clash with the May elections.</p> <p>6.4 Environmental issues around Nursery Road revolve around trams going through an open space; however this is not a favoured option – only 4% of respondents to the consultation preferred it. Overall support for a new tram line favours a line that includes St Helier hospital, with less support for a South Wimbledon extension.</p> <p>6.5 If the tram extension goes ahead, bus routes would probably be altered, or some would be replaced by trams. It is still to be determined where exactly the stop in Morden would be but it would be roughly a three to four-minute walk from the tube station.</p> <p>6.6 It was acknowledged that the tram crossing in Kingston Road is already a challenge and that there is no easy solution to the matter.</p> <p>6.7 Merton is querying the Mayor’s Draft Infrastructure Plan which supports the extension taking place in the early 2030s, although other indications have suggested it would take place in the early 2020s.</p> <p>6.8 The regeneration of Morden Town Centre is likely to take place before the tramlink extension, but the council will factor the extension into the design and planning of the town centre.</p>
	<p>7. <u>Safer Merton consultation</u></p> <p>7.1 Ian Callaghan, Strategic Data Analyst, explained that Safer Merton is carrying out its annual Strategic Assessment which looks at all community safety issues in the borough. The survey will run until the end of October; anyone living and/or working in the borough is encouraged to fill it in at https://consult.merton.gov.uk/KMS/elab.aspx?noip=1&CampaignId=</p>

IC	<p>492&SessionId=H8SUWY5GDX</p> <p>7.2 The Commissioner of the Met Police is coming to Merton on 10 November, between 6.30-7.30pm. Everyone is welcome to attend. The meeting will take place in the Council Chamber.</p> <p>7.3 Merton has one non-alcohol related ASB dispersal order in place and can introduce others if there is sufficient evidence that they are needed. It usually takes approximately six weeks to implement a dispersal order; they are closed if they are no longer deemed necessary.</p> <p>7.4 Ian Callaghan was asked if there is still a dispersal order in place in Morden Town Centre and has reported back that there currently is only one dispersal zone in operation, which is in North Mitcham. Dispersal zones in operation are listed on the following page on the council website: http://www.merton.gov.uk/community-living/communitysafety/safermertonmyneighbourhood/safermertonantisocialbehaviour/safermertondispersalarea.htm. The Morden dispersal zone last ran between 2nd Oct 2013 to 1st April 2014, at which point it was decided not to renew it.</p>
SA	<p>8. Soapbox</p> <p>8.1 Richard Lancaster explained that the guard rails have been removed from Morden Town Centre as research has shown that they actually encourage vehicles to travel faster. Removing them is now common practice in town centres. There will be a period of monitoring the impact, but the indications are that this practice makes vehicles and pedestrians more aware of one another.</p> <p>8.2 There are two councillors from Merton who sit on the board of Circle Housing (formerly Merton Priory Homes). It was acknowledged that tenants are unhappy with Circle Housing; as a result, Councillor Alambritis is scheduled to meet with senior heads there to discuss the problems. In the meantime, a fast-track monitoring system has been put in place for councillors to deal with residents' concerns regarding the registered provider.</p> <p>8.3 Concerns were expressed regarding the appearance of wood chippings in Morden Park. There was a debate about their appearance. Was it fly tipping or was it part of a recognised process? Cllr Alambritis is to clarify the position.</p> <p>8.4 Date of next meeting: 24 March 2015.</p>

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Raynes Park Community Forum 30 September 2014 Chair's Report

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Mary-Jane Jeanes assisted by Chris Larkman, Chair of the Raynes Park Association. More than 60 residents attended, as well as six other Merton Councillors, and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Cycle Improvements

Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration, presented plans for improving cycling infrastructure in Merton. Councillor Judge said the ambition was to encourage cycling to help reduce congestion and pollution. Although the bid for mini-Holland funding was not successful the Mayor's cycling commissioner Andrew Gilligan has given a commitment to support aspects of the plans although no specific figure has been agreed. One likely option would be joining a route from Kingston to New Malden to Raynes Park then on to Wimbledon and Colliers Wood. A copy of the presentation is available at <http://www.merton.gov.uk/community-living/communityforums/raynesparkcommunityforum.htm>

In response to questions Councillor Judge said that any initial plans would first be shared with ward councillors and then brought to the Forum, local residents groups and the community. Councillor Judge said that most of the routes would consist of physical segregation on the road but where cycling and pedestrians would share space paths would be widened to accommodate this. All conflict points would be carefully reviewed and the needs of disabled users, including visually impaired, would be taken into account.

Councillor Judge said that without the full scheme being funded it would not be possible for a tunnel to avoid the small bridge on Lower Downes Road so an alternative would need to be found. Issues on the Coombe Lane cycle lane would also need to be reviewed. Evidence shows that well designed infrastructure will increase the take up of cycling and good facilities will be used.

Rainbow Industrial Estate

Angus Boag and James Santer representing the landowner Workspace presented plans for the redevelopment of the Rainbow Industrial Estate. The presentation can be found at <http://www.merton.gov.uk/community-living/communityforums/raynesparkcommunityforum.htm>

Following the current consultation the plans will be finalised with a view to submitting a planning application before Christmas. The designs are based on buildings 3-5 stories high with simple brick design. Detailed landscape design is being developed along with plans for a 'kiss and ride' drop of point for the station.

In response to questions Angus Boag said that 150 people had attended the recent exhibition, 43 had returned a survey with 26 wishing to see the site redeveloped and

9 indicating that they would not. A previous consultation on the site plan had shown that neighbours would be pleased to see the HGV traffic removed, but that people expressed concerns about traffic, the additional strain on the station and on local health and education services. A website will be launched soon with more detail and will include the survey. In the meantime the survey will be circulated to the e-mail list for the meeting.

Concern about traffic in rush hour was raised and in response Angus said that the plans showed a reduction in traffic movements but a more detailed breakdown would be included in the planning application. Parking will be available to all the business units and not for all residential developments in line with London Planning policies. New residents would not be given on-street permits which would prevent them parking outside the estate. Community Infrastructure Levy will be paid and this can be used to mitigate some of the impacts of the development.

Health

Dr Sion Gibby said that the work on the Nelson site was still on schedule for a spring 2015 opening. A video showing the planned facilities at the Nelson was shown. This is available to view on the Merton CCG website: <http://www.mertonccg.nhs.uk/Local-Services/the-nelson/Pages/default.aspx>

Asked about drop-in services Dr Gibby said that diagnostic services would still be accessed by GP referral, but there would be voluntary sector advice services using the facility that may have drop-in services. The need for a walk-in service is being considered. A new ECG facility has been opened at the Raynes Park Health Centre.

Community Infrastructure Levy and Planning update

Tara Butler from the Future Merton team described how the Community Infrastructure Levy (CIL) would work. The CIL has replaced section 106 funding as the way of charging developers for the cost of mitigating against the impact of development. Merton introduced a CIL in April 2014 and it will apply to developments from then. No money has been received as yet as payment is not made until works have started. Like other urban areas, government rules on CIL mean Merton is unlikely to benefit hugely. The Mayor of London also charges development in Merton to contribute to Crossrail. It is estimated that around £1m could be received across the borough each year from 2016 onwards.

A proportion (15%) of the funding will be spent in the area local to the development, based on clusters of local wards. Each area will be asked to put forward viable proposals for local improvements and in Raynes Park this could link to the continuing Enhancement Plan. More information on the CIL can be found at www.merton.gov.uk/cil and consultation will run until 24 November 2014.

Jonathan Lewis from the Development Control team provided some updates on local planning issues:

- Permission was granted for a Next Store in April 2015
- Apostles Wine Bar at 17 Approach Road - permission was refused last year for a change of use from Wine Bar to Residential use and that there are no new planning records for the property

- Cannon Hill Lane GP practice being looked at for development now that its services will move into the Nelson Local Care Centre.
- Firstway Housing scheme under construction following a successful appeal
- An application has been received for the roof of Number 1 Court at the All England Sports Ground and an application for tennis courts has also been received for the All England Club site at Raynes Park Playing Fields.
- Some revisions have been made to plans for Durham Road development which is underway
- An application for signs for the hotel above the Co-op has been opposed by residents and planning officers have been seeking amendments so as to reduce the number and impact of the signs
- Proposals to amend the design of a development under construction at 14-16 Coombe Lane have recently been approved and an application for a health care use on the ground floor and basement can now be assessed. At 18 Coombe Lane officers have recently received amended plans overcoming earlier concerns for a scheme comprising a four storey building with retail accommodation on the ground floor and flats above and to the rear
- Permission has been given for flats/hotel at the Railway Tavern, 641 Kingston Road.
- The Apostles Residents Association is checking with planning officers on plans for the old petrol station to determine how the boundary to neighbouring houses is to be made secure

Christmas

Chris Larkman said that following the success of last year's Christmas Lights switch-on there will be another event on 5 December 2014 from 3pm – 7pm. This is being organised by My Raynes Park with support from local schools and businesses. If other local groups, such as choirs, wanted to organise other Christmas events they should be encouraged to do so.

Budget for Merton Council

The Leader of Merton Council, Councillor Stephen Alambritis set out the pressures on Merton Council finances over the next four years. Councillor Alambritis said that the Council had frozen council tax for the last four years and would continue to freeze it for the next four year. Around half the council's controllable income comes from council tax and the rest comes from government grants and other charges. Government grant includes only a proportion of the business rates collected. As an example the All England Tennis Club pays £3.5m in business rates but Merton retains only £1.5m.

As a result of the freeze in council tax and reductions in government grant Merton has made savings and cuts of £44m since 2010. A further £32m will be needed by 2018/19. The aim is to make sure the vulnerable and young people are protected as well as delivering on manifesto commitments. Efficiency savings help this including sharing services with other councils, like Legal services, shared with Richmond, Kingston and Sutton and saving £625,000 over four years.

Merton has around £40m committed to capital spending, mainly on school places and the replacement for Morden Park Pool. There were 2000 new places provided between 2010 and 2014 with a further 2000 needed in the next four years.

Merton Council is supporting a London Council's campaign for increased devolution of powers to local councils. This could include property taxes like stamp duty, capital gains tax, and retention of business rates.

In response to questions Councillor Alambritis said that the council will keep libraries open, using volunteers to help achieve this. Asked about spending on mental health services Councillor Alambritis said that some services will underspend, others overspend but a balance will be found. He also said that parking income was primarily used to cover the cost of the Freedom Pass, and that any changes to the Freedom pass would be up to the Mayor of London but he is not aware of any plans. Councillor Alambritis also agreed that preventative measures for vulnerable people were preferable where ever possible.

Raynes Park Station

Chris Larkman said that the regular meeting with Network Rail would be taking place on Friday 3 October and would be chaired by Stephen Hammond MP. They would be raising the state of the new planting on the embankment that has not been maintained as well as litter and the need to paint the bridge and the station. They would also be raising the use of four carriage trains at weekends as these are overcrowded and eight car trains are needed.

Open Forum

A resident asked about town centre parking and the need for additional space to support small business. In response Councillor Judge said that there was no additional land available but he wanted to look at how to use existing space. In the long term this could include removal of the gyratory system. Chris Larkman said that the RPA had consulted local businesses on proposals to change the parking arrangements in the town centre but only 18 responses were received. 13 of these said the scheme should stay the same whilst five supported change. Chris's view was that this did not demonstrate a sufficient enough evidence to take to the council.

Parking on Kingston Road at weekends was also raised as this is restricting the view of those turning out of the Apostles. Councillor Judge said this could be looked at.

The problems caused for some residents by Ride London were raised and a resident asked if the route could be changed from Coombe Lane to West Barnes Lane. There was a meeting with Ride London on 25 November and this will be raised by local councillors.

Ian Callaghan from the Safer Merton team at Merton Council asked residents and local businesses to get involved in their annual survey of crime and community safety. The survey is open until 31 October and can be found at https://consult.merton.gov.uk/KMS/dmart.aspx?noip=1&strTab=PublicDMart&filter_SurveyId=2854

Dates of future meetings all at 7.15pm, in the Library Hall:

Tuesday 9 December 2014
Wednesday 25 March 2015

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LONDON BOROUGH OF MERTON ENVIRONMENT AND REGENERATION DEPARTMENT	
	<u>NOTES OF MEETING</u>
	Subject: Wimbledon Community Forum
	Date: 23rd September 2014 Time: 19.15
In attendance	<p>Councillor James Holmes – Chair; John Hill (Head of Public Protection) – Lead officer; Rana Bhutta – Consultation and Community Engagement Officer; Ian Callaghan – Strategic Data Analyst, Safer Merton (LBM); Richard Lancaster – Future Merton Programme Manager (LBM); Tara Butler – Programme Manager - Strategic Policy and Research (LBM); Councillor Stephen Alambritis, Councillor Abigail Jones, Councillor Peter Walker, Councillor Najib Latif, Councillor John Bowcott; Councillor Linda Taylor Helen Clark-Bell (Love Wimbledon); 17 local residents</p>
Action Needed By:	<p>1. <u>Welcome/Introductions</u></p> <p>1.1 Cllr. Homes welcomed all to the meeting at the Wimbledon Guild's Drake House.</p> <p>1.2 Each of the councillors in attendance introduced themselves and the ward they represent.</p>
	<p>2. <u>Minutes of last meeting/Update – John Hill (JH)</u></p> <p>2.1 Manhole covers on Kingston Road in South Wimbledon have been repaired. If residents notice any others, they should inform JH.</p> <p>2.2 Vibrations on Hartfield Road were identified to have been coming from a damaged sewer, which has now been repaired. The council will continue to monitor the situation.</p> <p>2.3 Residents had previously voiced concerns about uplighters and planters outside Wimbledon Station. The council has been unable to pinpoint a fault in the lights so is looking to replace them entirely and is currently in negotiations with Philips (the lighting provider).</p> <p>2.4 Following concerns that were raised about benches and trees on Wimbledon Way being in poor condition, a small amount of S.106 monies have been identified that could be used toward the cost of carrying out improvements. Whilst this is a low priority for Council officers, they will progress this and update accordingly.</p>
	3. <u>Safer Merton Consultation – Ian Callaghan (IC)</u>

	<p>3.1 Safer Merton is carrying out its annual Strategic Assessment which looks at all community safety issues in the borough. The survey will run until the end of October; anyone living and/or working in the borough is encouraged to fill it in at https://consult.merton.gov.uk/KMS/elab.aspx?noip=1&CampaignId=492&SessionId=H8SUWY5GDX</p>
SA/JH	<p>4. <u>Merton Council Budget – Stephen Alambritis (SA)</u></p> <p>4.1 SA gave an overview of the council’s budget, explaining that spending this year is the equivalent to income, therefore the budget is balanced and the council is financially sound. Additionally, the General Purposes Committee, which scrutinises the council’s budget, has given it a clean bill of health.</p> <p>4.2 Council Tax was frozen for the last four years and will continue to be frozen for the next four. Cuts in Council Tax Support have also been absorbed by the council so that those on benefits are not affected. The council’s figures were examined with the Financial Director and the Cabinet Member for Finance to ensure that the council was in a position to be able to continue the freeze.</p> <p>4.3 Budgets have been cut since 2010. The council has had to save £44m since then and needs to save another £32m in the run-up to 2018/19, therefore is working in a challenging environment.</p> <p>4.4 SA explained that the council has £18m in reserves, which is in line with other councils. There is another £49m in allocated reserves which covers things such as school expansions and PFIs. £10m was allocated for the new Morden Park Pool which the council said it would deliver.</p> <p>4.5 Whilst discretionary funding from Central Government has decreased, locally raised funding is around £75m and has stayed at this level. Figures relating to the Council’s accounts can be seen at http://democracy.merton.gov.uk/ieListDocuments.aspx?CId=136&MId=1965&Ver=4. Some money is also coming in from developers.</p> <p>4.6 SA and JH both agreed to look into whether any trees on Shelton Road had been missed out during the recent works undertaken in the road as part of the council’s rolling programme of pruning trees.</p>
	<p>5. <u>Tramlink – Richard Lancaster (RL)</u></p> <p>5.1 RL gave a presentation on the consultation carried out on proposals to extend the Tramlink from Wimbledon to Sutton via Morden</p>

	<p>http://www.merton.gov.uk/tramlink_wimbledon_community_form_presentation_sept_2014.pdf</p> <p>5.2 Should the proposals develop further, additional consultation on them will be carried out.</p> <p>5.3 Any effect that new tram lines might have on the ambulance route to St Helier hospital would need to be looked at carefully, although generally trams can run along the same routes as other modes of transport.</p>
	<p>6. Neighbourhood Plans / Planning issues – JH and Tara Butler (TB)</p> <p>6.1 An application for the Greyhound Stadium is likely to be submitted in October-November 2014. If submitted, a three-week consultation will follow on the planning application.</p> <p>6.2 Proposals for Court Number 1's roof at the AELTC have been registered as a live application, therefore consultation will be carried out on them.</p> <p>6.3 A decision has not yet been made on the Wimbledon Bridge House application as issues surrounding it are still being discussed - primarily about the façade extending shop fronts from the ground to the first floor.</p> <p>6.4 A replacement application for a six-storey building at 41-47 Wimbledon Hill Road was recently refused planning permission on grounds of poor design, unacceptable proposed living conditions and lack of any evidence of the current use of the premises being commercially marketed.</p> <p>6.5 There has been no movement on the Henry J Beans hotel development, which was granted permission on appeal earlier in 2014.</p> <p>6.6 TB gave a presentation on Neighbourhood Plans, a scheme whereby residents can get involved in designing a development plan for their area, which would help decide planning applications http://www.merton.gov.uk/neighbourhood_plans_presentation_to_wimbledon_forum_sept_2014.pdf. If agreed, the plan is valid for five years.</p> <p>6.7 Should disagreement occur over specific areas e.g. multiple plans for the same area, the council would consult on the matter. Groups with conflicting plans would also be asked to aim to resolve matters between themselves.</p> <p>6.8 Independent assessors examine the plans. These assessors</p>

	<p>are either from the Planning Inspectorate, or from one of four independent organisations that can also provide experts for mediation.</p> <p>6.9 Groups have to consult on their plans and report on the results of the consultation. If there are objections to a plan, the independent assessor would decide if said objections are valid.</p> <p>6.10 Helen Clark-Bell from LoveWimbledon said she would be proposing to her organisation's board that they consider neighbourhood planning for the BID area.</p>
	<p>7. <u>Soapbox</u></p> <p>7.1 The piazza outside Morrison's is privately owned by pensions company F&C Reit. LoveWimbledon is in continuous communications with the company about how to use and improve the space, but it is a big decision for F&C Reit to make.</p> <p>7.2 The council has been working with the Mayor's office for the last six months to figure out what funding Merton will receive as a result of its Mini-Hollands bid. The work is still on-going, therefore it is not yet clear how much Merton will get.</p> <p>7.3 Cllr. Bowcott raised the issue of noise disturbance generated by emergency vehicles and referred to several complaints that he had received from his constituents regarding this matter. John Hill advised that such noise would be difficult to prove as detrimental to amenity, but asked that Cllr. Bowcott forward him the details of the particular complaints so that further investigation could be undertaken by environmental health officers.</p> <p>7.4 Noise from out-of-hours construction is normally a matter that would be dealt with through Planning as a result of a developer breaching any Hours of Construction condition imposed on a relevant planning permission. However, in some instances, noise can be generated from building works that do not require planning permission. In such circumstances the Council's Env. Health team can investigate source of disturbance. John Hill reminded residents that whilst every endeavour is made to follow up complaints promptly, complainants need to be aware that the Council has limited planning enforcement resources with just four officers covering the whole of the borough.</p> <p>7.5 The council has a rolling programme for cleaning street gutters. If there are particular problem areas, they can be reported to John Hill, who will liaise with officers in Street Scene & Waste .</p> <p>7.6 Approximately 60 submissions were received for the Future Wimbledon ideas competition. A shortlist will be announced at</p>

Bookfest in October, which the public will then be able to vote on.

7.7 The Council has engaged Kingdon to provide enforcement of littering offences in Wimbledon Town Centre. The cost of a fixed penalty notice is £75.

7.8 An online discussion board has been launched as part of the Wimbledon Community Forum, allowing residents, businesses and stakeholders to have more input in the topics discussed at the meetings and to participate virtually if they are unable to attend the meetings. The discussion boards can be found at www.merton.gov.uk/consultation.

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COUNCIL MEETING – WEDNESDAY 19 NOVEMBER 2014

NOTICE OF MOTION

This Council notes the various consultations that have been conducted by the London Borough of Merton in recent years on proposed regeneration schemes around the borough. These have included:

- Rediscover Mitcham;
- Connecting Colliers Wood;
- Rainbow Industrial Estate Planning Brief;
- Morden Station Planning Brief;
- ‘Future Wimbledon’ conference and ideas competition on the evolution of Wimbledon town centre over the next 15 years; and
- The Local Plan for the Ravensbury, High Path and Eastfields housing estates.

This Council understands and takes seriously its responsibility not only to listen to the views of residents and businesses about significant changes proposed for their neighbourhoods but also to act on the results of these consultations to ensure that any plans drawn up by town planners, architects and developers are translated into a real and deliverable vision, which enjoys the support of the local community and brings tangible benefits to the people living and working here.

Furthermore, this Council appreciates the importance of investing in high quality homes and stronger communities, and not just in buildings, and recognises that the major concern raised by residents about large scale regeneration projects is their impact on local infrastructure such as school places, traffic congestion, parking and health services.

This Council therefore calls on the Cabinet to:

- a) set out its strategic vision, priorities and timetable for its overarching regeneration plan for Merton and the key elements within it; and
- b) provide a clear and strategic plan for the specific infrastructure required to accompany such regeneration in each location around the borough, including how this is to be delivered in partnership with the relevant developers and other organisations.

Cllr Adam Bush

Cllr Gilli Lewis-Lavender

Cllr David Williams

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Committee: Council

Date: 19th November 2014

Wards: all

Subject: Review of Polling Districts and Polling Places

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Tim Revell, Interim Head of Electoral Services

Recommendations:

- A. That the full Council agrees to the revisions to the polling districts and polling places as set out in the appendix.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report is part of the process of reviewing all parliamentary polling districts and polling places in the borough. All London boroughs, district councils and unitary authorities are required to undertake a full review within 16 months of 1st October 2013. The previous full review was completed in November 2011. Further changes to polling stations were agreed by the council in November 2012 and April 2014. The matter was considered by the General Purposes Committee on 6th November 2014 and this report brings the recommendations from that meeting to the full council meeting for approval.
- 1.2 Issues raised at the General Purposes Committee relating to polling stations in Cricket Green ward (EA & ED) and Lavender Fields ward (DA) have been looked into and based on a smaller number of parliamentary than local government electors, the anticipated turnout next May, the number of absent voters and the ability to appoint additional staff to polling stations where appropriate the recommendations remain unchanged.

2 DETAILS

- 2.1 **Context** ; the Electoral Registration and Administration Act 2013 substituted sections 18(1) to (3) into the Representation of the People Act 1983 (RPA83) in place of the previous section 18C. This required each relevant local authority to complete a review of the parliamentary polling districts and polling places within its area within a period of 16 months beginning on 1st October 2013. Further reviews must then take place every fifth year after that in the period beginning 1st October.
- 2.2 **Timing**; the last full review took place in Merton in 2011 in accordance with the previous statutory arrangements. There were further reviews in Abbey, Cannon Hill, Hillside, Pollards Hill and Ravensbury wards (2012) and Cricket Green, Graveney, Merton Park and St Helier wards (2014).
- 2.3 **Review process**; beginning the current review was agreed by the General Purposes Committee on 26th June 2014 and a public notice was issued on 8th

July 2014. This invited all residents, particularly disabled residents, to comment on the existing arrangements or any other matters. Persons or bodies making representations were asked, if possible, to give alternative places that could be used as polling places. Details of the existing arrangements including maps were available on the council's website and in paper from Electoral Services. An on-line survey was set up on the website to facilitate the submission of responses. The consultation period ran from 8th July until 5th September, a period of two months. Details of the consultation process are set out in paragraph 4 below and responses are incorporated into the appendix.

- 2.4 **Definitions;** a ***polling district*** is a geographical area created by the sub-division of a UK parliamentary constituency for the purposes of a UK Parliamentary election. A ***polling place*** is the building or area in which polling stations are selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district. A ***polling station*** is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the council, polling stations are chosen by the relevant Returning Officer.
- 2.5 **Scope;** polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections held within the area have been taken into consideration.
- 2.6. **Legislative requirements;** local authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:
- the council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
 - the council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled;
 - the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors
 - the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district)
 - the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station
- 2.7 **Guidance;** other guidelines are recognised good practice, but may not always be possible:
- natural, well-defined boundaries are preferred;

- all properties in a minor road or estate should be in the same polling district (unless the ward or constituency boundary makes this impossible);
- there should be an even spread of polling places;
- the polling district should be the 'catchment area' for the polling place and no elector should have to pass another polling place to get to their own;
- the polling places that voters are familiar with are not changed unless there is a strong need to do so.

3 ALTERNATIVE OPTIONS

- 3.1. This is a statutory review so there was no alternative to carrying it out. The outcome of the review (see appendix) has produced suitable options in some wards so members will need to judge which would be the most appropriate location for a polling place.

4 CONSULTATION UNDERTAKEN AND OUTCOMES

- 4.1. To allow electors and others to submit views as easily as possible an on-line questionnaire was posted on the council's website in early July and all consultees were encouraged to submit views in this way. A paper alternative was available for consultees who were not comfortable with electronic communication. By the close of the consultation period on 5th September 81 responses had been received. Only one of the existing polling places, Pelham Primary School, was the subject of significant dissatisfaction accounting for 22% of all responses. These respondents objected that its use as a polling place meant that the school had to close harming the education of the pupils and in some cases creating childcare problems for parents. These responses, those relating to other polling places and how they should be addressed are set out in the appendix.
- 4.2. At the beginning of the process in early July the MPs for Mitcham & Morden and Wimbledon, the MLA for Wandsworth & Merton, agents for the political parties who contested the borough council elections on 22nd May and all members of the council were formally advised that the review was taking place and invited to submit views. Views received from members of the council are set out in the appendix. No other views have been received from the political sphere.
- 4.3. In conducting such a review it is particularly important to consult those who have experience of assessing access for persons with different disabilities. Meetings therefore took place with Merton Centre for Independent Living (MCiL), Merton Vision and Age UK Merton to engage them in the review. All three organisations circulated information to constituent organisations and members via their newsletters and encouraged them to participate in the review.
- 4.4. To ensure that the review took account of accurate, current information the senior presiding officers (SPOs) at each polling place were asked to complete a detailed evaluation based on their experience on 22nd May covering location, accessibility and facilities. The person responsible for each polling place was

also invited to participate although few did so. The general point that emerged from the SPO evaluation concerned the quality of the external signage which suffered during the heavy shower on polling day. In future all external signs outside polling stations will be weather-proof. At some polling stations SPOs reported that there was insufficient signage, inadequate lighting by the polling booths and identified access issues. Additional signs will be provided where appropriate and MCiL, which has expertise in these matters, has been commissioned to undertake access audits at appropriate polling stations to allow issues to be addressed before the parliamentary election in 2015. Issues regarding lighting will be taken up with those responsible for the premises concerned.

- 4.5. The statutory provisions require the Acting Returning Officer to comment on both existing and proposed polling stations. His comments were published on 16th October and his comments on each polling place included in the appendix.

5 TIMETABLE

- 5.1 The Council meeting on 19th November must make the decision on the review. The revised register of electors to be published on 1st December will be amended to reflect any changes to polling districts. A further review must be completed within a period of 16 months beginning on 1st October 2018. This does not preclude any changes being made to polling districts or polling places that may become necessary during the intervening period.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 Current electoral registration budgets are covering the costs of this statutory review. Future budgets will need to cover the next full review due in 2018 and any interim reviews needed. It is estimated that the proposals will add under £1,000 extra cost to the local election budget in 2015 (and every four years thereafter, assuming no by-elections). This will consist of additional accommodation costs.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Council has a duty under the Representation of the People Act 1983 (RPA 1983) to divide its area into polling districts for parliamentary elections, to designate a polling place for each polling district, and to keep these under review. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 18 of the RPA1983 as one of the functions that are not to be the responsibility of an authority's executive. This function has not been specifically delegated by the Council.
- 7.2 The statutory requirements on the conduct of the review, and on any challenge, are set out in sections 18A to 18E and Schedule A1 of RPA 1983, as amended. Following the completion of a review, the Council must publish all correspondence, representations and minutes of meetings in connection with the review, and the details of the designation of polling districts and polling

¹ SI 2000/2853

places as a result of the review (RPA 1983, Schedule A1), and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006)².

- 7.3 The Electoral Registration Officer is required to make the necessary adaptations to his registers of electors and to publish a notice stating that the adaptations to polling districts have been made (RPA, section 18A).
- 7.4 Following the conclusion of a review certain persons have the right to make representations in writing to the Electoral Commission who may if they find that the review did not meet the reasonable requirements of the electors or did not take sufficient account of disability issues direct the council to make alterations to the polling places.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:
- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;
 - The extent to which it is practicable for the service provider to take the steps;
 - The financial and other costs of making the adjustment;
 - The extent of any disruption which taking the steps would cause;

² SI 2006/2965

- The extent of the service provider’s financial and other resources;
 - The amount of any resources already spent on making adjustments; and
 - The availability of financial and other assistance.
- 8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity.
- 8.4 As indicated above, the principles have been followed of seeking to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances, and seeking to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. There is a commitment to ensure that all polling places are accessible.
- 8.5 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to make voting in person as easy as possible for residents of all communities.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 Integrity plans are maintained for elections. These involve working closely with Merton Police on operational matters, together with liaising with the Metropolitan Police Service officer specifically delegated with responsibility for potential election offences.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1 The authority must complete the review by the end of January 2015. Any challenge to the Electoral Commission would impact on the arrangements being made for the parliamentary elections in May 2015.
- 10.2 In reviewing polling places, the reasonable facilities for staff at polling stations during elections have been considered. The physical fabric of possible polling places has also been considered to reflect the need for members of the public to visit their polling station.

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

- Details of existing and proposed arrangements, submissions and comments, and maps of Ravensbury, Pollards Hill, Abbey and Merton Park Ward proposals.

12 BACKGROUND PAPERS

- (a) Reports on polling stations made by Electoral Services staff, by presiding officers and polling station inspectors at past elections.
- (b) Detailed responses to consultation.

London Borough of Merton

Council – 19th November 2014

Review of polling districts and polling places

Details of existing and proposed arrangements, and submissions and comments

Each ward is listed separately. The first table shows the existing polling district, the number of all registered electors as at 1st September 2014, the polling place, and whether there is suitable disabled access (indicating where a permanent or temporary ramp is used). The initial proposals – and any necessary comments – are shown after each table.

The submissions are shown following the initial proposals, together with the comments of the Acting Returning Officer. The final proposals – and any additional comments – are in the final table for each ward.

The website at <http://www.merton.gov.uk/council/voting/youraddress.htm> has downloads for ward maps. These show the current polling districts and their polling places. Maps, including a large map of all polling districts, are also held in the Electoral Services office.

Lower Morden (A)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
AA (1)	1,520	St. Martin's Church, Camborne Road, Morden, SM4 4JL	permanent ramp
AB (2 & 3)	3,084	Morden Assembly Hall, Tudor Drive, Morden, SM4 4PG	permanent ramp
AC (4 & 5)	2,396	Emmanuel Church Hall, Dudley Drive, Morden, SM4 4QG	permanent ramp

Initial proposals

No change

Submissions

St Martin's church ; one respondent satisfied with the venue, one concerned that step free access narrow & venue difficult to find.

The Acting Returning Officer's view is that the church is in a fairly prominent location and that the step free access is of a reasonable quality.

Morden Assembly Hall; two 2 responses; both respondents satisfied.

Final proposed arrangements

No change; the existing arrangements are acceptable

St Helier (B)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
BA (6 & 7)	2,207	Morden Primary School, London Road, Morden, SM4 5PX	permanent ramp
BB (8)	1,950	Congregational Church Hall, Green Lane, Morden, SM4 6SR	level
BC (9)	2,202	Abbotsbury Primary School, Abbotsbury Road, Morden, SM4 5JS	level
BD (10)	1,493	Abbotsbury Primary School, Abbotsbury Road, Morden, SM4 5JS	level

Initial proposals

No change

Submissions

Morden Primary School; one respondent was dissatisfied with the use of the school as a polling station.

Abbotsbury Primary School; one respondent who was satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Colliers Wood (C)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
CA (11 & 12)	1,994	Colliers Wood Community Centre, 66-72 High Street, Colliers Wood SW19 2BY	level
CB (13)	2,021	St. Joseph's Church Hall, 63 High Street, Colliers Wood, London, SW19 2JF	permanent ramp

CC (14)	1,337	Christ Church Hall, Christchurch Road SW19 2NW	temporary ramp
CD (15)	1,232	Positive Network Centre, Taylor Road, Mitcham, CR4 3JR	level
CE (16)	1,470	Abbey Orchard Community Room, Singleton Close SW17 9JZ	level

Initial proposals

No change

Submissions

Colliers Wood Community Centre; Councillor Draper and two other respondents were satisfied with the venue.

St. Joseph's Church Hall; one respondent who was satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Lavender Fields (D)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
DA (17 & 18)	2,581	South Mitcham Community Centre, Haslemere Avenue, Mitcham, CR4 3PR	level
DB (19 & 20)	3,287	Lavender Park Pavilion, Steers Mead, Mitcham, CR4 3HL	level
DC (21)	1,719	Bond Primary School, Bond Road, Mitcham, CR4 3HG	temporary ramp

Initial proposals

No change

South Mitcham Community Centre is outside of polling district DA and the polling place is shared with polling district EA in Cricket Green Ward. This means that four polling stations have to be accommodated in one hall. Though this arrangement is not ideal, no alternatives would appear to make an overall improvement for the majority of the electors of polling district DA.

Submissions

South Mitcham Community Centre; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Cricket Green (E)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
EA (22 & 23)	2,559	South Mitcham Community Centre, Haslemere Avenue, Mitcham, CR4 3PR	level
EB (24)	1,999	Benedict Primary School, Benedict Road, Mitcham, CR4 3BE	permanent ramp
EC (25)	1,514	Age UK Merton, 277 London Road, Mitcham, CR4 3NT	permanent ramp
ED (26)	1,439	11th Mitcham Scout & Guide Headquarters, Mitcham Park, Mitcham, CR4 4EN	temporary ramp
EE (27)	601	Mitcham Garden Village, Mitcham, CR4 4HE	level

Initial proposals

No change

South Mitcham Community Centre is shared with polling district DA in Lavender Fields Ward. The four polling stations in one hall require careful management.

Submissions

South Mitcham Community Centre; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Ravensbury (F)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
FA	742	Ravensbury Club Room, Ravensbury Grove,	permanent

(28)		Mitcham, CR4 4DL	ramp
FB (29)	1,487	Communal Tenants' Rooms, 90 Rawnsley Avenue, Mitcham, CR4 4BX	level
FC (30 & 31)	2,509	Portacabin, Gifford House, 67C St. Helier Avenue, Morden, SM4 6HY	permanent ramp
FD (32)	1,874	Malmesbury Primary School, Malmesbury Road, Morden, SM4 6HG	permanent ramp
FE (33)	827	Merton & Morden Guild, 34A Aberconway Road, Morden, SM4 5LF	level

Initial proposals

No change

Submissions

Communal Tenants' Rooms; one respondent who was dissatisfied with the venue.

Portacabin, Gifford House; the Acting Returning Officer considers that it is difficult to accommodate two polling stations in this venue particularly in view of the turnout anticipated at a parliamentary election. An alternative would be to divide FC polling district and create FF polling district to vote at St Teresa's church hall, Bishopsford Road which meets all the evaluation criteria for a polling place.

Final proposed arrangements (see accompanying map)

polling district	electors	polling place	disabled access
FA (28)	742	Ravensbury Club Room, Ravensbury Grove, Mitcham, CR4 4DL	permanent ramp
FB (29)	1,487	Communal Tenants' Rooms, 90 Rawnsley Avenue, Mitcham, CR4 4BX	level
FC (30)	1,478	Portacabin, Gifford House, 67C St. Helier Avenue, Morden, SM4 6HY	permanent ramp
FD (32)	1,874	Malmesbury Primary School, Malmesbury Road, Morden, SM4 6HG	permanent ramp
FE (33)	827	Merton & Morden Guild, 34A Aberconway Road, Morden, SM4 5LF	level
FF (31)	1,123	St Teresa's Church Hall, Bishopsford Road, Morden SM4 6BZ	permanent ramp

Graveney (G)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
GA (34 & 35)	2,468	Links Primary School, Frinton Road SW17 9EH	permanent ramp
GB (36 & 37)	2,833	St. Barnabas Church, Thirsk Road, Mitcham, CR4 2BD	level
GC (38 & 39)	2,018	Beecholme Primary School, Edgehill Road, Mitcham, CR4 2HZ	level

Initial proposals

No change

Submissions

Beecholme Primary School; two respondents both of whom were very satisfied.

Final proposed arrangements

No change; the existing arrangements are acceptable

Figge's Marsh (H)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
HA (40)	612	Age UK Merton, 277 London Road, Mitcham, CR4 3NT	permanent ramp
HB (41 & 42)	2,360	Gorrington Park Primary School, Sandy Lane, Mitcham, CR4 2YA	permanent ramp
HC (43 & 44)	3,198	St. Mark's Church Hall, St Mark's Road, Mitcham, CR4 2LF	permanent ramp
HD (45)	2,126	Acacia Centre, 230 Grove Road, Mitcham, CR4 1SD	level

Initial proposals

No change (the use of Age Concern Merton, which is in Cricket Green ward, is acceptable.)

Acacia Centre has its main entrance in Grove Road but also has access from Acacia Road that is more convenient for most electors in polling district HD.

Submissions

Acacia Centre; one respondent who supported the use of centre as it has good disabled access.

Final proposed arrangements

No change; the existing arrangements are acceptable, assuming the use of the Acacia Road entrance for HD as well as the Grove Road entrance.

Longthornton (I)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
IA (46)	1,518	Streatham Vale Baptist Hall, Leonard Road, London, SW16 5SY	permanent ramp
IB (47)	1,080	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
IC (48)	1,592	Stanford Primary School, Chilmark Road, London, SW16 5HB	level
ID (49 & 50)	2,668	St. Olave's Church, Church Walk, London, SW16 5JH	permanent ramp
IE (51)	982	Acacia Centre, 230 Grove Road, Mitcham, CR4 1SD	level

Initial proposals

No change

Submissions

Streatham Vale Baptist Hall; one respondent who was very satisfied with the venue.

Westminster City School Sports Pavilion; one respondent who was very satisfied with the venue.

St Olave's Church; one respondent who was very satisfied with the venue.

Acacia Centre; one respondent who supported the use of the centre as it has good disabled access [see also Figge's Marsh ward above].

Final proposed arrangements

No change; the existing arrangements are acceptable

Pollards Hill (J)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
JA (52 & 53)	2,563	New Horizon Centre, South Lodge Avenue, Mitcham, CR4 1LT	level
JB (54)	851	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
JC (55 & 56)	2,778	Sherwood Primary School, Abbots Road, Mitcham, CR4 1JP	permanent ramp
JD (57)	1,868	Moat Housing Office, 50 Montgomery Close, Mitcham, CR4 1XT	permanent ramp

Initial proposals

No change, the use of Westminster School Sports Pavilion, which is in Longthornton ward, is acceptable.

Submissions

New Horizon Centre; one respondent who was very satisfied with the venue.
Westminster City School Sports Pavilion; one respondent who was very satisfied with the venue [see Longthornton ward above].

Moat Housing Office; Councillor Whelton on behalf on the ward councillors suggested that Kent Close and Lindsey Close be moved from JD to JA as the premises were slightly cramped. The arrangements for the ward were otherwise satisfactory.

The Acting Returning Officer's view is that the experience of electors can be enhanced by reducing the numbers who vote at the Moat Housing Office and transferring them to the New Horizon Centre which has the capacity to cope with larger numbers.

Final proposed arrangements (see accompanying map)

Move Kent Close and Lindsey Close from JD to JA; otherwise the existing arrangements are acceptable.

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
JA (52 & 53)	2,903	New Horizon Centre, South Lodge Avenue, Mitcham, CR4 1LT	level
JB (54)	851	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
JC (55 & 56)	2,778	Sherwood Primary School, Abbots Road, Mitcham, CR4 1JP	permanent ramp
JD	1,528	Moat Housing Office, 50 Montgomery Close,	permanent

(57)		Mitcham, CR4 1XT	ramp
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Village (K)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
KA (58)	1,721	St. Mary's Garden Hall, 30 St Mary's Road, London, SW19 7BP	level
KB (59)	1,423	Christ Church Hall, 2 Cottenham Park Road, London, SW20 0RZ	temporary ramp
KC (60 & 61)	2,264	Lecture Hall, Lingfield Road, London, SW19 4QD	separate level entrance
KD (62)	934	St. Matthew's (CoE) Primary School, Cottenham Park Road, London, SW20 0SX	level

Initial proposals

No change

Submissions

Christ Church Hall; one respondent who was very satisfied with the venue.

St. Matthew's (CoE) Primary School; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Raynes Park (L)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
LA (63)	889	Christ Church Hall, 2 Cottenham Park Road, London, SW20 0RZ	temporary ramp
LB (64 & 65)	3,011	Raynes Park Methodist Church Hall, Worple Road, London, SW20 8RA	temporary ramp
LC (66)	1,783	Cottenham Park Recreation Ground Pavilion, Melbury Gardens, London, SW20 0DH	temporary ramp
LD	1,677	Raynes Park Sports Ground, Taunton Avenue,	permanent

(67)		London, SW20 0BH	ramp
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Initial proposals

No change

Submissions

Christ Church Hall; one respondent who was very satisfied with the venue.

Raynes Park Methodist Church Hall; two respondents, one respondent who was very satisfied with the venue and one who was dissatisfied due to the nature of the ramp. If practicable adjustments will be made to the ramp.

Cottenham Park Recreation Ground Pavilion; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Hillside (M)

Existing arrangements

polling district	electors	polling place	disabled access
MA (68 & 69)	2,774	Sacred Heart Parish Hall, Edge Hill, London, SW19 4LP	temporary ramp
MB (70 & 71)	2,154	St. Mark's Hall, Compton Road, London, SW19 7QD	level access
MC (72)	1,759	Drake House, 44 St. George's Road, London, SW19 4ED	permanent ramp

Initial proposals

No change

Submissions

Sacred Heart Parish Hall; one respondent who was neither satisfied nor dissatisfied with the venue.

St. Mark's Hall; one respondent who was very satisfied with the venue.

Drake House; on polling day some electors experienced difficulty in finding this venue. This will be addressed by enhanced signage at this location.

Final proposed arrangements

No change; the existing arrangements are acceptable

Wimbledon Park (N)**Existing arrangements**

polling district	electors	polling place	disabled access
NA (73)	1,881	Wimbledon Park Primary School, Havana Road, London, SW19 8EJ	level access
NB (74 & 75)	3,170	Christ The King Church Hall, The Crescent, London, SW19 8AW	temporary ramp
NC (76 & 77)	2,264	Bethel United Church Hall, Kohat Road, London, SW19 8LD	permanent ramp
ND (78)	847	Marchard Hall, Rear of Coronation Hall, Ashcombe Road, London, SW19 8JR	level access

Initial proposals

No change

Submissions

Wimbledon Park Primary School; one respondent who was very satisfied with the venue.

Marchard Hall; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Trinity (O)**Existing arrangements**

polling district	electors	polling place	disabled access
OA (79)	1,006	Holy Trinity Church Hall, The Broadway, London, SW19 1RY	level
OB (80)	1,367	Everyday Church, 28-30 Queen's Road, London, SW19 8LR	level
OC (81 & 82)	2,197	Holy Trinity (CoE) Primary School, Effra Road, London, SW19 8PW	level
OD (83 & 84)	2,775	Garfield Primary School, Garfield Road, London, SW19 8SB	level

Initial proposals

No change

Submissions

Holy Trinity Church Hall; two respondents both of whom were very satisfied with the venue.

Everyday Church; one respondent who was very satisfied with the venue.

Holy Trinity (CoE) Primary School; two respondents both of whom were very satisfied with the venue.

Garfield Primary School; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Dundonald (P)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
PA (85 & 86)	2,115	Dundonald Primary School, Dundonald Road SW19 3QH	level
PB (87)	1,787	St. Andrew's Hall, Herbert Road, London, SW19 3SH	level
PC (88 & 89)	3,040	Dundonald Church, 577 Kingston Road SW20 8SA	level

Initial proposals

No change

Submissions

Dundonald Primary School; one respondent who was satisfied with the venue.

St. Andrew's Hall; one respondent who was satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Abbey (Q)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
QA (90 & 91)	2,191	Pelham Primary School, Southey Road SW19 1NU	level
QB (92 & 93)	2,277	All Saints Church Hall, Norman Road SW19 1BT	level
QC (94)	1,260	Merton Hall, 78 Kingston Road SW19 1LA	level
QD (95)	1,863	High Path Community Resource Centre, 63 High Path SW19 2JY	permanent ramp

Initial proposals

No change

Submissions

Pelham Primary School; 18 respondents of whom 7 were very dissatisfied with the venue, 4 were dissatisfied, 6 neither satisfied nor dissatisfied and one satisfied. However, all the respondents objected to the use of the school which required it to be closed thus affecting their children's education and in some cases causing difficulties for parents' childcare arrangements. The chair of the governing body had also previously voiced her objections to the use of the school. Alternative polling places suggested by respondents were Merton Hall, Kingston Road, Bethel Baptist Church, Wimbledon Broadway and the Salvation Army, Kingston Road.

Councillor Judge, on behalf of Abbey ward councillors, has suggested that either the John Innes Centre, Kingston Road or the Salvation Army, Kingston Road could be used.

The Acting Returning Officer's view is that Pelham Primary School meets all the criteria for use as a polling station and as it is near the centre of the polling district is the most conveniently located. However, it is recognised that the closure of a school can be disruptive and he is happy to look at suitable alternatives which avoid this. Of the alternatives suggested it is recommended that Merton Hall is not used for QA polling district. It is outside the polling district and electors would need to cross a major road to reach it. It is already used as a polling station for QC (94) and would not be able to accommodate two additional stations. Whilst the alternative locations suggested are on the edge of the polling district it is small and compact so that electors are unlikely to be seriously inconvenienced. Following a detailed evaluation the Salvation Army is considered to be a suitable location for the polling place in QA.

Merton Hall; nine respondents all of whom were satisfied with the venue.

High Path Community Resource Centre; one respondent who was satisfied with the venue.

Final proposed arrangements (see accompanying map)			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
QA (90 & 91)	2,191	Salvation Army, 109, Kingston Road SW19 3LT	permanent ramp
QB (92 & 93)	2,277	All Saints Church Hall, Norman Road SW19 1BT	level
QC (94)	1,260	Merton Hall, 78 Kingston Road SW19 1LA	level
QD (95)	1,863	High Path Community Resource Centre, 63 High Path SW19 2JY	permanent ramp

Merton Park (R)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
RA (96 & 97)	1,979	Cricket Pavilion, John Innes Recreation Ground, Hill Lane, London, SW20 9ES	level except slight lip at entrance
RB (98 & 99)	1,927	St. Mary's Church Hall, Church Path, London, SW19 3HJ	permanent ramp
RC (100 & 101)	3,186	Morden Baptist Church Hall, 36 Crown Lane, Morden, SM4 5BL	level

Initial proposals

No change

Submissions

Cricket Pavilion; two respondents, one satisfied with the venue and one concerned about parking and step free access.

The Acting Returning Officer's view is that experience has shown that this venue is a little cramped to accommodate two polling stations comfortably and with the higher level of turnout anticipated for a parliamentary election this might prove problematical. This could be addressed by realigning the boundary between RA and RB. The polling place for RB could accommodate a larger number of electors than are currently allocated to it.

Councillor Southgate on behalf of Merton Park ward councillors indicated his support for realigning the boundary between RA and RB as set out on the map.

St. Mary's Church Hall; two respondents both satisfied with the venue and commenting on the good step free access.

Morden Baptist Church Hall; two respondents both satisfied with the venue.

Final proposed arrangements (see accompanying map)			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
RA (96)	704	Cricket Pavilion, John Innes Recreation Ground, Cannon Hill Lane, London, SW20 9ES	level except slight lip at entrance
RB (97,98 & 99)	3,250	St. Mary's Church Hall, Church Path, London, SW19 3HJ	permanent ramp
RC (100 & 101)	3,186	Morden Baptist Church Hall, 36 Crown Lane, Morden, SM4 5BL	level

Cannon Hill (S)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
SA (102)	1,352	Merton Adult College, Whatley Avenue SW20 9NS	permanent ramp
SB (103)	1,689	Endeavour Club, 190 Martin Way, Morden, SM4 4AJ	level
SC (104 & 105)	1,996	Eastway Day Centre, 44 Eastway, Morden, SM4 4HW	level
SD (106 & 107)	2,187	Hillcross Primary School, Ashridge Way, Morden, SM4 4EE	permanent ramp

Initial proposals

No change

Submissions

Hillcross Primary School; one respondent who was satisfied with the venue but found the ramp steep.

Final proposed arrangements

No change; the existing arrangements are acceptable

West Barnes (T)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
TA (108 & 109)	2,238	Sacred Heart (RC) Primary School, Burlington Road, New Malden, KT3 4ND	permanent ramp
TB (110 & 111)	3,104	St. Saviour's Hall, Church Walk, London, SW20 9DL	level
TC (112 & 113)	2,117	Holy Cross Church Hall, Adela Avenue, New Malden, KT3 6HT	permanent ramp

Initial proposals

No change

Submissions

Sacred Heart (RC) Primary School; Councillor Jeanes suggested that West Barnes Library or the Murugaa Temple, Burlington Road could be used as an alternative to the school.

The Acting Returning Officer does not support the use of West Barnes Library as it is outside the polling district and not easily accessible from TA as it is on the other side of a railway line. The possible alternatives have been investigated but would not be suitable as polling stations.

St. Saviour's Hall; one respondent who was very satisfied with the venue.

Holy Cross Church Hall; two respondents who were both very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

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Committee: Council

Date: 19th November 2014

Wards: all

Subject: Electoral Registration Officer – delegation of powers

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Tim Revell, Interim Head of Electoral Services

Recommendations:

- A. That the Council agrees to authorise the Electoral Registration Officer (ERO) to appoint Deputy Electoral Registration Officers to carry out his powers and duties either in full or in part in accordance with section 52(2) of the Representation of the People Act 1983.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report proposes that the ERO should be able to appoint deputies to carry out his functions so that there should always an officer available to deal with those duties which must be carried out by the ERO personally. The matter was considered by the General Purposes Committee on 6th November 2014 and this report brings the recommendations from that meeting to the full council meeting for approval.

2 DETAILS

- 2.1 The Council's responsibilities for the registration of electors are discharged by the ERO and in certain circumstances must be carried out by the ERO personally. Under the system of Individual Electoral Registration (IER) which started on 10th June 2014 there is increased scope for disputes about a registration application to move to a hearing. These could be an appeal against a decision to reject an application to register, an objection by an elector in the area to a person's registration or a request for a hearing following a review whose outcome the elector disagrees with. The hearing is quasi-judicial in nature and there are statutory provisions regarding the timetable. Following a hearing any appeal is to the county court. The hearing must be conducted by the ERO or a properly appointed deputy with full powers to act.
- 2.2 To ensure that there is usually an officer to discharge this function it would be prudent to make arrangements for the ERO to be able to delegate his powers and duties. This would ensure that when it became necessary to hold a hearing it could be dealt with efficiently and effectively without unreasonable delay.
- 2.3 The council can appoint Deputy Electoral Registration Officers (DERO) who can carry out the powers and duties of the ERO and can also formally delegate the appointment of DEROs to the ERO. It is suggested that this would be the most effective way of dealing with this matter. In their guidance

on IER the Electoral Commission (EC) suggested that it may be useful to appoint deputies to undertake quasi-judicial procedures, such as hearings of registration applications, objections and reviews. The EC further advise that the ERO should ensure that deputy arrangements are in place in case they are unable to act personally and that appointments of DEROs and acceptance should be made in writing.

3 ALTERNATIVE OPTIONS

- 3.1. The alternative way of dealing with this matter would be to bring each proposal for the appointment of a DERO to a full council meeting which would be a cumbersome way of dealing with an administrative function.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. This is an internal matter dealing with the effective administration of the council's registration functions so no consultation has been undertaken or is proposed.

5 TIMETABLE

- 5.1. Following consideration by the General Purposes Committee on 6th November 2014 the matter has been brought to this council meeting.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are no financial, resource or property implications.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The council must appoint an ERO in accordance with section 8(2) (a) of the Representation of the People Act 1983(RPA1983) and under section 52(2) of that Act the ERO's powers and duties may be performed by a duly appointed deputy. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 8(2) of the RPA1983 as one of the functions that are not to be the responsibility of an authority's executive. In accordance with section 101 of the Local Government Act 1972 the council may delegate its functions under section 52(2) of RPA1983 to the ERO.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

¹ SI 2000/2853

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:

- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;
- The extent to which it is practicable for the service provider to take the steps;
- The financial and other costs of making the adjustment;
- The extent of any disruption which taking the steps would cause;
- The extent of the service provider's financial and other resources;
- The amount of any resources already spent on making adjustments; and
- The availability of financial and other assistance.

8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity. Any question about an individual's right to vote should be resolved as expeditiously as possible

8.4 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to ensure that issues arising in the voter registration process are capable of being dealt with effectively and in accordance with statute.

9 CRIME AND DISORDER IMPLICATIONS

9.1. There are no crime and disorder implications.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. This report puts forward a proposal to addresses the risk that electoral registration hearings could be delayed which might be perceived as contrary to the principles of natural justice and could be damaging to the council's reputation.

11 BACKGROUND PAPERS

11.1. Only published material has been used in the preparation of this report.

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Committee: Council

Date: 19 November 2014

Wards: All

Subject: Council Tax Empty Home Premium

Lead officer: Caroline Holland – Director of Corporate Services

Lead member: Councillor Mark Allison

Forward Plan reference number:

Contact officer: David Keppler – Head of Revenues and Benefits

Tel. 020 8545 3727

Email. david.keppler@merton.gov.uk

Recommendations:

- A. To agree that the Council will implement the council tax empty home premium of an additional charge of 50% on the council tax for long term empty properties (over two years empty) from 1 April 2015.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report proposes the introduction of the council tax empty home premium of an additional charge of 50% on the council tax for long term empty properties (over two years empty) from 1 April 2015.
- 1.2. That full Council agrees to implement recommendation A above.
- 1.3. Section 67(2) of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) provides that the power to decide to introduce a premium for long term empty homes in section 11B Local Government Finance Act 2012 can only be exercised by full Council.

2 DETAILS

- 2.1. In October 2011 the Government issued a consultation paper with proposals to give billing authorities greater discretion over the reliefs available from council tax in respect of second homes and some empty properties.
- 2.2. In May 2012 the Government published its summary of responses and its conclusions it has reached.
- 2.3. Legislation was changed to give billing authorities discretion to remove or reduce the discounts and exemptions awarded for empty properties and second homes and to give authorities the option to charge up to an additional 50% premium on long term empty properties (over 2 years empty).
- 2.4. On 6 February 2013 full Council agreed to remove the discounts and exemptions on empty properties and second homes and also agreed that a review of the empty homes premium would be undertaken for the full year

2013/14 and reported back to Cabinet for consideration for the 2015/16 budget process.

- 2.5. A review of the potential financial impact and benchmarking across London has been undertaken.
- 2.6. Out of 24 London boroughs who responded 18 are charging the empty home premium in 2014/15 and 6 are not. All of the 18 authorities are charging the full 50% additional charge.
- 2.7. The government's definition of a long term empty property is one that has been empty and unfurnished for two years. If the property has furniture in and empty it is classed as a second home and would not be liable for the addition charge. Likewise, if the sale of a property is delayed due to probate then the property would not be liable for the additional charge.
- 2.8. There are two classes of properties which are exempt from the premium, 1) a property that is the sole or main residence of a member of the armed forces and they are absent from the property as a result of that service and 2) an annexe which is empty which cannot be let or sold separately from the main property.
- 2.9. The number of empty properties over two years in Merton are as follows:

Date	Empty Properties over 2 years
1 April 2013	151
30 September 2013	170
31 March 2014	198
21 July 2014	216

- 2.10. The data we hold has shown a gradual increase in the number of long term empty properties although it should be noted that taxpayers do not have any incentive to accurately notify about the occupation of empty properties as we do not grant any discounts or exemptions anymore.
- 2.11. A data validation exercise will need to be undertaken prior to the 1 April 2015 to ensure that the information on long term empty properties is accurate and that we charge the empty property premium correctly.
- 2.12. The implementation of this new premium is aimed at encouraging homeowners not to unnecessarily leave their properties empty for long periods of time. A certain level of empty homes is inevitable and is a feature of a healthy housing market. However properties which have been empty and unfurnished for 2 years or more are often subject to deterioration that can affect the fabric of the property, can cause damage to neighbouring homes and can attract other social problems to the area. The Council wants to encourage homeowners to bring long term empty homes into use to the benefit of all residents. Charging a premium would send a clear message to owners that it is not acceptable to keep properties empty, often creating a local nuisance and wasting a housing resource. As part of the exercise to validate the number of long term empty properties a joined up approach will

be undertaken with the Housing Needs team to promote and increase housing.

3 PROPOSAL

- 3.1. That the Council will implement the council tax empty home premium of an additional charge of 50% on the council tax for long term empty properties (over two years empty) from 1 April 2015.

4 ALTERNATIVE OPTIONS

- 4.1. The Council could continue as now and not implement the empty homes premium although this would provide no incentive to owners to let or occupy the long term empty properties within the borough.

5 CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1. No local consultation has been undertaken. No formal separate consultation exercise is required unlike the decision on local tax support scheme. The Government undertook a formal consultation exercise on the proposals during the year and the summary of responses were issued in May 2012.

6 TIMETABLE

- 6.1. The premium would be implemented from 1 April 2015.

7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 The charging of a premium on long-term empty properties of up to 50% will increase the council tax yield. The table below shows possible examples of estimated increase in Merton's council tax yield based on implementing the empty home premium. The financial assumption is based on all taxpayers paying the additional premium assuming Band D Council Tax at the 2014/15 level:

Number of empty properties	Merton only Band D charge	Total increase in yield based on 50% premium
150	£1,102.25	£82,229
180	£1,102.25	£99,202
210	£1,102.25	£115,736

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1. The Governments Resource Review encompassed three potential areas of reform in local government finance
- The local retention of business rates

- The replacement of council tax benefit by provision for a local council tax support scheme
 - Technical reforms of council tax
- 8.2. Section 12 (2) of the Local Government Finance Act 2012 which amends Section 11 Local Government Finance Act 1992) allows local authorities in England to set a council tax rate for long-term empty properties of up to 150% of the normal liability. A 'long-term empty property' must have been unoccupied and substantially unfurnished for at least two years.
- 8.3. Under the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003, the government has prescribed two classes of dwellings which are exempt from the premium. These are:
- a dwelling which would otherwise be the sole or main residence of a member of the armed services , who is absent from the property as a result of such service;
 - a dwelling, which forms part of a single property that is being treated by a resident of that property as part of the main dwelling
- 8.4. Section 67(2) of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012) provides that the power to decide to introduce a premium for long term empty homes can only be exercised by full Council.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1. The Government have undertaken a formal consultation exercise on the proposed technical reforms.

10 CRIME AND DISORDER IMPLICATIONS

- 10.1. It is possible that taxpayers may not pay the premium and increased council tax recovery action is required to pursue this additional debt.

11 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 11.1. The Council will need to monitor and review the properties that are recorded as long term empty and also check to ensure that where taxpayers have said they are occupied that this is correct.

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

- 12.1. None for the purpose of this report

Committee: Council

Date: 19 November 2014

Wards: All

Subject: Change to Council Tax Support Scheme

Lead officer: Caroline Holland – Director of Corporate Services

Lead member: Councillor Mark Allison

Forward Plan reference number:

Contact officer: David Keppler – Head of Revenues and Benefits

Tel. 020 8545 3727

Email. david.keppler@merton.gov.uk

Recommendations:

- A. To agree to the uprating changes for the 2015/16 council tax support scheme detailed in this report in order to maintain low council tax charges for those on lower incomes and other vulnerable residents. .

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report details the proposed minor changes to the council tax support scheme to ensure that the level of support awarded stays in line with the old council tax benefit scheme had it continued and therefore residents are not worse off due to the new scheme.
- 1.2. That full Council agrees to implement recommendation A above

2 DETAILS

- 2.1. As part of the Spending Review 2010, the Government announced that it intended to localise council tax benefit (CTB) from 1 April 2013 with a 10% reduction in expenditure. These plans were included as part of the terms of reference for the Local Government Resource Review and as it currently stands, the Welfare Reform Bill contains provisions to abolish CTB.
- 2.2. Following a formal consultation exercise full Council on the 21 November 2012 agreed to absorb the funding reduction and adopt the prescribed default scheme in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.
- 2.3. On the 20 November 2013, full Council agreed to continue with the same scheme into 2014/15 although it agreed to “uprate” the scheme.
- 2.4. Each year the Government “uprate” the housing benefit scheme and the new council tax support scheme for pensioners. This is where state pensions and

benefits are increased by a set percentage and the Government also increase the applicable amounts and personal allowances (elements that help identify how much income a family or individual requires each week before their housing benefit starts to be reduced) and also non dependant deductions (the amount a non child who lives with the claimant is expected to contribute to the rent and or council tax each week).

- 2.5. The Government have stated that under the new local council tax support scheme pensioners must not be worse off and that existing levels of support for them must remain and this protection will be achieved by keeping in place existing national rules, with eligibility and rates defined in Regulations broadly similar to those that previously existed. This is known as the Prescribed pensioners scheme.
- 2.6. When full Council adopted the Governments default scheme in November 2012 it was not clear what would happen with regards to the uprating of the default scheme from April 2014 onwards. At the end of September 2013 advice was received from the Department of Communities and Local Government that if a Council did not formally agree a revised scheme for the following financial year which would include any “uprating” then its local scheme for the previous year would automatically become its default scheme and as a consequence the “uprating” would not take place and many residents would face an increased council tax bill.
- 2.7. This means that if Merton wants to continue with a council tax support scheme which is broadly similar to the old council tax benefit scheme it would have to formally consult and agree on the “uprating” every year.
- 2.8. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would reduce by approximately £30,000 for the year.
- 2.9. The Government will uprate the housing benefit scheme from the 6 April 2015 and the detail of this process is unlikely to be known until early December. The Government will also uprate the Prescribed pensioner scheme for council tax support from 1 April 2015. Once the detailed information is known it is proposed to use the data from these to uprate the council tax support scheme.
- 2.10. The uprating of the council tax support scheme will be effective from the 1 April 2015.
- 2.11. A formal consultation exercise regarding the change of the scheme was undertaken between 18 August 2013 and 12 October 2014. Only 23 responses were received, 11 opted to apply the uprating, 11 opted not to apply the uprating and 1 did not say. Only one comment was received – *“Adopting option 2 would severely disadvantage Merton residents”* No reasons or comments were received from those opting not to apply the uprating. The Citizens Advice Bureau fully supported the option to apply the uprating.
- 2.12. This level of response is in stark contrast to the consultation exercise undertaken in the summer of 2012 when the Council first proposed to absorb the funding reduction and ensure that no Merton residents would be worse off due to the change in scheme. Then there were 1,007 responses of which

820 opted to retain the same level of support as council tax benefit and keep the level of contribution towards the council tax down for eligible applicants. Only 69 opted to implement a new council tax support scheme that's offers less assistance and means that certain groups of people would have to pay more council tax.

- 2.13. The Council has also consulted with our major precepting authority, Greater London Authority.

3 PROPOSAL

- 3.1. That, in line with one of the key principals agreed at Council in July 2011 to keep the level of council tax down for residents, it is proposed that the Council undertakes an "uprating" of the council tax support scheme for 2015/16, so that residents who currently get financial support to pay their council tax through the council tax support scheme - who are not pensioners - continue to be assisted as if the council tax benefit scheme was still in place.
- 3.2. The percentage increases to applicable amounts and personal allowances for the housing benefit scheme will be used to uprate Merton's council tax support scheme.
- 3.3. The percentage increase for non dependant deductions for the Prescribed pensioner scheme for council tax support will be used to uprate Merton's council tax support scheme
- 3.4. These changes will keep the council tax support scheme in line with the old council tax benefit scheme had it continued and ensuring that residents receive a similar level of council tax support as if the old scheme had continued, in a similar way to the prescribed pensioners scheme.

4 ALTERNATIVE OPTIONS

- 4.1. The only alternative option would be not to undertake the uprating of the scheme and continue with the existing scheme. This would result in some of the poorest residents facing increased council tax bills from April 2015.

5 CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1. A consultation exercise has been undertaken and the results of this are detailed in 2.11 above.

6 TIMETABLE

- 6.1. The key milestones for the Council are detailed below:

Task	Deadline
Consultation with public and precepting authority on proposed change to the scheme	August/October 2014

Report to full Council for agreement to proposed change to the scheme	20 November 2014
Detailed analysis of the housing benefit and Prescribed pensioner schemes uprating to establish exact parameters to be applied for the uprating of the council tax support scheme	December 2014 – or as soon as the information is available from the Department of Work and Pensions
Deadline for agreement of amended scheme	31 January 2015
Testing of IT software for amended scheme	February 2015
Implement amended scheme	1 April 2015

7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 7.1. Based on current expenditure for 2014/15 it is estimated that £12.8 million will be granted in council tax support for 2015/16 assuming there is no change in the council tax.
- 7.2. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would reduce by approximately £30,000 for the year
- 7.3. The council has recently submitted its Council Tax Base Return (CTB) to Government. This is based as at October 2014 and incorporates the latest information on council tax support and discounts and exemptions. This will be used to calculate the Council Tax Base for 2015/16 and the MTFs 2014-18 will be updated as appropriate during the budget process.

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1. The Council must formally agree its council tax support scheme for 2015/16 by the 31 January 2015.
- 8.2. If a new scheme is not agreed by this date then the scheme the council administered for the previous year (2014/15) would become the default scheme for 2015/16.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1. A formal consultation exercise has been undertaken. The results of this are detailed in 2.11 above and attached at Appendix 1.

10 CRIME AND DISORDER IMPLICATIONS

- 10.1. Any changes to the council tax scheme which results in reductions of support will mean some residents facing an increase in their council tax bills.

Some of these residents, due to the yearly uprating undertaken by the Department of Work and Pensions, would not have previously been faced with increased council tax bills. In the past it has sometimes proved difficult in collecting council tax or community charge from residents who are on limited income and or benefits.

11 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 11.1. The Council will need to continue to closely monitor the cost of the council tax support scheme to ensure it is affordable for future years.
- 11.2. Although in 2013/14 and 2014/15 there has not been an increase in caseload, it is possible that the full impact of the welfare reform could result in more families located in inner London moving into Merton which would result in an increase in council tax support expenditure. Variations in collection rates and the level of discounts will not have an immediate financial impact on the revenue resources of the authority as these are managed via the Council's Collection Fund. Future variations in collection rates etc. will then be taken into account in following year's council tax base and council tax.

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

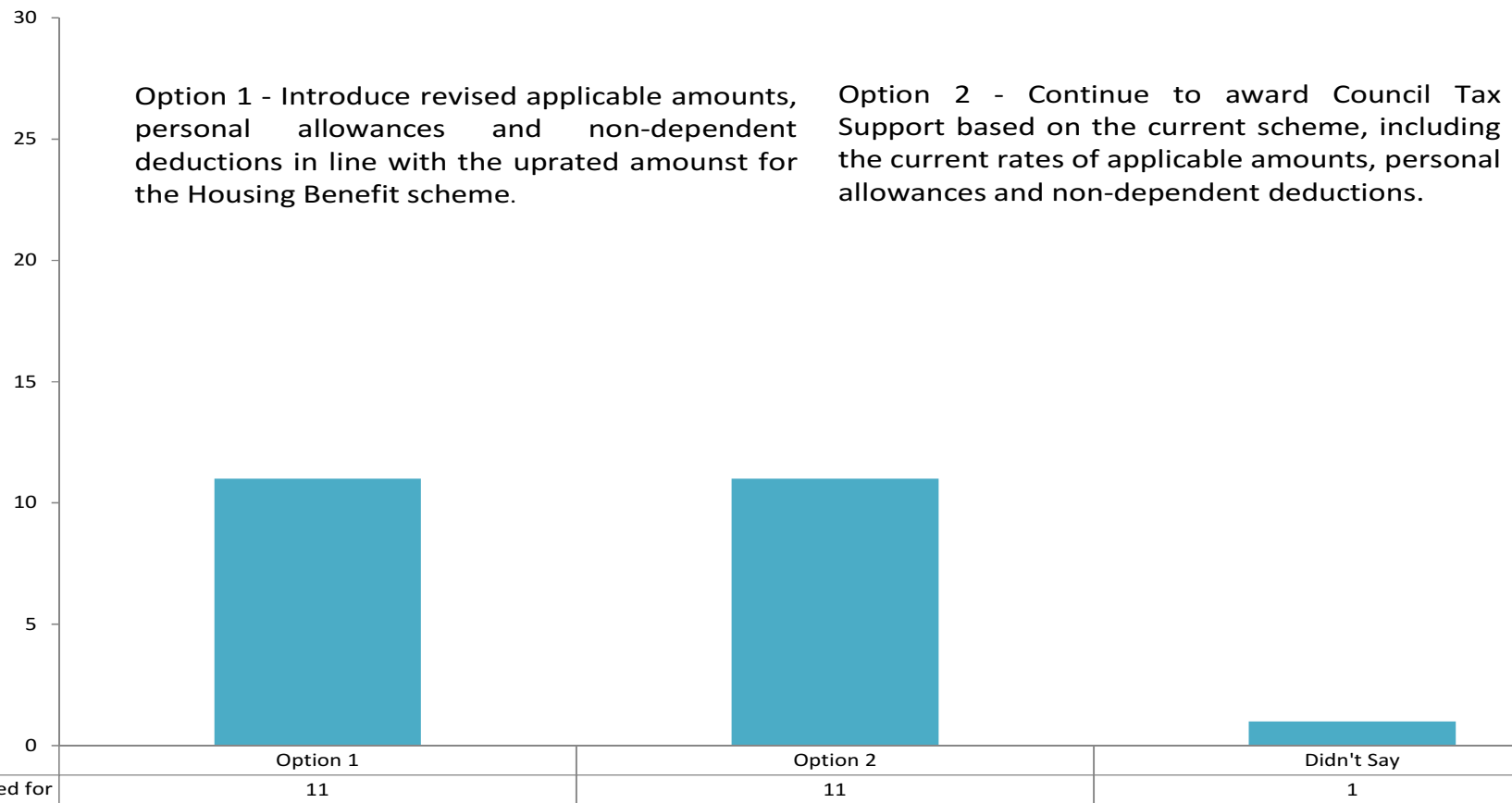
Appendix 1. Consultation Results

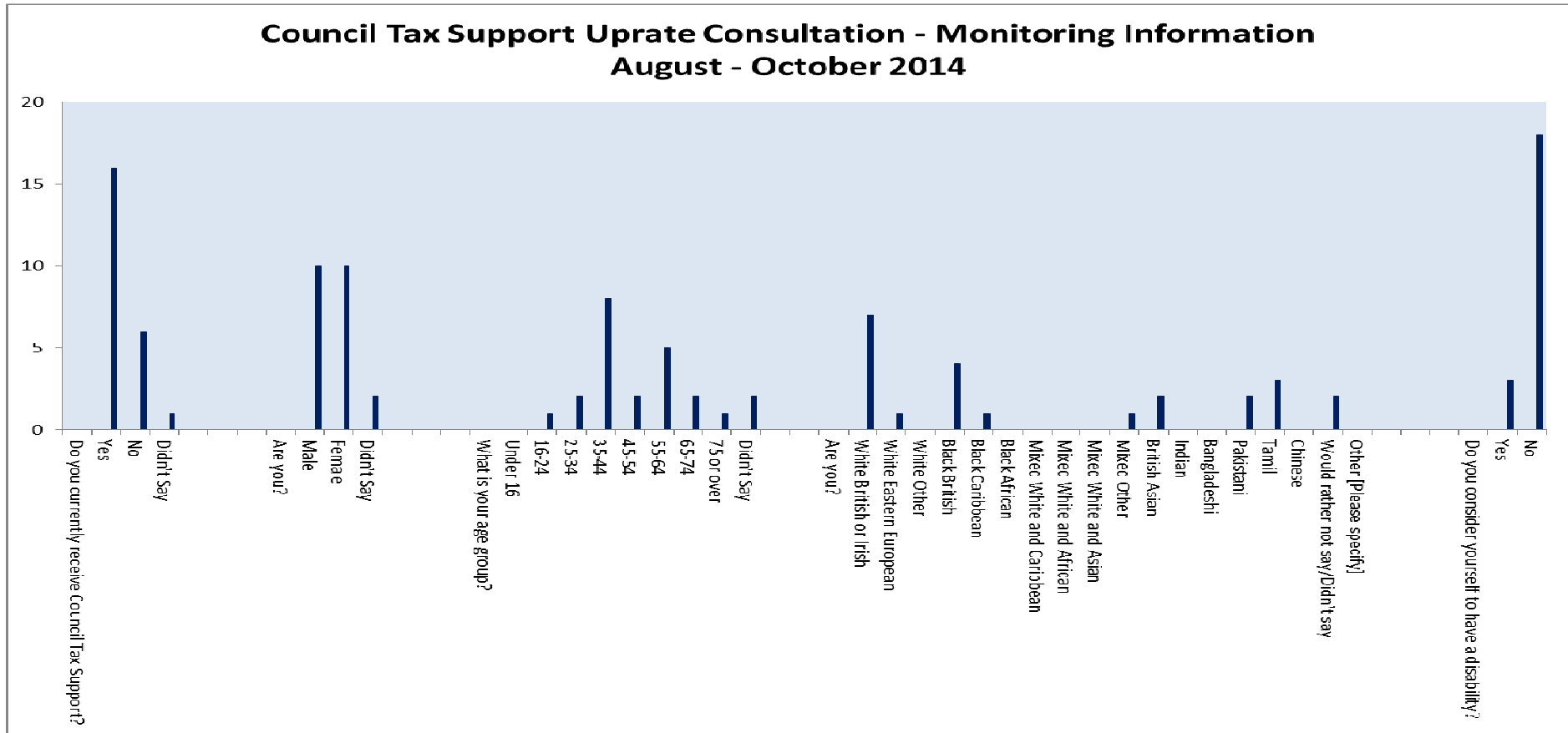
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Council Tax Support – Uprate Consultation

August – October 2014

**Council Tax Support - Uprate Consultation August - October 2014
Residents voted for**





Comments received:

Adopting option 2 would severely disadvantage Merton residents. - Received online.

Committee: Council

Date: 19 November 2014

Wards: All

Subject: **Additions to the Approved Capital Programme above £500,000**

Lead officer: Caroline Holland – Director of Corporate Services

Lead members: Mark Allison – Deputy Leader and Cabinet Member for Finance, Caroline Cooper-Marbiah - Cabinet Member for Adult Social Care and Health, Cllr Judy Saunders - Cabinet Member for Street Cleanliness and Parking

Contact officer: Zoe Church – Head of Business Planning
Telephone: - 0208 545 3451

RECOMMENDATION

That Council approves the following two schemes for inclusion in the Capital Programme:

<u>Scheme</u>	2014/15 £	2015/16 £
<u>Expenditure</u>		
The Gables Conversion*	577,300	0
Measures to tackle traffic congestion and road safety	0	1,300,000
<u>Funding</u>		
Mansell Capital Grant	(577,300)	0
Revenue Contribution to the Capital Programme	0	(1,300,000)

*subject to reviewing the need for legal charge/financial penalties and clarification of the financial benefit to the Authority.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 Following reports to Cabinet 10 November 2014 this report requests the addition of two new schemes to the Capital Programme in excess of £500,000, in accordance with the Authority's Financial Regulations new schemes in excess of £500,000 requiring Council Approval.

2. DETAILS

2.1 Following Cabinet approval two schemes need Council approval for inclusion in the Capital Programme:

2.2 **The Gables Conversion** - Attached as Appendix A is the business case submitted for this ringfenced funding. The scheme would convert The Gables in Mitcham from 12 supported housing units to a minimum of 4 units (plus two

respite units) for people with severe learning disabilities and challenging behaviour.

- 2.3 The estimated cost of the scheme is £577,300 which would be funded by grant. New schemes above £500,000 require Council Approval. Given the length of time it has taken to develop a suitable scheme it must be commissioned by 31 March 2015 or the funding will be lost. To meet this deadline it is essential that it is progressed to Council for approval in November 2014. Approval by Council in February 2015 will not allow sufficient time to progress the scheme sufficiently by financial year end.
- 2.4 Approval to this scheme is requested subject to:
- i) The Authority reviewing the need for the legal charge and financial penalties
 - ii) Clarification of the financial benefit to the Authority
- 2.5 **Measures to tackle Traffic Congestion in Merton** - Attached as Appendix B is report detailing the proposed approach to tackling traffic congestion in the borough. The request for capital funding of £1.3 million is for the easing of traffic congestion through the deployment of Automatic Number Plate Recognition [ANPR] cameras and the posts/poles that these cameras are attached to. As part of the tender process, in late January 2015, for the above cameras the specification will include the maintenance of the Traffic Enforcement Efficiency ANPR cameras along with the public realm CCTV cameras.
- 2.6 Resident surveys have listed traffic congestion as one of the top 3 concerns in the borough and it has increased as a concern in the recent past. Council has already agreed to the use of ANPR through budget setting in 2012/13 though the date of introduction was anticipated as being 2016/17 subject to clarification of capital investment. Following further investigation into the technology and the implementation timetable this is now possible sooner than anticipated providing investment is made sooner.
- 2.7 During summer 2014 surveys were carried out at different locations within the borough with the aim of identifying how efficient and effective the existing enforcement methods are for capturing moving traffic contraventions and testing the technology available. These surveys clearly showed that the current methods of enforcement are not as efficient as they should be. The survey was carried out in June 2014 at 24 locations (bus lanes and Moving Traffic Locations) for a period of 1 week at each location. The survey data showed that the installation of ANPR cameras at these locations would significantly improve compliance.
- 2.8 The earlier introduction of ANPR will greatly improve the Council's ability to manage traffic flows, congestion, and traffic pollution, improve the free flow of all vehicles including buses and emergency vehicles as well as ensuring increased safety for pedestrians, particularly around schools. Motorists who do not comply with the moving traffic regulations will be affected by the issue of a Penalty Charge Notice. Capital costs of an estimated £1.3m are required in 2015/16,

which will be funded from anticipated fines from moving traffic contraventions in the first year of operation.

3. CONSULTATION UNDERTAKEN OR PROPOSED

- 3.1 Sustainable Communities Overview and Scrutiny Panel 8 January 2015.

4. TIMETABLE

- 4.1 Once approved these amendments will be added to the programme for the October Financial Monitoring Report.

5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 5.1 These are detailed in the report.

6. LEGAL AND STATUTORY IMPLICATIONS

- 6.1 The progression of both schemes will be in accordance with Contract Standing Orders.

7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 7.1 There are no specific human rights, equalities or community cohesion implications.

8. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.1 There are no specific risk management or health and safety implications in this report.

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

- 9.1 Appendix A: The Gables Grant Submission Business Case
9.2 Appendix B: Tackling Traffic Congestion in Merton

10. BACKGROUND PAPERS – THE FOLLOWING DOCUMENTS HAVE BEEN RELIED ON IN DRAWING UP THIS REPORT BUT DO NOT FORM PART OF THE REPORT

Relevant Files and Information held by officers.

MANSELL PROJECTS

NHS England Business Case

1. **Strategic context:**

The Mansell report was published in 1993 and later revised in 2007. It set out the principles for service development for people with learning disabilities and challenging behaviour or mental health needs.

The Mansell Report identified key principles which have been recognised nationally:

- People with learning disabilities, whose behaviour presents a challenge to services, need good quality, specialist support, close to their family homes. This includes both housing and meaningful daytime opportunities.
- Challenging behaviour can be better or worse depending on how well services support the person. Our goal is to support the individual in achieving as good a quality of life as possible *in spite of* their challenges. The Mansell report states that “It is not an appropriate or achievable goal that the risk of challenging behaviour be completely eliminated.”
- For most people supporting them in a home (their own home or a small shared placement) near their family and friends will be the right decision.
- We need to recognise housing rights, so that once people have a proper home they cannot just be moved from one place to another because services have difficulty providing the support they need.

The report recommended better use of investment to achieve two aims:

- to develop and expand the capacity of local services for people with learning disabilities to understand and respond to challenging behaviour, and
- to provide specialist services locally which can support good mainstream practice.

2. **Local context:**

The Tri-Borough Learning Disability Commissioners’ Group is a partnership between the London Boroughs of Croydon, Merton and Richmond-Upon-Thames. The findings and recommendations in the Mansell report heavily influenced the Group to set up the Mansell Project Group.

The group bid for capital funding through the Learning Disability Development Fund to commission “a Registered Social Landlord (RSL) to provide 12 specialist supported housing units for people with severe learning disability and challenging behaviour”, with each borough receiving an allocation of 4 units.

In May 2006 the South West London Strategic Health Authority approved Capital funding of £1.8m towards the cost of providing this locally based accommodation for 12 people, although it was not until March 2008 that the £1.8m capital grant was transferred to Croydon Council, who undertook to manage the project on behalf of the boroughs .

In April 2009 a procurement exercise was undertaken but this attracted a poor response because of the downturn in the economy and RSLs deciding to consolidate rather than take on building of new schemes. NHS SW London Capital and Estates Committee granted an extension of the use of the grant until March 2013.

In March 2013, in light of the difficulties in procuring the developments through a single procurement process, a Memorandum of Understanding was produced which requested permission to split the remaining grant monies equally between the three boroughs, to take forward their own respective service models separately.

In December 2013, Croydon Clinical Commissioning Group confirmed the agreement for the remaining £1,731,886.00 capital fund to be split between the 3 boroughs. Each borough will receive £577,295.00, as well as the interest earned on the £1.8m, to take forward its own respective service models. Each borough is currently waiting for the transfer to be made.

There are currently no supported housing units for people with learning disabilities and challenging behaviour in LB Merton.

3. **What is the opportunity to improve?**

Since 2006, LB Merton has identified a significant problem placing people with severe learning disabilities and challenging behaviours in suitable accommodation within the borough, due to lack of specialist capacity amongst local providers. As a result, LB Merton places clients with challenging behaviour outside their local area at significant cost, making regular contact between the Learning Disabilities team, family and partnership working with the provider of services difficult. This has led to people moving when placements have broken down .

Out-of-borough Residential LD challenging behaviour placements	
Minimum	£1343.00
Maximum	£5976.32

There is an agreed need for a supported living service to address the shortfall of provision within Merton. Furthermore there is potential to deliver a better value for money service by utilising accommodation which enables efficient and economic delivery of care and support. This presents an opportunity for LB

Merton to commission a new local service which will improve provision for people with learning disabilities and challenging behaviour.

4. Client group:

The Learning Disabilities and Complex Needs Team works with 211 LD Adults receiving day care, many of whom have challenging behaviour. Working alongside Merton's Learning Disabilities Team, there is a Transitions Team. There are currently 200 clients on the Transitions Team case load, 23 of whom have challenging behaviour.

Merton's Learning Disabilities Team has identified 4-6 transitions clients living in residential colleges who will require Supported Living accommodation in approximately 1 year's time and will benefit from being moved into a new in-borough service.

5. Options appraisal

The Mansell Project internal stakeholders group carried out an options appraisal to establish the best service model for the Mansell Project.

5.1 Option 1 - Do Nothing:

Do not use the Mansell capital funding to develop supported housing units in Merton but continue to place people with learning disabilities and challenging behaviour out of borough. This is not an option as it goes against the principles in the Mansell Report. Furthermore, LB Merton will continue to place clients with challenging behaviour outside their local area, making it difficult to find solutions when placements break down, causing a failure to meet the needs of clients and increasing LB Merton's spend on placements.

5.2 Option 2 - Partner with a registered provider to develop land or an existing site in Merton.

If an RSL had a site or land, it would be cost effective for the LB Merton to partner with them. The partner would manage the scheme because L B Merton is not a stock-owning Local Authority.

However, this is not an option as a market engagement exercise was undertaken with registered providers to establish whether the registered providers had site or land with which to develop supported housing units for people with learning disabilities and challenging behaviour. The response from 3 registered providers was that the size of the project was too small to resource from a development point of view and therefore they were not interested in engaging in this project. The registered providers were Moat, Viridian and Haig Housing.

The time and resources required to source a registered provider to develop the supported housing units could mean the project became delayed, the capital grant may not be spent in FY2014/15 and the units may not be ready to accommodate clients who need housing in 2015.

6. Option 3 - Preferred option- Refurbish The Gables, 112 Tamworth Lane, Mitcham, Greater London CR4 1DB.

LBM already uses this building for people with learning disabilities. The Mansell capital will be enough to redesign the building to accommodate between 4-6 supported living units and 2 respite units for people with challenging behaviour.

6.1 Refurbishment Design Specification

- 4-6 supported housing units
- 2 respite units
- day opportunities 'hub', including a quiet sensory room and an active sensory room
- a sensory garden

Currently The Gables consists of 15 self-contained supported living units for people with learning disabilities. The redesign of The Gables will be delivered in partnership with Grenfell Housing Association, to whom the council-owned building is let until 2031. Grenfell will not be surrendering their current interest and will retain their current lease. They are in agreement for this project to go ahead and will continue to work in partnership with LB Merton.

The Mansell Project Internal Stakeholders Group visited best practice supported living services for people with learning disabilities and challenging behaviour, such as to Oakwood care home, Coulsdon Road, Caterham, Surrey, CR3 5WP and Holly Lodge, Vines Lane, Hildenborough, Kent, TN11 9LT. Gaining an understanding of best practice design principles, features and technology available will inform the redesign spec at The Gables to ensure it is a best practice model itself. Furthermore, the stakeholders' deep understanding of The Gables site and its potential for development will enable the redesign offer optimum value and effectiveness.

The day opportunities hub and sensory rooms will provide an opportunity for income generation for the council, making the service more sustainable. It will enable the LB Merton to continue to pay the same rents per room to Grenfell Housing Association, ensuring that the reduced number of housing units does not have a negative financial impact.

The project will be managed by LB Merton's Facilities Management Major Projects Team. This team has a proven track record of developing sites in Merton and will ensure the project is delivered in full compliance with all statutory regulations health & safety, building control, planning and design requirements for the delivery support and treatment of vulnerable persons.

6.2 Cost

The Capital Requirement will be covered by the £577,295 capital grant.

The current rent per room per week is currently £255.11. Income generation from the day opportunities hub and the sensory rooms and the housing benefit paid towards the housing and respite units will ensure that Grenfell Housing

Association continue to receive the same level of income before and after the redesign of The Gables, therefore the project is sustainable.

6.2.1 Care and Support provision

This is to be provided either by LB Merton's in-house team or commissioned externally via a procurement process

6.3 Development programme

Please see the attached Project Programme and Budget Plan, developed by LB Merton's Facilities Management Team.

7. Valuation

A valuation of the property was carried out on 18.08.14. The opinion of Market Value of the Freehold interest subject to a lease as at 18.08.14 is £470,000 (Four hundred and seventy thousand pounds sterling).

8. Legal Charge:

The Local Authority is prepared, subject to legal agreement/contract, to accept the Legal Charges associated with the grant such that the value of the Charge will be returned to NHS England should the service for people with learning disabilities cease or the property be sold before ten years from the date of the Charge and providing that the percentage to be repaid by the Local Authority will never be greater than an amount that would represent a financial loss.

9. Planning Permission

A Planning submission will not be required for this scheme.

10. CCG Commissioner support

That the scheme will deliver suitable and compliant premises:

The Council's Facilities Management Major Projects Team will ensure the project is delivered in full compliance with all statutory regulations health & safety, building control, planning and design requirements for the delivery support and treatment of vulnerable persons.

That use of the Grant is value for money (VfM) to the NHS compared to the NHS directly using the grant resources:

The scheme will be designed by an in house multi-disciplinary project team to meet the design brief and requirements for operational delivery. Tender documents will be prepared and checked by legal and procurement colleagues within the London Borough of Merton prior to invitations being issued via the London Portal to suitable qualified and accredited contractors. The tenders will be evaluated and awarded under a criteria of 70% cost and 30% quality and the recommended award will be checked and signed off at Director level.

The Facilities Management Major Projects Team will then manage the construction process on site and check programming, quality and value for money to completion.

Tackling Traffic Congestion and Road Safety in Merton

1. THE CHALLENGE

- 1.1. Traffic congestion is a significant concern for Merton residents. The annual Merton Residents Survey has consistently identified congestion as a key concern for local people over a number of years, with the 2013 survey finding that it was the third most important issue of concern with 25% of residents mentioning it.
- 1.2. Concern about traffic congestion is a London wide issue but concern in Merton is above the London average.
- 1.3. Congestion costs London an estimated £2bn in lost economic productivity, adversely affects Londoners' quality of life, causes frustration to road users, contributes to the deterioration of air quality and leads to higher CO₂ emissions.
- 1.4. Poor reliability and predictability of journey times means those who use the road network have to allow significantly longer for their journeys to ensure that they reach their destination on time. Improving the reliability of journey times on the road network has significant benefits for all road users, including those using public transport.
- 1.5. A number of regional and borough-wide strategies seek to tackle traffic congestion, including the Mayor of London's Transport Strategy, Merton's Sustainable Transport Strategy and Local Implementation Plan (LIP2).
- 1.6. Effective enforcement of waiting and loading restrictions on the highway network can have a significant impact on congestion levels, particularly during peak periods. In particular, this relates to unauthorised parking and /or vehicle movements on the main carriageway and in bus lanes.
- 1.7. An example relates to bus lane enforcement. If bus lanes are free from unauthorised parking and traffic, bus travel will be easier, quicker and more reliable. In turn, improving passenger journey times will encourage more people to opt for public transport rather than the private car, reducing congestion.

2 MEASURES TAKEN TO DATE

- 2.1. Inconsiderate or dangerous driving can increase congestion by increasing accident rates and reducing traffic flow (e.g. blocking box junctions or turning right illegally). As such there are congestion reduction benefits in reducing the incidence of such driving.
- 2.2. Merton employs a comprehensive road safety education programme to encourage safe and sustainable travel behaviour, with a particular focus on children, cyclists, motorcyclists and pedestrians. Given the recent pattern of

increasing casualty rates across London, including Merton, the programmes are being tailored to target the most vulnerable groups. The education programme compliments the physical road safety schemes that are implemented in the borough on an ongoing basis, including junction improvements, traffic calming, new crossing facilities and 'homezone' style initiatives. Tackling congestion related issues is expected to have a positive contribution on the council's road safety programme.

- 2.3. The Council has been enforcing bus lanes since 2004, and at every location compliance has improved over time – for example when the Hartfield Road bus lane was first reintroduced 1,564 PCNs were issued in the first full month, which has now dropped to 58 PCNs issued in October 2014.
- 2.4. However, due to the setup of the CCTV room it is not possible to monitor all 11 bus lanes simultaneously and so more can be done to improve bus journey times.
- 2.5. Moving traffic directives (for example 'no right turn' or box junction restrictions) are intended to benefit traffic flow while maximising road safety. The London Local Authorities and Transport for London Act 2003 (LLA & TfL Act 2003) gives the power to a local authority to take on the civil enforcement of certain Moving Traffic Offences (MTO's) by decriminalisation. This in effect allows the transfer of the enforcement responsibility from the Police to the traffic authority for certain offences. These contraventions relate to traffic controls in the Highway Code which help reduce congestion and improve road safety. Most London boroughs have taken up this power.
- 2.6. In 2011 full council agreed to step up work to tackle traffic congestion by introducing a new zero tolerance approach to traffic congestion, with compliance encouraged by levying fines on motorists who contravene the highway code by stopping in yellow box junctions, thus slowing down traffic, and disrupting traffic flows by making banned turns.
- 2.7. Although this initiative has been successful in improving compliance in some areas the Council's current enforcement technology is labour-intensive and not capable of effectively monitoring the increasing number of locations. There are around 40 moving traffic contravention locations and the Council uses 5 mobile enforcement vehicles to monitor these locations as well as numerous parking locations around the borough.

3 PROPOSAL

- 3.1. In the last few years new technology has emerged that is capable of automating large sections of the enforcement process using ANPR (Automatic Number Plate Recognition) and bespoke back office systems designed specifically for traffic enforcement.
- 3.2. There are numerous benefits to these systems compared to our existing setup:
 - a) No human operator required – CEOs currently spend around 500hrs per month monitoring CCTV cameras. This time could be

spent out on-street, enforcing parking restrictions and responding to complaints.

- b) 24/7 monitoring – all locations will be monitored for the entire duration of the restrictions – currently enforcement ends at 11pm despite the fact that many restrictions are 24hr.
- c) No missed contraventions – every vehicle that triggers the cameras will be recorded – currently CEOs miss hundreds of contraventions each day as they are physically unable to monitor all locations simultaneously. This would be a fairer system with all motorists treated the same.
- d) Streamlined review process – all video clips are sent to a back-office reviewing system. It then takes a matter of seconds for a reviewing officer to approve or reject an evidence pack.
- e) Automatic PCN creation – once an evidence pack has been approved all details, including photographs and CCTV footage, are automatically imported into 3Sixty (the application used to issue PCNs). Currently this information has to be typed into the system by the reviewing officers and we estimate that we lose £20k p.a. just as a result of typing errors leading to case cancellations.
- f) Online evidence – the CCTV footage of every contravention will be available to view online. This will reduce the need for personal appointments to view the footage, saving further officer time.

- 3.3. In order to improve traffic flows and to tackle congestion in the borough, it is proposed to use this new technology in order to achieve a more efficient service which will free up enforcement officers to focus on congestion hot spots of most concern to residents.
- 3.4. It is also planned to particularly focus on contraventions outside schools. The new technology is considered more effective than using CCTV vehicles, which by necessity have to park at the side of the road to enforce, thus further reducing the amount of space available for parents to stop to drop off their children.
- 3.5. Improving the way we enforce outside schools will make those streets safer and reduce the risk of accidents occurring and pollution due to vehicles parked up with their engines running.
- 3.6. It may also contribute to parents finding alternative means to take their children to school, such as public transport or walking.
- 3.7. As the cameras are redeployable they can be moved between locations as compliance changes, ensuring that the cameras are always in use.
- 3.8. It should be noted, however, that although initially there will be an increase in contraventions recorded, this will be followed by a drop-off as motorists change their behaviour and start to comply with the restrictions.
- 3.9. The introduction of new technology to assist in tackling traffic congestion is part of the Target Operating Model for the Parking section.

4 CONCLUSION

- 4.1. Merton is already undertaking a full range of measures to tackle congestion and improve road safety. However, ensuring compliance with moving traffic directives through utilising new technology will significantly increase compliance and improve traffic flows in the borough. This new technology will also make the service more efficient and will free up enforcement officers to focus on hot spot areas of most concern to our residents.
- 4.2. All of the measures to smooth traffic flow and improve road safety described above will directly tackle the causes of congestion on Merton's road. This will not only benefit the car user, but increasing the attractiveness and reliability of public transport services will also encourage more people to opt for public transport as their preferred mode of travel. They are supported by measures to improve and promote mode shift towards public transport, walking and cycling.

Committee: COUNCIL

Date: 19 November 2014

Wards: All

Subject: Review of Part 4F of the Constitution - Financial Regulations

Lead Officer: Caroline Holland – Director of Corporate Services

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Recommendations

1. That Council agrees the revised Financial Regulations for the Authority. This document will replace Part 4F of the Council's Constitution.
2. That Council approve the changes in respect of Contract Standing Order Number 6 and Appendices 2 and 4 of Contract Standing Orders.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report summarises the main changes to the Financial Regulations of the Authority. These regulations form Part 4F of the Council's Constitution.

2. DETAILS

2.1 Review of Financial Regulations

2.1.1 Financial Regulations form part 4F of the Constitution and should be revised periodically to ensure they reflect best practice.

2.1.2 The main changes made to the document are as follows:

- a) Updating reference documentation
- b) Clarifying the wording for virement arrangements (and increasing limits for capital virements)

- c) Removing reference to the Audit Committee as functions are now undertaken by General Purposes Committee

2.1.3 Attached as Appendix A are the revised Financial Regulations changes are shown in **bold underlined**.

2.2 Review of Exemptions to Standing Orders

2.2.1 Exemptions to the Contract Standing Orders (CSOs) – Current Position

2.2.2 Currently, the CSO's allows Officers to seek exemptions to the CSOs by completing a Form of Exemption Report which is then submitting to the Director of Corporate Services for approval.

2.2.3 The Form of Exemption Report requires Officers to provide:

1. Executive summary and purpose of report
2. Details
3. Alternative options
4. Financial implications
5. Procurement implications
6. Legal implications and statutory provision
7. Human rights and equalities implications
8. Consultation undertaken

2.2.4 No exemption may be granted in specified cases and in particular if to do so would result in a breach of European or U.K. law

2.2.5 Review of the Exemption Process

2.2.6 A review of the exemptions process has been undertaken to determine how robust the current process is and also to identify opportunities for improvement.

2.2.7 The review confirmed that the policy and procedure followed by Merton is broadly consistent with that used by other local authorities and in summary, resulted in a number of proposed revisions which are as follows:

1. The Process for Exemptions

The process as set out in the CSO's is consistent with other authorities and no changes are recommended at this stage.

2. Details of the Exemption Process and Non-Exhaustive List Justifications for Exemptions

The list is broadly comparable with other authorities, however, a number of revisions are recommended. The revisions will tighten the criteria for exemption, emphasise that the procedure can only be used in exceptional circumstances, ensure clarity and also that procurement is operating in line with the Treaty principles of being open, fair and transparent.

3. The form completed by Officers requesting exemptions.

The form is designed to provide all the relevant information in order to assess the justification for exemption. However, in its current form, it does not provide specific guidance to Officers on the type and level of information required within each section. In order to rectify this, proposed guidance has been produced for each section, which will ensure a consistent and robust approach when completing the form. Further amendments to the form require Officers to consult with and obtain a recommendation from the Commercial Services team prior to formal submission.

- 2.2.8 Attached as Appendix B are the revised Contract Standing Order 6 with the revised Appendices 2 and 4 from Contract Standing Orders – all amendments are shown in **bold underlined**.

3. CONSULTATION UNDERTAKEN OR PROPOSED

- 3.1 The proposed revisions to the Financial Regulations were reported to the Standards Committee on 23 October 2014 and the General Purposes Committee on 6 November 2014.
- 3.2 The proposed revisions to Contract Standing Orders flow from the recommendations made to General Purposes Committee on 26 June 2014 requiring the Authority's Constitution to be amended to ensure that both the Head of Commercial Services and the Director of Corporate Services sign off exemptions to standing orders and that documentation is amended to clarify that exemptions to standing orders will only be granted in exceptional circumstances.

4. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 5.1 There are no specific financial, resource or property implications from this report

5. LEGAL AND STATUTORY IMPLICATIONS

- 5.1 Section 37 of the Local Government Act 2000 requires authorities to adopt constitutions containing their standing orders, code of conduct for members, any other information they considered appropriate and 'such information as the Secretary of State may direct'. Financial Regulations form part of this constitution.

6. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 6.1 There are no specific human rights, equalities or community cohesion implications.

7. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 7.1 There are no specific risk management or health and safety implications in this report.

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

8.1 Appendix A: Financial Regulations

Appendix B: Contract Standing Orders (CSO)

CSO 6 – Exemptions from Contract Standing Orders

CSO Appendix 2 – Exemptions from Contract Standing Orders

CSO Appendix 4 - Form of Exemption Report

9. **BACKGROUND PAPERS – THE FOLLOWING DOCUMENTS HAVE BEEN RELIED ON IN DRAWING UP THIS REPORT BUT DO NOT FORM PART OF THE REPORT**

Relevant Chartered Institute of Public Finance and Accountancy (CIPFA) Guidance etc., Best Practice, Regulation and Legislation

Constitution - Part 4F

Financial Regulations

Contents

1: Introduction.....	2
A: Financial Management.....	5
B: Financial Planning	11
C: Risk Management and Control of Resources.....	14
D: Systems and Procedures.....	18
E: External Arrangements.....	20
Bibliography.....	20
1.1 Scheme of Virement - Revenue.....	21
1.2 Scheme of Virement — Capital.....	23

Introduction

Financial Regulations

- 1.1 To conduct its business efficiently, the Council needs to ensure that it has sound financial management policies in place and that they are strictly adhered to. Part of this process is the establishment of financial regulations that set out the financial policies of the Authority. A modern Council should also be committed to worthwhile innovation, within the regulatory framework, providing that the necessary risk assessment and approval safeguards are in place.
- 1.2 The financial regulations provide clarity about the financial accountabilities of individuals - the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer, currently Director of Corporate Services and other chief officers (departmental directors). Each of the financial regulations sets out the overarching financial responsibilities.
- 1.3 This document links financial regulations with other internal regulatory documents forming part of the Council's constitution. For example, contract standing orders, schemes of delegation, the role of Overview and Scrutiny committees and employee codes of conduct.

Financial Procedures

- 1.4 Following formal approval and adoption of the financial regulations, it is the responsibility of the Chief Finance Officer to implement those financial regulations by issuing and maintaining detailed financial procedures.
- 1.5 The financial procedures detail the responsibilities of the Chief Finance Officer and other chief officers (directors) and identify key controls. They carry the same importance as financial regulations and are an integral part of the Council's framework of internal control

Status of Financial Regulations

- 2.1 Financial regulations provide the framework for managing the authority's financial affairs.
- They **apply** to every member and officer of the authority and anyone acting on its behalf.
 - They **do not apply** where the Council has agreed separate constitutional arrangements incorporating different Financial Regulations. This is currently relevant only to schools under "The Merton Scheme for Local Management of Schools"
 - They **do not apply** where work is being undertaken by the Council as agent for another public body under an agreement which requires compliance with different procedures incorporated into the agency agreement.
- 2.2 The regulations identify the financial responsibilities of the full Council, Cabinet and Overview and Scrutiny members, the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer and other chief officers (directors). Chief officers (directors) should maintain a written record where decision making has been delegated to members of their staff, including seconded and [temporary staff](#).
- Where decisions have been delegated or devolved to other responsible officers, such as school governors, references to the chief officer in the regulations should be read as referring to them. (There are separate regulations for schools based on the authority's financial regulations)
- 2.3 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- 2.4 The Chief Finance Officer is responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the full Council for approval. The Chief Finance Officer is also responsible for reporting, where appropriate, breaches of the financial regulations to the Monitoring Officer, the Council and/or to the Cabinet members.

- 2.5 The authority's detailed financial procedures, setting out how the regulations will be implemented, are contained in a separate document known as Financial Procedures. The financial procedures do, none the less, form an integral part of the financial regulations (Schools operating under the local scheme of delegation will refer to a separate financial procedures document, "On the right track " [\(Version 5 being the most up to date at the time of approval\)](#))
- 2.6 Chief Officers (directors) are responsible for ensuring that all staff in their departments are aware of the existence and content of the authority's financial regulations and other internal regulatory documents and that they comply with them. They must also ensure that an adequate number of copies are available for reference within their departments.
- 2.7 The Chief Finance Officer is responsible for issuing advice and guidance to underpin the financial regulations that members, officers and others acting on behalf of the authority are required to follow.

A: FINANCIAL MANAGEMENT

Introduction

- A.1 Financial management covers all financial accountabilities in relation to the running of the authority, including the policy framework and budget. Where there is any discrepancy or inconsistency between these Financial Regulations and the Constitution, the terms of the constitution will prevail.

The full Council

- A.2 The full Council is responsible for adopting the authority's constitution and members' code of conduct and for approving the policy framework and budget within which the Cabinet operates. It is also responsible for approving and monitoring compliance with the authority's overall framework of accountability and control. The framework is set out in its constitution. The full Council is also responsible for monitoring compliance with the agreed policy and related Cabinet decisions.
- A.3 The constitution and procedure rules require the recording and reporting of decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its committees. These delegations and details of who has responsibility for which decisions are set out in the constitution.

The Cabinet

- A.4 The Cabinet is responsible for proposing the policy framework and budget to the full Council, and for discharging Cabinet functions in accordance with the policy framework and budget.
- A.5 Cabinet decisions can be delegated to a committee of the Cabinet, an individual Cabinet member, an officer or a joint committee.
- A.6 The Cabinet is responsible for establishing protocols to ensure that individual Cabinet members consult with relevant officers before taking a decision within his or her delegated authority. In doing so, the individual member must take account of legal and financial liabilities and risk management issues that may arise from the decision.

Committees of the Council

Overview and Scrutiny Commission and Panels

- A.7 The Overview and Scrutiny Commission is responsible for participating in pre-decision policy formulation and for scrutinising Cabinet decisions after they have been made and for holding the Cabinet to account. The Overview and Scrutiny Commission is also responsible for making recommendations on future policy options and for reviewing the general policy and service delivery of the authority.

Standards Committee

- A.8 The Standards Committee is established by the full Council and is responsible for promoting and maintaining high standards of conduct amongst Councillors. In particular, it is responsible for advising the Council on the adoption and revision of the members' code of conduct, and for monitoring the operation of the code.

General Purposes Committee

- A.9 The General Purposes Committee was established by the full council on 18th May 2005 to fulfill certain functions and responsibilities including; to oversee the Constitution (non-executive functions) and make recommendations to full council; to approve the Statement of Accounts, [Internal and External Audit Matters and Corporate Governance](#) and deal with other specific matters related to finance, [pension](#) and personnel; and to discharge the functions related to Health and Safety, Elections and as Corporate Trustee where appropriate .

This committee is required to consider and make recommendations as appropriate in relation to the activities set out in the agenda item at that meeting concerned with internal and external audit matters and corporate governance and liaison with the Authority's External Auditors

Other regulatory committees

- A.10 Planning, conservation and licensing are not Cabinet functions but are exercised through the multi-party Planning Applications Committee and the Licensing Committee under powers delegated by the full Council. The Planning Applications Committee and the Licensing Committee both report to the full Council.

Constitution part 4F Page 7 of 23

October 2014

The statutory officers

Head of Paid Service (Chief Executive)

- A.11 The Head of Paid Service is responsible for the corporate and overall strategic management of the authority as a whole. He or she must report to and provide information for the Cabinet, the full Council, the Overview and Scrutiny Commission and other committees. He or she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Head of Paid Service is also responsible, together with the Monitoring Officer, for the system of record keeping in relation to all the full Council's decisions (see below).

Monitoring Officer

- A.12 The Monitoring Officer is responsible for promoting and maintaining high standards of financial conduct and therefore provides support to the Standards Committee. The Monitoring Officer will receive and act on reports made by the Ombudsman and will conduct investigations into such matters and make reports or recommendations in respect of them to the Standards Committee.
- A.13 The Monitoring Officer must ensure that Cabinet decisions and the reasons for them are made public. He or she must also ensure that Council members are aware of decisions made by the Cabinet and of those made by officers who have delegated Cabinet responsibility.
- A.14 The Monitoring Officer is responsible for advising all Councillors and officers about who has authority to take a particular decision.
- A.15 The Monitoring Officer is responsible for advising the Cabinet or full Council about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.

- A.16 The Monitoring Officer (together with the Chief Finance Officer) is responsible for advising the Cabinet or full Council about whether decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
- initiating a new policy
 - committing expenditure in future years to above the budget level
 - incurring interdepartmental transfers above virement limits
 - causing the total expenditure financed from Council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.
- A.17 The Monitoring Officer is responsible for maintaining an up-to-date constitution.

Chief Finance Officer

- A.18 The Chief Finance Officer has statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:
- Section 151 of the Local Government Act 1972
 - The Local Government Finance Act 1988
 - The Local Government and Housing Act 1989
 - The Accounts and Audit Regulations 20011
- A.19 The Chief Finance Officer (See "A statement on the role of the Chief Finance Officer in Local Government" (CIPFA [2010](#)))
- **Is a key member of the CMT helping it to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest**
 - **is actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation's financial strategy**

- leads the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficient and effectively
- leads and directs a finance function that is resourced to be fit for purpose
- is professionally qualified and suitably experienced

A.20 **Section 114** of the Local Government Finance Act 1988 requires the Chief Finance Officer to report to the full Council, Cabinet and external auditor if the authority or one of its officers:

- has made, or is about to make, a decision which involves incurring unlawful expenditure
- has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
- is about to make an unlawful entry in the authority's accounts .

Section 114 of the 1988 Act also requires:

- the Chief Finance Officer to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally
- the authority to provide the Chief Finance Officer with sufficient staff, accommodation and other resources- including legal advice where this is necessary -to carry out the duties under section 114.

Chief officers (Departmental Directors)

A.21 Chief officers (as set out in Article 12.2 of the constitution) are responsible for:

- ensuring that Cabinet members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Chief Finance Officer
- signing contracts on behalf of the authority.

A.22 It is the responsibility of chief officers to consult with the Chief Finance Officer and seek approval on any matter liable to affect the authority's finances materially, before any commitments are incurred.

Other financial accountabilities Virement

- A.23 The full Council is responsible for agreeing procedures for virement of expenditure between budget headings.
- A.24 Chief officers are responsible for agreeing in-year virements within delegated limits, in consultation with the Chief Finance Officer and in accordance with the scheme of virement. They must notify the Chief Finance Officer of all virements. (This is essential even at the lowest level for accounting purposes and budget monitoring) The scheme of virement is attached at Annex 1 (Revenue) and Annex 2 (Capital).

Treatment of year-end balances

- A.25 The full Council is responsible for agreeing procedures for carrying forward under and overspendings on budget headings as part of the scheme of virement.

Accounting policies

- A.26 The Chief Finance Officer is responsible for selecting accounting policies and ensuring that they are applied consistently.

Accounting records and returns

- A.27 The Chief Finance Officer is responsible for determining the accounting procedures and records for the authority.

The annual statement of accounts

- A.28 The Chief Finance Officer is responsible for ensuring that the Annual Statement of Accounts and the Annual Governance Statement are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: The General Purposes Committee is responsible for approving the Annual Statement of Accounts and the Annual Governance Statement.
- A.29 The Chief Finance Officer is responsible for ensuring that the annual statement of accounts and the Annual Governance Statement are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC). The General Purposes Committee is responsible for approving the Annual Statement of Accounts and the Annual Governance Statement.

B: FINANCIAL PLANNING

Introduction

B.1 The full Council is responsible for agreeing the authority's policy framework and budget, which will be proposed by the Cabinet. In terms of financial planning, the key elements are:

- the business plan
- the budget
- the capital programme.

Policy framework

B.2 The full Council is responsible for approving the policy framework and budget. The policy framework is set out in article 4 of the Constitution and includes a number of plans and strategies approved or to be approved by the Council.

B.3 The full Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework.

B.4 The full Council is responsible for setting the level at which the Cabinet may reallocate budget funds from one service to another. The Cabinet is responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Council.

Preparation of the business plan

B.5 The Head of Paid Service is responsible for proposing the business plan to the Cabinet for consideration before its submission to the full Council for approval.

Budgeting Budget format

B.6 The general format of the budget will be approved by the full Council and proposed by the Cabinet on the advice of the Chief Finance Officer. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.

Budget preparation

- B.7 Section 25 of the Local Government Act 2003 requires the Chief Finance Officer to report on the robustness of estimates and the adequacy of reserves when considering the budget requirement. The revenue budget is prepared on an annual basis and a general revenue plan on a four-yearly basis for consideration by the Cabinet, before submission to the full Council. The full Council may amend the budget or ask the Cabinet to reconsider it before approving it.
- B.8 The Cabinet is responsible for issuing guidance on the general content of the budget in consultation with the Chief Finance Officer as soon as possible following approval by the full Council.
- B.9 It is the responsibility of chief officers to ensure that budget estimates reflecting agreed service plans are submitted to the Cabinet and that these estimates are prepared in line with guidance issued by the Cabinet.

Budget monitoring and control

- B.10 The Chief Finance Officer is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He or she must monitor and control expenditure against budget allocations and report to the Cabinet on the overall position on a regular basis.
- B.11 It is the responsibility of chief officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Chief Finance Officer. They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Chief Finance Officer to any problems.

Resource allocation

- B.12 The Chief Finance Officer is responsible for developing and maintaining a resource allocation process that ensures due consideration of the full Council's policy framework.

Preparation of the capital programme

- B.13 The Chief Finance Officer is responsible for ensuring that a capital programme is prepared on an annual basis for consideration by the Cabinet before submission to the full Council.
- B.14 The Chief Finance Officer is responsible for ensuring that in setting or revising the Capital Programme that prudential indicators are reported to the full Council, having regard to:
- affordability, e.g. implications for Council Tax
 - prudence and sustainability, e.g. implications for external borrowing
 - value for money, e.g. option appraisal
 - stewardship of assets, eg asset management planning
 - service objectives, e.g. strategic planning for the authority
 - practicality, e.g. achievability of the forward plan.
- B.15 The Chief Finance Officer is required to establish procedures to monitor performance against all forward looking prudential indicators. The Chief Finance Officer will need to establish a measurement and reporting process that highlights significant deviations from expectations.

Guidelines

- B.16 Guidelines on budget preparation are issued to members and chief officers (directors) by the Cabinet following agreement with the Chief Finance Officer. The guidelines will take account of:
- legal requirements
 - medium-term planning prospects
 - the business plan
 - available resources
 - spending pressures
 - best value and other relevant government guidelines
 - other internal policy documents
 - cross-cutting issues (where relevant). Maintenance of reserves
- B.17 It is the responsibility of the Chief Finance Officer to advise the Cabinet and/or the full Council on prudent levels of reserves for the authority.

C: RISK MANAGEMENT AND CONTROL OF RESOURCES

Introduction

- C.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the authority. This should include the proactive participation of all those associated with planning and delivering services.

Risk management

- C.2 The Cabinet is responsible for approving the authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Cabinet is responsible for ensuring that proper insurance exists where appropriate.
- C.3 The Chief Finance Officer is responsible for preparing the authority's financial risk management policy statement, for promoting it throughout the authority and for advising the Cabinet on proper insurance cover where appropriate.

Internal control

- C.4 Internal control refers to the systems of control devised by management to help ensure the authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the authority's assets and interests are safeguarded.
- C.5 The Chief Finance Officer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C.6 It is the responsibility of chief officers to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

Audit requirements

Internal Audit

- C.7 The Accounts and Audit Regulations 2011 issued by the Secretary of State for the Environment require every local authority to undertake an adequate and effective internal audit. Internal audit of its accounting records is an independent appraisal function established by the management of an organisation. It objectively examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

External Audit

- C.8 T
The Audit Commission is responsible for appointing external auditors to each local authority. The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.

- C.9 T
The authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

Preventing fraud and corruption

- C.10 The Chief Finance Officer (in consultation with the Monitoring Officer) is responsible for the development and maintenance of an anti-fraud and anti-corruption policy.

Assets

- C.11 Chief Officers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Treasury Management

- C.12 The authority has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.

- C.13 The full Council is responsible for approving the Treasury Management policy statement, [practices and annual strategy in advance of the year](#) setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The policy statement is proposed to the full Council by the Cabinet. The Chief Finance Officer has delegated responsibility for implementing and monitoring the statement.
- C.14 All money in the hands of the authority is controlled by the officer designated for the purposes of section 151 of the Local Government Act 1972, referred to in the code as the Chief Finance Officer.
- C.15 The Chief Finance Officer is responsible for reporting to the Cabinet a proposed treasury management strategy for the coming financial year at or before the start of each financial year.
- All Cabinet decisions on borrowing, investment or financing shall be delegated to the Chief Finance Officer, (Part 3F Section B of the Constitution, Financial Matters) who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.
- C.16 The Chief Finance Officer is responsible for reporting to the Cabinet at least once in each financial year on the activities of the treasury management operation and on the exercise of his or her delegated treasury management powers. One such report will comprise an annual report on treasury management for presentation by 30 September of the succeeding financial year.
- C.17 The Chief Finance Officer is responsible for the Council's overall banking arrangements. All arrangements for opening bank accounts and for the banking and withdrawal of money shall be made or approved by the Chief Finance Officer.

Staffing

- C.18 The Head of Paid Service is responsible for determining how officer support for Cabinet and non-Cabinet roles within the authority will be organised.

C.19 The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

C.20 Chief Officers (directors) are responsible for controlling total staff numbers by:

- advising the Cabinet on the budget necessary in any given year to cover estimated staffing levels
- adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs
- the proper use of appointment procedures.

D: SYSTEMS AND PROCEDURES

Introduction

- D.1 Sound systems and procedures are essential to an effective framework of accountability and control.

General

- D.2 The Chief Finance Officer is responsible for the operation of the authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by chief officers (directors) to the existing financial systems or the establishment of new systems must be approved by the Chief Finance Officer. However, chief officers (directors) are responsible for the proper operation of financial processes in their own departments.
- D.3 Any changes to agreed procedures by chief officers (directors) to meet their own specific service needs should be agreed with the Chief Finance Officer.
- D.4 The Chief Finance Officer is responsible for developing and maintaining the Council's detailed financial procedures
- D.5 Chief officers (directors) should ensure that their staff receive relevant financial training that has been approved by the Chief Finance Officer.
- D.6 Chief officers (directors) must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. Chief Officers (directors) must ensure that staff are aware of their responsibilities under freedom of information legislation.

Income and expenditure

- D.7 It is the responsibility of chief officers (directors) to ensure that a proper scheme of management has been established within their area and is operating effectively. The scheme of management should identify staff authorised to act on the chief officer's (director's) behalf, or on behalf of the Cabinet, in respect of payments, income collection and placing orders, together with the limits of their authority. The Chief Finance Officer is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

Payments to employees and members

- D.8 The Chief Finance Officer is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members.

Taxation

- D.9 The Chief Finance Officer is responsible for advising chief officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the authority.

- D.10 The Chief Finance Officer is responsible for ensuring that the authority's tax records are maintained, that all tax payments are made, that tax credits are received and tax returns are submitted by their due date as appropriate.

Trading accounts/business units

- D.11 It is the responsibility of the Chief Finance Officer to advise on the establishment and operation of trading accounts and business units.

E: EXTERNAL ARRANGEMENTS

Introduction

- E.1 The local authority provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social or environmental wellbeing of its area.

Partnerships/Joint Ventures/Shared Services

- E.2 The Chief Finance Officer is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the authority.
- E.3 The Chief Finance Officer must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory.
- E.4 The Monitoring Officer must consider the overall corporate governance arrangements and legal issues when arranging contracts/shared service arrangements with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.
- E.5 Chief Officers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

External funding

- E.6 The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the authority's accounts.

Bibliography – Key Documents

CIPFA Guidance on Asset Registers and Accounting/Practitioners' Guide to Capital Finance in Local Government/The Prudential Code for Capital Finance in Local Authorities CIPFA
CIPFA Service Reporting Code of Practice (SeRCOP)
Code of Practice on Local Authority Accounting (CIPFA/LASAAC)
Code of Practice for Internal Audit in Local Government CIPFA
Public Sector Internal Audit Standards
CIPFA Treasury Management Code of Practice

1.1 1 -Scheme of Virement - Revenue

Financial limits	
Up to £5,000 paper budget head	Budget holder (for Chief Officer) who shall notify the Chief Finance Officer in writing (This is essential even at the lowest level for accounting purposes and budget monitoring)
£5,000 up to £100,000 pa per budget head	Appropriate Chief Officer who shall obtain the agreement of the Chief Finance Officer.
£100,000 and over	Cabinet

NOTES

1. A “service level budget” represents the budget as presented in the relevant Business Plan and a “budget head” is defined by CIPFA’s Service Expenditure Analysis and Standard Subjective Analysis e.g. Employees and Supplies and Services. A revenue virement is required if a Chief Officer requests a transfer of resources:
 - a) From one service level budget to another; and/or
 - b) From revenue budget head and another.
2. Virements may only be made in respect of DIRECT expenditure or income and excludes capital financing charges and asset rental charges. Direct expenditure budgets created from income, purely to manage internal recharges to direct service budgets e.g. photocopying are also excluded
3. Virement from income to expenditure is allowed in exceptional circumstances only where the additional expenditure will generate the income. Windfall income amounts shall not be used to augment spending power.
4. A request for virement must state explicitly whether the transfer is for the duration of the current financial year only, or whether it reflects a permanent change in policy and consequentially will continue and thus form the Base Budget for future years.
5. New expenditure initiatives require the approval of the Chief Finance Officer up to £100,000 or Cabinet, £100,000 and over.
6. The prior approval of the Cabinet is required for any virement, of whatever amount, where it is proposed to vire between budgets managed by different chief officers.
7. Virement that is likely to impact on the level of service activity

of another chief officer should be implemented only after agreement with the relevant chief officer.

8. In cases of major unforeseen emergencies where no provision exists, the authority for immediate expenditure up to a limit of £100,000 is delegated to the Chief Finance Officer. This will be on the advice of the appropriate chief officer and subject to a report being made to the Cabinet as soon as practicable.(This is in accordance with Delegation of Executive Powers).
9. The above virement arrangements do not apply to in year adjustments to budgets that arise due to accounting or technical reasons such as correcting errors, budget restructuring due to internal reorganisation and changes to grant regimes, provided these do not impact on the net budget of the Council.

Treatment of Year End Balances- Revenue

10. Year end balances will be dealt with as part of the closing of accounts arrangements under the guidance of the Chief Finance Officer and following rigorous budget monitoring throughout the year
11. Requests for carry forward of underspends will therefore be considered only in exceptional circumstances.Chief Officers will need to identify the source of the underspend or additional income and to justify why it will be needed in the following year in addition to the annual budget.
12. All internal business unit surpluses shall be retained for the benefit of the authority and their application shall require the approval of the Cabinet.

1.2 - Scheme of Virement- Capital

Financial limits	
Up to £5,000 paper scheme	Scheme's responsible officer, who shall notify the Chief Finance Officer in writing (This is essential even at the lowest level for accounting purposes and budget monitoring)
£5,000 up to £100,000 pa per scheme	Appropriate Chief Officer who shall obtain agreement of the Chief Finance Officer.
£100,000 and over	Cabinet

NOTES

13. A capital virement is required if the responsible officers identify a need to transfer resources between approved schemes in the capital programme
14. Virements by the Responsible Officer alone will be restricted to similar schemes within his/her management, e.g. Traffic Management Schemes, Traffic Calming schemes. Any uncertainty will be referred to the Chief Officer
15. Any virement affecting schemes of a different nature within a department will be referred to the Chief Officer.
16. Virements by a Chief Officer will be restricted to schemes within his/her departmental management
17. Any virement affecting the schemes of different chief officers will be referred to the Chief Finance Officer.
18. Any virement which diverts resources from a scheme not started, resulting in delay to that scheme, will be reported to Cabinet.
19. [Where schemes are funded by ring-fenced or restricted use income, Merton's virement regulations will not over-ride these restrictions](#)

Appendix B - Constitution Part 4 G CONTRACT STANDING ORDERS

CSO 6 EXEMPTIONS FROM CONTRACT STANDING ORDERS

- 6.1 The Director of Corporate Services is authorised to grant exemptions to these standing orders.
- 6.2 Where an exemption is sought from these all or any part of Contract Standing Orders a report justifying the reasons for granting the exemption must be submitted in writing to the Director of Corporate Services on the form set out at Appendix 4 and must detail and the CSO being exempted must be provided in writing via an Exemption Report reference from which exemption is requested and the reasons for requiring the exemption and proposed alternate methodology. ~~T~~ to the Director of Corporate Services (or in their absence the nominated deputy). ~~will ask the Head of Commercial Services, Head of Shared Legal Services and Head of IT Service Delivery to provide comment. No requested exemption shall be permitted and take effect until the Exemption Report has been signed as agreed by the Director of Corporate Services (or in their absence the nominated deputy) and a recommendation made and signed by the Head of Commercial Services.~~

PLEASE NOTE AN EXEMPTION CAN ONLY BE GRANTED IN EXCEPTIONAL CIRCUMSTANCES.

No exemption can be granted where the request would result in a breach of EU Procurement Law.

- 6.3 A non-exhaustive list of reasons for seeking indicative circumstances where an exemption may be granted is set out in Appendix 2 and may be referred to in the exemption report by reference:
- 6.4 No exemption may be granted:
- a) that would result in a breach of European or U.K. law
 - a) that requires Cabinet to approve major contract variations
 - b) that requires Cabinet to accept certain tenders
 - c) that differs from the Scheme of Management
 - d) that removes the requirement for declaration of any Officer or Members Interests
- 6.5 The Director of Corporate Services, will maintain a register of exemptions granted by Department and contract, detailing the nature of the exemption and the value of the contract. The register will be reported bi-annually to the Procurement Board.
- 6.6 The Chief Executive will consider and where appropriate grant exemptions arising from within the Corporate Services Department.

- 6.7 The Head of Commercial Services and ~~Head of Shared Legal Services~~ or their nominated officers will analyse the nature of the exemptions being applied for

and those being granted and will make appropriate recommendations to the Director of Corporate Services about the operation of the exemptions procedure.

- 6.8 In exceptional circumstances if the Director of Corporate Services and/or the Chief Executive are not able to carry out their role in accordance with CSO 6 any 2 officers, from the Deputy S151 Officer, the Monitoring Officer or any of the councils remaining Directors may, acting jointly, consider and where appropriate grant exemptions.

APPENDIX 2 - EXEMPTIONS FROM CONTRACT STANDING ORDERS

- 1.0 Where an exemption is sought from all or any part of Contract Standing Orders a report justifying the reasons for granting the exemption and the CSO being exempted must be provided in writing in an Exemption Report to the Director Corporate Services (or in their absence the nominated deputy). No requested exemption shall be permitted and take effect until the Exemption Report has been signed as agreed by the Director Corporate Services (or in her absence her nominated deputy).
- 2.0 No Exemption can be granted where the request would result in a breach of EU Procurement Law.
- 3.0 A non-exhaustive list of reasons for seeking exemption are set out below and may be referred to in the Exemption Report by reference to this Appendix 2 and the relevant letter:
 - a) that only one provider is able to carry out the work or service or to supply the goods for technical or artistic reasons or because of exclusive rights, for example, the purchase of works of art , museum artefacts, manuscripts or archive collection items;
 - b) that time limits required for tendering cannot be met for reasons of extreme urgency (usually emergency contracts where a risk to life, or the security or structural viability of a property can be demonstrated; or contracts where the terms of a Court order set a time limit which specifically precludes all or part of the tendering process); and which, in the case of E.U. contracts, were unforeseen and un-attributable to the Council.
 - c) that additional goods, works or services are required which, through unforeseen circumstances, were not included in the original contract and which either are strictly necessary for the completion of the contract or, for technical or economic reasons, cannot be carried out separately without great inconvenience.
 - d) that goods are required as a partial replacement for or addition to existing goods or installations and obtaining them from another provider would result in incompatibility or disproportionate technical difficulties in operation or maintenance; that the rules of a design contest require the contract to be awarded to one of the successful candidates, provided all successful candidates are invited to negotiate
 - e) that the rules of a design contest require the contract to be awarded to one of the successful candidates, provided all successful candidates are invited to negotiate that for work carried out for other public bodies, an exemption from tendering has been requested by them in writing (provided exemption is lawful having regard to E.U. or domestic legislation);
 - f) the proposed contract is an extension to or variation of the scope of an existing contract, if permitted by the public procurement legislation and demonstrates value for money i.e. below the required EU limit, unless the existing contract provides for an extension;
 - ~~g) the purchase of works of art, museum artefacts, manuscripts or archive collection items;~~
 - ~~h) there is a need to develop and influence the market by extending the range and provision of services, provided the contract is for a fixed term of no more than three years;~~

- ~~i) it is necessary to enable the continuation of a new service, development of which was initially grant-aided, provided the contract is for a fixed term of no more than three years;~~
 - ~~j) value for money can be demonstrated by inviting a single tender or quotation from a voluntary sector provider;~~
 - ~~k) value for money can be achieved by the purchase of used vehicles, plant or materials;~~
 - g) when a grant from a public body includes a recommendation as to the supplier or is time limited;
 - h) in furtherance of the Council's social enterprise policy, or other economic development aims, subject to the prevailing financial support limits for this type of activity and without breaching public procurement rules;
 - i) where the Council has agreed to collaborate with another public body and is satisfied that the contracting arrangements of the lead body (where different from the Council) do not contravene the Council's legal responsibilities in this respect.
 - j) if there are exceptional circumstances not previously identified or covered by existing policies, procedures, or the Contract Standing Orders;
 - k) purchase is to be made by auction (including on line auctions) or at any public fairs or markets;**
 - l) Collaborative/Joint purchasing - where another authority/public body is acting as "lead Buyer" and provided that person(s) awarding the contract can demonstrate the arrangement comply with the requirements of value for money and other applicable legislation including, where relevant, the EU Procurement Directives. This includes any recognized wider public sector agreements including, for example, Crown Commercial Services or contracts.**
-

APPENDIX 4 - FORM OF EXEMPTION REPORT

<p style="text-align: center;"><u>CHIEF OFFICER- DECISION-Director of Corporate Services Decision</u></p> <p style="text-align: center;"><i>(Chief Executive if a Corporate Services decision)</i></p>	<p>Approved / Not Approved</p>	<p>Signature</p>	<p>Date</p>
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SUBJECT:

LEAD OFFICER:

LEAD MEMBER:

KEY DECISION REFERENCE NUMBER: N/A

RECOMMENDATION:

<p style="text-align: center;"><u>Head of Commercial Services Recommendation</u></p>	<p>Approved / Not Approved</p>	<p>Signature</p>	<p>Date</p>
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<u>Chief Officer Decision</u>	<u>Approved</u>	<u>Not Approved</u>
<u>Signature</u>	<u>Designation Director of</u>	<u>Date</u>
<u>Chief Executive Signature (for Corporate Services Exemption Requests only)</u>	<u>Designation</u>	<u>Date</u>

Guidance For Officers

- Where the text is in brackets [] and / or highlighted in yellow relevant text needs to be inserted or deleted as appropriate.
- Where the text is written in blue, follow the instructions then delete them.

PLEASE ENSURE THAT ALL TEXT IS REVERTED TO BLACK AND HIGHLIGHTING IS REMOVED

1. EXECUTIVE SUMMARY AND PURPOSE OF REPORT

Why is this request to exclude the application of the Council's Contract Standing Orders to the process of awarding this contract being made and what is the business case to support this request? Please provide all relevant detail.

PLEASE NOTE AN EXEMPTION CAN ONLY BE GRANTED IN EXCEPTIONAL CIRCUMSTANCES

A non-exhaustive list of reasons for seeking exemption is set out in the Contract Standing Orders - Appendix 2 and must be referred to in the Exemption Report by reference to the relevant wording.

[http://intranet/contract standing orders - 1st april 2012.pdf](http://intranet/contract%20standing%20orders%20-%201st%20april%202012.pdf)

[Insert wording]

2. DETAILS

Description of Contract: [Insert]

What are you buying - Goods/Works/Services?
What are the volume/quantities?

Current Supplier(s) (if applicable): [Insert]

Proposed Contract period -

From: [Insert]

To: [Insert]

Total Contract Value £[Insert]

3. ALTERNATIVE OPTIONS

Please describe what alternative options to an exemption have been considered, for example:

- do nothing
- or undertaking a compliant procurement exercise

[Insert wording]

4. FINANCIAL IMPLICATIONS

Please provide a breakdown of cost by financial year

[Insert wording]

Please describe how costs will be controlled over the duration of the contract

[Insert wording]

5. BUDGET SIGN OFF

<u>Name of Budget Holder</u>	<u>Budget Approved</u>	<u>Signature</u>	<u>Date</u>

Please describe how:

- value for money will be achieved over the duration of the contract, including contract management
- social value will be considered

[Insert wording]

6-7. LEGAL IMPLICATIONS AND STATUTORY PROVISION

Is there a statutory requirement to deliver this provision? Yes / No

7-8. HUMAN RIGHTS AND EQUALITIES IMPLICATIONS

Will this contract impact on the Councils Human Right and Equalities strategic objectives?

'Equalities Merton' aims for full and equal access to learning, employment, services and cultural life and the celebration of diversity.

[Insert wording]

8-9. CONSULTATION UNDERTAKEN

Please set out which Service Area and Officer have been consulted in the preparation of this report. As a minimum please ensure you have consulted with Commercial Services who will advise if further consultation is required.

<u>Department</u>	<u>Comments</u>	<u>Date</u>	<u>Signed</u>
<u>Commercial Services</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Insert details of other departments consulted</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BACKGROUND PAPERS

Council Standing Orders

[Insert other papers if required]

OFFICER CONTACTS:

[Insert details]

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Committee: Ordinary Council

Date: 19 November 2014

Wards: All

Subject: Fairtrade resolution

Cabinet Member: Councillor Andrew Judge

Lead officer: Karin Lane, Head of Information Governance

Contact officer: Karin Lane, karin.lane@merton.gov.uk 020 8545 4182

Recommendations:

- A. That Council support and agree the proposed Fairtrade resolution as detailed in 2.8.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. To review the council's commitment to Fairtrade and demonstrate it's continued support by passing the proposed Fairtrade resolution.

2 DETAILS

- 2.1. The aim is for Merton Council, as a service deliverer and community leader, to support and promote the Fairtrade Mark in pursuit of sustainable development, and to give marginalised producers a fair deal.
- 2.2. Fairtrade Merton was set up in 2005 with the strapline 'Small change locally; lives changed globally.'
- 2.3. The original Fairtrade resolution was passed at Ordinary Council on 22 February 2006, see Appendix A.
- 2.4. A Merton Council representative joined the Fairtrade Merton steering group in 2007.
- 2.5. Merton originally received Fairtrade status in February 2009 and then renewed successfully in April 2010 and December 2012. Merton's Fairtrade status is currently due for renewal.
- 2.6. There are five goals to be achieved for continuing Fairtrade status:
1. The local council passes a resolution supporting Fairtrade, and agrees to serve Fairtrade products
 2. A range of Fairtrade products are readily available in the area's shops and served in local cafés/catering establishments
 3. Local work places and community organisations (places of worship, schools, universities, colleges and other community organisations) support Fairtrade and use Fairtrade products whenever possible. Populations over 100,000 will also need a flagship employer
 4. Events and media coverage raise awareness and understanding of Fairtrade across the community.

5. A local Fairtrade steering group representing a range of local organisations and sectors meets regularly to ensure the Fairtrade Town continues to develop and gain support
- 2.7. As a Fairtrade Borough, Merton is also part of London's Fairtrade City status. The London Assembly continues to support Fairtrade and has urged all London Boroughs to renew their Fairtrade resolutions.
- 2.8. The proposed Fairtrade resolution to meet the five Fairtrade goals is:
- That the Council resolves to renew its promise to promote the application of Fairtrade principles and environmental justice in support of the Thematic Partnership 'Sustainable Communities and Transport'. In this, Merton Council will:
 - review, and where appropriate, amend its own practices as a demonstration of leading by example, including where value for money can be demonstrated, using Fairtrade Mark products;
 - ensure this philosophy is carried through in the way the council delivers services and works with its partners, the voluntary sector and businesses;
 - as a practical demonstration support the Fairtrade Merton steering group through:
 - a dedicated link officer in the council;
 - attendance at steering group meetings by council representative;
 - the council to publicise Fairtrade and associated events;
 - the council to support Fairtrade Merton with support for administrative tasks in promoting Fairtrade e.g. printing promotional material;
 - the Leader of the Council and all other party leaders supporting Fairtrade in council activities and through their activities;
 - the support of Cabinet Member for Environmental Sustainability and Regeneration; and
 - the support for Fairtrade events by the Mayor.
- 2.9 Continuing Fairtrade accreditation supports the council's Climate Change Strategy and also forms part of the council's overall Good food for London score.

3 ALTERNATIVE OPTIONS

- 3.1. The council could choose not to support Fairtrade which would negatively affect the renewal status of Fairtrade Merton.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this report.

5 TIMETABLE

- 5.1. To be agreed with immediate effect, to support Fairtrade Merton's renewal application.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There is currently no financial implication for the council in its use of Fairtrade products, as Fairtrade products are only used when value for money can be demonstrated.
- 6.2. The resource implication is the continued support of a named council officer to be an active part of the Fairtrade Merton steering group and some marginal costs in printing promotional material for Fairtrade events.
- 6.3. There are no property implications.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. None for the purposes of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. Fairtrade ensures better prices, decent working conditions and fair terms of trade for farmers and workers in the developing world, who are amongst the most marginalised groups globally.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purposes of this report.

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

- Appendix A – original Fairtrade resolution.

12 BACKGROUND PAPERS

- 12.1. None for the purposes of this report.

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Appendix 1
Merton Council's Resolution

ORDINARY COUNCIL MEETING
22 FEBRUARY 2006

report later this year and it is hoped that our concerns will be properly addressed."

Councillor Russell Makin opened debate on this Objective

A motion in the form of the resolution below was moved by Councillor Nick Draper and seconded by Councillor Philip Jones. Following debate the motion was put to the meeting and declared to be carried.

RESOLVED: That In taking forward the objective a 'Thriving Merton' the Council resolves to promote the application of Fairtrade principles and environmental justice. In this the Council will:-

- i Review, and where appropriate, amend its own practices as a demonstration of leading by example. As a first step, officers be requested to prepare a report on a Code for Environmental procurement for Cabinet's consideration.
- ii Ensure this philosophy is carried through in the way the Council delivers services and works with its partners, the voluntary sector and businesses.
- iii As a practical demonstration agree to host a Fairtrade exhibition during Fairtrade fortnight, 6th – 19th March, to launch the process in Merton, and to help inform the content of drafting the code of practice.
- iv Agree a small one-off budget of £500 to help launch the initiative in Merton

The aim is for the Borough, as a service deliverer and community leader, to support and promote the Fairtrade Mark in pursuit of sustainable development, and to give marginalised producers a fair deal.

This should include, where value for money can be demonstrated, for the Council to use Fairtrade Mark products, and to use influence to promote these products amongst the resident and business communities in Merton.

The report on this Strategic Objective was otherwise RECEIVED.

931 STRATEGIC OBJECTIVE REVIEW – EQUALITIES MERTON (Agenda Item 10)

The following written question and answer was circulated at the meeting.

14. From Councillor David Simpson to the Cabinet Member for Diversity, Community Engagement and Partnership

"Key Performance Indicators from October/November 2005 show a marked deterioration in the Public's perspective of Merton Council as an authority that tackles discrimination. It states that a community cohesion strategy is being developed, yet this smacks of too little too late in the life of this administration. What greater efforts are being made in communication to address this important issue, and allay residents' fears?"

732

Whether a moratorium has been imposed on all controlled parking zones and how long it is intended to remain in place?

Does an intention exist to freeze the price of parking permits?

How he intends to proceed with the implementation of one hour zones in existing CPZ's and whether resident opinions will be sought?"

Reply

"No decisions have yet been taken by our new administration concerning the cost or geographical coverage of parking permits - for residents or for businesses. Options will be considered as part of the annual review of parking tariffs and facilities with decisions in parallel with those for the 2007/8 revenue budget process. Consultation will be carried out in line with the requirements of the traffic order making system. In the case of the option of a borough wide permit there will need to be consultation in advance of any decision. In the case of changes to price levels, variations to existing orders would be made in the normal way through the publication of a notice advising people of the change.

A review has been conducted of all current and planned controlled parking zones. A number of schemes were in the pipeline prior to May 2005 and various reviews are programmed for the forthcoming year. One hour parking controls will be introduced as an option for all new schemes and within the review of existing schemes. The views of those affected, including residents, will be sought in line with the Council's commitment to consultation and the requirements arising from changes to existing traffic management orders."

30. From Councillor Philip Jones to the Leader of the Council

The Leader has nominated the Cabinet Member for Environment and Traffic Management to respond to this question.

"Will the Leader please report on how he proposes implementing the resolution passed unanimously at the February Council Meeting, committing Merton to promoting 'the application of Fairtrade principles and environmental justice'?"

Reply

"I am pleased to report that the Council followed up the resolution by awarding £500 to a consortium including Tariro Coffee shop and Commonsides Community Trust. Some of the money was used to promote Fairtrade fortnight in Merton in March. The remainder of the funds will be used to promote Merton as a Fairtrade Borough and gain Fairtrade Borough Status.

The Council has incorporated an appropriate clause into its own Procurement Strategy, thereby lending the Council's weight to promoting Fair Trade in Merton.

I have asked officers to review the current position and make recommendations about ways in which the Council can lend further support to the initiative."

Supplementary

"I am rather intrigued as to how Fair Trade fits into the Environment and Traffic Management portfolio, but I regard this as a satisfactory answer as far as it goes and I would like to ask Councillor Ahmad as to where the recommendations referred to in

Committee: Council

Date: 19 November 2014

Wards: All

Subject: London Council's Transport & Environment Committee Agreement with the British Parking Association for an Appeals Service for Parking on Private Land

Lead officer: Paul Evans, Assistant Director, Corporate Governance

Lead member: Councillor Judy Saunders

Contact officer: Paul Evans, Assistant Director of Corporate Governance

Recommendations:

- A. Agree that the functions delegated to the London Councils Transport and Environment Committee to enter into the arrangements with the British Parking Association were and continue to be delivered pursuant to section 1 of the Localism Act 2011;
 - B. Delegate the exercise of section 1 of the 2011 Act to the London Councils Transport and Environment Committee for the purpose of providing an appeals service for parking on private land under contract on a full cost recovery basis
 - C. Delegate the formal signature of the Memorandum of Participation to the Director of Environment and Regeneration in consultation with the Cabinet member for Environmental sustainability and regeneration.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

This report seeks the agreement of council that it formally resolves to expressly delegate the exercise of section 1 of the Localism Act 2011 to the TEC joint committee for the sole purpose of providing an appeals service for parking on private land for the British Parking Association under contract, confirming for the avoidance of doubt that the existing arrangements are and have been delivered on that basis to-date, and that the TEC Governing Agreement be formally varied accordingly. The service has been provided on a cost recovery basis by London Councils since October 2012 and it is proposed that it should continue in this way until the end of the contract period in October 2015. An express delegation of the exercise of section 1 for this purpose by individual councils, and the variation of the TEC Governing Agreement to reflect this, would remove any legal doubt as to TEC's authority to deliver the service and allow London Councils' auditors, PWC, to conclude an outstanding issue in relation to an objection to the accounts.

At its meeting on 10th November 2014 Cabinet considered this report and recommends to Council the above recommendations.

2 DETAILS

- 2.1 On 15 March 2012 the London Council's Transport and Environment Committee (TEC) agreed that London Councils should provide an appeals service for parking on private land for the British Parking Association under contract. This was on the basis that this would complement the service provided by PATAS which deals with appeals made against parking enforcement on the highway. It was considered at the time that providing the service on a cost-recovery basis would be in the public interest as: restrictions on parking within London on private land would have a direct impact upon London local authorities, their resources and residents; a significant proportion of the public affected and inclined to avail themselves of the POPLA service were likely to come from the Greater London area; and, having regard to those matters, as TEC was the only interested, qualified bidder. On 14 June 2012, TEC received a report to say that the basis for providing such a service had been accepted by the BPA and agreed that a contract should be entered into to provide the service.
- 2.2 The service, known as POPLA (Parking on Private Land Appeals) started on the 1 October 2012 and has since provided the appeals service to more than 25,000 motorists. The service operates on a full cost recovery basis and at no cost to the London Council Tax payer.

Issues

- 2.3 An objection was raised on the London Councils consolidated accounts by an interested person (residing within London) that TEC did not have the legal power to provide the service. London Councils' auditors, PWC, have, for some time, been investigating this.
- 2.4 PWC has informed London Councils of legal advice it has had from the Audit Commission on the Commission's view on the power of London Councils to provide the POPLA service. In essence, the Audit Commission advice accepts that the London local authorities have the power under Section 1 of the Localism Act 2011 to provide the service and that the exercise of these functions could be delegated to TEC. London Councils agrees with this conclusion.
- 2.5 The Audit Commission advice, however, questions whether the exercise of those functions has been properly delegated to TEC. The issue turns on whether the Committee could be said: to have existing delegated authority under the terms of the TEC Governing Agreement; alternatively whether it made or confirmed such a delegation by virtue of the decisions it made to provide the service in 2012; or whether each individual authority should have expressly resolved to delegate the exercise of section 1 of the 2011 Act to the joint committee for the purposes of TEC's delivery of the POPLA service with the TEC Agreement being formally varied accordingly.
- 2.6 PWC has asked for London Councils' view on this advice in advance of making a formal determination about the objection. London Councils and its legal advisors remain of the view that the service is currently being delivered by TEC on a lawful basis on behalf of all the participating authorities with their consent

and proper authority under the existing terms of the TEC Governing Agreement, and confirmed by the Committee resolving to provide the service in 2012 with these matters having been raised with local authorities prior to those decisions being taken in the normal way in respect of TEC business. However, it is accepted, that there is room for argument as to whether individual councils had to state expressly that they agreed that the arrangement with the BPA was pursuant to exercise by TEC of their powers under section 1 of the 2011.

London Councils' have requested that Merton Council considers and agrees the recommendations contained in this report.

3 ALTERNATIVE OPTIONS

- 3.1. There is no recommended alternative option.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. It is proposed to put the report to full Council at its next available meeting if Cabinet gives its approval.

5 TIMETABLE

- 5.1. N/A

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

There are no financial implications for London Councils from this recommendation

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The legal implications are set out in the body of the Report

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

There are no equalities implications for the boroughs or London Councils arising from this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None identified further to the issues raised in the report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

For the London Borough of Merton to not formally delegate the power of Section 1 of 2011 Act to the London Councils Transport and Environment Committee

would increase the risk to the Council as it would not have an appeal service for parking on private land and would be required to procure for a new contract for this service.

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

- Appendix 1 – TEC Agreement

12 BACKGROUND PAPERS

DATED

2014

**LONDON COUNCILS
TRANSPORT AND ENVIRONMENT COMMITTEE***

(*ALL REFERENCES IN THIS AGREEMENT TO ALGTEC ARE TO BE CONSTRUED AS REFERRING
TO LONDON COUNCILS TEC)

**THIRD FURTHER VARIATION OF ALGTEC AGREEMENT
("the Fifth ALGTEC Agreement")**

Ref: TL0016/005 (AP)

THIS AGREEMENT is made this

2014.

BETWEEN the London local authorities listed in Schedule 1 hereto (“the Participating Councils”) and Transport for London of 14th Floor, Windsor House, 42-50 Victoria Street, London SW1H 0TL (together referred to as “the Parties”)

RECITALS

- A. By an agreement dated 13 December 2001 (“the First ALGTEC Agreement”) the Parties arranged for certain functions to be discharged by a joint committee established under specific and all other enabling powers known as the Association of London Government Transport and Environment Committee (“ALGTEC”).
- B. The First ALGTEC Agreement was varied by an agreement dated 1 May 2003 (“the Second ALGTEC Agreement”).
- C. The First ALGTEC Agreement was further varied by an agreement dated 30 November 2006 (“the Third ALGTEC Agreement”).
- D. In December 2006 ALGTEC changed its name to the London Councils Transport and Environment Committee (“the Committee”).
- E. The First ALGTEC Agreement was further varied by an agreement dated 8 June 2009 (“the Fourth ALGTEC Agreement”) which *inter alia* included a new Part 3(D) in Schedule 2 of the First ALGTEC Agreement for the delegation to the Committee of the exercise of any statutory functions conferred on the Parties relating to transport, environment and planning matters subject to consultation and the written agreement of the Parties.
- F. On the 18 February 2012 section 1 of the Localism Act 2011 came into effect which provides local authorities with the power to do anything that individuals generally may do, and is known as “the general power of competence”.
- G. Section 56 and Schedule 4 of the Protection of Freedoms Act 2012 impose certain conditions concerning the recovery of unpaid parking charges on private land.. As a consequence of those provisions those receiving and disputing a parking ticket on private land must be offered free access to an independent appeals service. On the 15 March 2012 the Committee resolved to tender for the provision of an independent appeals service to the British Parking Association (“the BPA”). The 2012 Act was enacted on the 1 May 2012 and it came into force on the 1 October 2012.
- H. On the 14 June 2012 the Committee resolved to contract with the BPA for the provision of the independent appeals service for parking on private land in England and Wales on a full cost recovery basis.
- I. On 17 July 2014 the Committee resolved to recommend to the Participating Councils that they delegate to the Committee, under Part 3(D) of Schedule 2 of the First ALGTEC Agreement, the exercise of further functions under section 6 of the Road Traffic Regulation Act 1984 and all other enabling powers, to enable the Committee to make any necessary traffic orders for the purposes of implementing and enforcing on the Participating Councils’ roads a scheme to enhance road safety by requiring the fitting of safety mirrors and side guards to all Heavy Goods Vehicles over 3.5 tonnes in London

("the London Safer Lorry Scheme"). At [INSERT DATE] all the Participating Councils had made the delegation in the same form, and this variation to the First ALGTEC Agreement had also been agreed by Transport for London, as required under Clause 15.1 of the First ALGTEC Agreement.

- J. The Participating Councils now wish (for the avoidance of doubt) to confirm that the exercise of functions delegated to the Committee to enter into the arrangements for the delivery of the independent parking appeals service on private land were and continue to be delivered pursuant to section 1 of the Localism Act 2011. The purpose of this agreement ("the Fifth ALGTEC Agreement") is, therefore, to vary further the First ALGTEC Agreement.

IT IS HEREBY AGREED AS FOLLOWS:

1. EXECUTION AND COMMENCEMENT

- 1.1 This Agreement is executed by each Party signing the annexed Memorandum of Participation on behalf of that Party and such Memorandum shall be evidence of execution by that Party when Memoranda signed by all Parties are incorporated into this Agreement.
- 1.2 This Agreement shall commence on the date of execution by the last of the Parties to execute it. ("the Fifth ALGTEC Agreement")

2. DELEGATION OF FUNCTIONS

- 2.1 For the avoidance of doubt, and to confirm that the general power of competence under section 1 of the Localism Act 2011 was, and continues to be, delegated to the Committee for the purposes of providing a private parking appeals service in accordance with section 56 and Schedule 4 of the Protection of Freedoms Act 2012, the First ALGTEC Agreement is hereby varied as follows –

- 2.1.1 After clause 4.1(C) of the First ALGTEC Agreement insert:

4.1(D) The Schedule 1 Part 1 Participating Councils have delegated to ALGTEC the functions set out in Part 3(E) of Schedule 2 of this Agreement. The Participating Councils may revoke this delegation in accordance with clause 13.2, that is with the unanimous consent of all the Participating Councils or otherwise in accordance with clause 13.2.3.

- 2.1.2 After clause 13.4 of the First ALGTEC Agreement insert:

13.5 Part 3(E) of Schedule 2 of this Agreement may be terminated by ALGTEC by a resolution of ALGTEC passed in accordance with the joint committee's normal procedures.

- 2.1.3 Paragraph 1 of Part 4 of Schedule 2 of the First ALGTEC Agreement shall be varied by replacing the words "Parts 1-3(D)" with::

"Parts 1-3(E)"

2.1.4 After Part 3(D) of Schedule 2 of the First ALGTEC Agreement insert:

PART 3(E) FUNCTIONS – PARKING ON PRIVATE LAND APPEALS SERVICE

1. *The general power of competence under section 1 of the Localism Act 2011 for the purpose of providing, on a full cost recovery basis, an independent appeals service for disputes arising in respect of parking on private land (with reference to section 56 and Schedule 4 of the Protection of Freedoms Act 2012).*

SCHEDULE 1

THE PARTICIPATING COUNCILS

The London Borough of Barking and Dagenham
The London Borough of Barnet
The London Borough of Bexley
The London Borough of Brent
The London Borough of Bromley
The London Borough of Camden
The London Borough of Croydon
The London Borough of Ealing
The London Borough of Enfield
The London Borough of Greenwich
The London Borough of Hackney
The London Borough of Hammersmith and Fulham
The London Borough of Haringey
The London Borough of Harrow
The London Borough of Havering
The London Borough of Hillingdon
The London Borough of Hounslow
The London Borough of Islington
The Royal Borough of Kensington and Chelsea
The Royal Borough of Kingston-upon-Thames
The London Borough of Lambeth
The London Borough of Lewisham
The London Borough of Merton
The London Borough of Newham
The London Borough of Redbridge
The London Borough of Richmond upon Thames
The London Borough of Southwark
The London Borough of Sutton
The London Borough of Tower Hamlets
The London Borough of Waltham Forest
The London Borough of Wandsworth
The City of Westminster
The Mayor and Commonalty and Citizens of the City of London

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Committee: Council

Date: 19 November 2014

Wards: All

Subject: South London Partnership – Establishment of Statutory Joint Committee and resourcing of Partnership

Lead officer: Ged Curran, Chief Executive

Lead member: Councillor Stephen Alambritis

Contact officer: Paul Evans, Assistant Director, Corporate Governance

Recommendations:

- A. Council approves, for its part, the establishment of a Joint Committee with neighbouring boroughs in the South London Partnership with the terms of reference and remit as set out in Appendix A.
 - B. Notes that the Procedure Rules for the Joint Committee will be brought to a future meeting of Council for approval.
 - C. Appoints the Leader of the Council to serve as the Council's representative on the Joint Committee
 - D. Agrees to increase the Borough's subscription to £35k per annum in order that the Partnership is adequately resourced for what it needs to do.
 - E. Agrees that Richmond be the host Borough for staffing, with costs and liabilities shared between the constituent boroughs.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report makes proposals for the establishment of a Statutory Joint Committee of South London Boroughs, building on the current South London Partnership, and provision of appropriate resources. This is in order to be able to respond to the Government's growth agenda, possible future delegation of responsibilities and funding and compete successfully with other sub regions in London.

This report is the result of discussions between the Leaders of those south London Boroughs which comprise the South London Partnership (Richmond, Kingston, Merton, Sutton and Croydon). It makes proposals to position the South London Partnership to better respond to the growth agenda access current potential funding streams and be ready for future likely delegations of responsibilities and funding. In order to achieve this the Partnership needs to:

- (1) demonstrate to Government that it has robust governance and mechanisms for decision making in place in accordance with the guidance for the Growth Deal.
- (2) be adequately resourced in terms of staff capacity to achieve its goals, both in support of the Partnership's overall aims but also in support of its specific aims for regeneration and growth.

At its meeting on 10th November 2014 Cabinet considered this report and recommends to Council the above recommendations.

2 DETAILS

- 2.1 Introduction - The shared agenda of work for the South London Partnership (SLP) continues to increase particularly in relation to regeneration and growth partly in response to the Government's Growth Deal. There is also possible future scope for the devolution of Government Functions as well as on-going development of shared services both between partners and with partners outside our boundaries. The London Borough of Bromley has also indicated an interest involved in the partnership in view of the importance of the growth agenda and the potential for additional responsibilities and funding.
- 2.2 Context The rationale for our South London Boroughs working together is stronger than ever with the need to maintain and improve public services in a continuingly straightened financial climate and the opportunities afforded through the Growth Deal. Moreover, current discussions on further devolution to England in the light of the Scottish referendum could lead to an increase in powers and funding for London. If these are delegated via the GLA it could work to the disadvantage of outer London suburbs like our own. It seems therefore even more important that there is a strong sub regional governance framework which can provide both a counterweight and a mechanism for devolution of government funds. Vitally it provides a bottom up, voluntary approach building on the individual strengths and characteristics of the constituent boroughs rather than some top down imposed solution which would inevitably work to the detriment of individual boroughs. Any such top down imposition would be vigorously opposed.

However, we need also to consider if the SLP is having the right level of influence with both the GLA and Government in order to achieve our strategic goals and ambition, particularly in relation to growth and regeneration and to achieving a proportionate level of funding from the Growth Deal and other vehicles which are or will become available in future.

In order to position ourselves most successfully, firstly the Partnership needs to develop a stronger narrative about its growth potential, contribution to the success of the London economy overall and barriers to progress. Then it needs to be able to demonstrate to Government that it has robust governance and mechanisms for decision making in place in accordance with the guidance for the Growth Deal:

“to deliver collective decision from all local authority leaders, including district councils, within the LEP, with evidence of underpinning robust partnership arrangements.”

Furthermore, the SLP needs to consider the resources in terms of staff capacity that it is able to bring to bear to achieve its goals, particularly in relation to regeneration and growth.

The SLP must be mindful of how it compares with other sub regional partnerships in London, with which it is in competition in terms of influence and resources, notwithstanding any cross border alliances.

- 2.3 Governance Proposals In London, we have worked hard to establish a relationship with the Mayor and Local Enterprise Partnership which will enable funds to be delegated to sub regional partnerships. It has been made clear that such delegation requires strong sub regional governance, which the SLP does not currently have.

The proposal is therefore to create a Joint Committee which can exercise decision making over:

- Delegation of funds from the London Mayor and LEP to meet local economic growth need.
- Access to and approval of the allocation of additional funds as part of the City Growth Deal process
- Greater control over local economic investment and prosperity at a more localised level
- Existing economic assets across the area to be built upon and maximised
- Current joint working on areas such as procurement and shared services (underpinned by the current Memorandum of Understanding between 4 Member authorities) to be further developed to maximise efficiencies and growth.

Further details are set out in Appendix A. The intention is to submit proposals through each Council's decision making machinery during November so that the Joint Committee can become operational from 1 January 2015.

The aspiration is to use this governance arrangement to go beyond obtaining funds from the Mayor and LEP but also to persuade Government to delegate additional responsibilities and their funding – eg in relation to getting people back into work, boosting skills and developing innovative local solutions to ensuring economic growth and prosperity.

Critically this proposal also positions us strongly if, in the context of greater devolution for England, the GLA is proposed as the vehicle for London, to the possible detriment of the suburbs generally, including South London.

- 2.4 Staffing Resources and Capacity Proposals London Councils work on Devolution and Public Sector Reform is welcomed but underlines the amount of work that is required by each sub region to develop a coherent offer and ensure our voice is heard, in order to take advantage not only of the Growth Deal but other future developments.

A comparison of the SLP's funding and resources with that of other sub regional partnerships is set out below.

Partnership	No of posts	Subscription per partner	Total
West London Alliance	9	£34,333 x 6	£206K
North London Strategic Alliance	6	£40K x 3 £15K x 3	£165K
South London Partnership	2.5	£15K x 5	£75K
Central London Forward	2	£25K x 8	£200K
Growth Boroughs	5	£60K x 6	£360K

In terms of staffing capacity the majority fund dedicated resources for their joint effort, as well as some of the work being led within individual boroughs.

In terms of skills mix, the additional staffing capacity in the other partnerships compared to SLP's is specialist economic development, regeneration and transport resource.

If the SLP is to increase its influence both generally within the pan London arrangements but also specifically within the context of the Growth Deal it will require more specialist resource who can argue authoritatively for our own strategic position against those of the rest of London. Most SLP boroughs do not currently have this level of resource within their own organisations which can be shared, and so it is proposed that it is specifically appointed to support the Partnership. This is considered a more cost effective solution than buying in consultancy support on an on-going basis.

In addition more capacity will facilitate and enable a wider network of borough officers to work together more efficiently on joint projects.

It is therefore proposed that the SLP borough subscription level is increased to £35K each. This would bring the SLP more in line with other similar partnerships in terms of funding and enable additional resources to be put into a senior capability to engage in specialist regeneration policy work on behalf of the Partnership and some delivery support to sub regional projects. However, it remains a modest amount in relation to the task and it will be necessary for Borough staffing to support the effort as well as the periodic commissioning of one off pieces of consultancy for particular, specialist, needs the Joint Committee may identify.

Currently the employment of the existing staff is with Croydon, whilst Kingston takes responsibility for line management. It is suggested that we take this opportunity to regularise the position with one Borough assuming employment and line management responsibilities on behalf of us all (recognising that costs and liabilities will be shared equally between partners). Richmond has offered to take this on.

3 ALTERNATIVE OPTIONS

To remain with current arrangements. This is not recommended as detailed.

4 CONSULTATION UNDERTAKEN OR PROPOSED

As detailed above.

5 TIMETABLE

It is proposed the Joint Committee operates from 1st Jan 2015

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

The current SLP subscription is £15,000 so that this proposal requires an increase in expenditure of £20,000. The additional funds required are justifiable in view of the benefits which the Joint Committee and additional staff resource will deliver, in particular the fact that there will be a strong sub regional economic case and appropriate governance to take on additional responsibilities and funding. The additional funding will met from existing Chief Executive's running cost budgets.

7 LEGAL AND STATUTORY IMPLICATIONS

The Council has the powers to establish and be a member of a Joint Committee.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

There has been considerable discussion and engagement with relevant Members and staff in the relevant South London Boroughs and London Councils.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None identified

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. No significant risks are identified.

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

12 BACKGROUND PAPERS

NONE.

APPENDIX A

Terms of Reference / Delegations

The Member Councils of the proposed South London Joint Committee would need to agree the Terms of Reference and initial scope of delegations from their respective organisations to the Joint Committee. The level of delegation would remain under review during the Joint Committee's initial period of operation and could be amended (subject to the agreement of Member Councils) as required.

The Joint Committee would also need to understand and determine its relationship with existing statutory and non-statutory governance arrangements operating within South London (e.g. the Waste Partnership) and across London (e.g. Local Enterprise Partnership Board.) A Memorandum of Understanding is suggested as an appropriate way to define and govern this relationship.

1. Role and Purpose of the Joint Committee:

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness
- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.

**The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee*

2. Terms of Reference

1. To act as a strategic body, setting and reviewing objectives for strategic growth, regeneration and investment across South London including:
 - Providing a coherent single position on the City Deal and Growth Deal issues
 - Coordinating the contribution of all Councils to the Strategic Economic Plan
 - Agreeing allocation of spending as required
 - Agreeing major priorities
 - Considering and determining any issues made by the Advisory Officer Board to the Joint Committee
- A. 2. To formulate and agree appropriate agreements with Government, ensuring their delivery
3. To influence and align government investment in South London in order to boost economic growth locally.
4. To jointly review as appropriate consultations on plans, strategies and programmes affecting South London, encouraging alignment with the London Enterprise Partnership Plan.

5. To agree, review and amend options at any time for City Deal and Growth Deal Governance which is fit for purpose.

6. To agree and approve any additional governance structures as related to the Joint Committee. (e.g. setting up sub committees etc)

Membership

It is proposed that each Council appoint its Leader to sit on the Joint Committee.

Each Council could also appoint a named substitute (to be an Executive Member for those operating Executive Governance arrangements) to attend in the Leader's absence. Continuity of attendance would be encouraged.

Support Arrangements

In its work the Joint Committee would be supported by an advisory Board comprising each Council's Chief Executive working alongside and giving direction to the existing officer groups on Growth and Transport, respectively.

Local officers can be brought in to support the advisory arrangements based on the expertise and technical knowledge required at a particular point in time.

Each Council could, as required, through its Leader and Chief Executive, put in place any local processes for other Elected Members to input in an advisory capacity into the work of the Joint Committee.

Procedure Rules

In order that meetings of the Joint Committee are conducted properly and that the business is carried out openly and transparently a new set of Procedure Rules for its operation will be prepared.

These will cover all procedural matters, Access to Information regulations and voting rights.

The following key principles are proposed for consideration and inclusion in the document:

1. The Chairman of the Joint Committee will be appointed on an annual basis.
2. No business of the Joint Committee will be transacted unless a minimum of 4 of the 5 appointed members are present (Quorum) The Joint Committee's decision making will operate on the basis of mutual co-operation and consent.

2. Any authority can withdraw on the basis of a six month notice period

Support for governance matters and meeting support will be provided in turn by constituent Member authorities. Richmond has offered to take this on initially and if it passes on annually then each authority takes its turn in a reasonable time period and we might avoid complicated charging processes.

4. The development and approval of a Memorandum of Understanding with the London Enterprise Partnership Board.

The role of the Officer Advisory Board would not form part of the formal governance arrangements of the Joint Committee but would have its role, operation and purpose defined in a separate document.

Committee: Council

Date: 19 November 2014

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

Contact officer: Chris Pedlow, Senior Democratic Services Officer, (020 8545 3616)
democratic.services@merton.gov.uk

Recommendations:

- A. That the changes to the membership of Committees approved under delegated powers since the last meeting of the Council are noted.
- B. To agree the constitutional changes to the terms of reference of the General Purposes Committee (as detailed in Appendix 1)

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council to note the membership changes made under delegated powers since the publication of the agenda for the Council meeting held on 10 September 2014 and also details a change to political group membership.
- 1.2. The report seeks to amend the terms of reference of the General Purposes Committee, to ensure the committee is compliant with Public Sector Internal Audit Standards (PSIAS) requirements and to reflect good practice.

2 DETAILS

- 2.1. The following membership changes have been made under delegated powers in accordance with section A4 of part 3F of the Constitution:

Committee	Member resigning	Replaced by	Date
Children and Young People Overview and Scrutiny Panel	No resignation - Hamish Badenoch moving from substitute member to full member.	Linda Taylor moving from full member to substitute member	09/09/14
Corporate Parenting Steering Group	Hamish Badenoch	Linda Taylor	09/09/14
General Purposes	Tobin Byers	Pauline Cowper	17/09/14
Children and Young People Overview and Scrutiny Panel	Peter Walker	David Chung	07/10/14
General Purposes	Pauline Cowper	Tobin Byers	28/10/14

2.1.1 **Amended Terms of Reference to the General Purpose Committee**

2.2.1 A report was presented and approved at the November 2013 General Purpose Committee on the results of an internal assessment on the Public Sector Internal Audit Standards (PSIAS) which came into force from April 2013, one of the actions agreed was to review the committees terms of reference to ensure compliance with PSIAS.

2.2.2 The review also considered CIPFA's recommended good practice for Audit Committee's terms of reference. It was identified that the items presented to this committee were not fully reflected in the current terms of reference and therefore this has been updated.

2.2.3 The amendments are shown in **bold** within Appendix 1.

3 ALTERNATIVE OPTIONS

3.1. N/A

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. N/A

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

5.1. None for the purposes of this report.

6 LEGAL AND STATUTORY IMPLICATIONS

6.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.1. None for the purposes of this report.

8 CRIME AND DISORDER IMPLICATIONS

8.1. None for the purposes of this report.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1. N/A

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

Appendix 1 - General Purposes Committee Terms of Reference

11 BACKGROUND PAPERS

11.1. Documents from the authorised officer confirming approval of the membership changes agreed under delegated powers.

7 General Purposes Committee

(a) Membership: 10 Members

(b) Functions

- (i) Except for matters reserved by statute for consideration by the Full Council, to determine any matter which has been specifically referred to the Committee for consideration.
- (ii) To approve the Council's statement of accounts and to consider any reports produced by the Chief Finance Officer in accordance with the duty to make arrangements for the proper administration of the Council's financial affairs, but not in respect of the formulation of a plan or strategy which is a function of the Executive (and subject to final approval by the Council) or detailed operational matters which are within the purview of the executive.
- (iii) To consider reports and receive recommendations from external audit, including, but not limited to, the Annual Audit & Inspection Report, Certification of claims report, fee letters and Audit Plan.**
- (iv) To consider reports and receive recommendations from Internal audit, including, but not limited to internal audit charter, audit plan, progress reports, anti- fraud activity and updates on anti-fraud policies. The Head of Audit & Investigations annual audit report, as part of the Annual Governance Statement.**
- (v) To monitor the effectiveness and development and operation of risk management and governance.**
- (vi) To formally agree the Annual Governance Statement and review the improvement plans.**
- (vii) To report to the Council, the Cabinet and /or Scrutiny Committees and Sub- Committees as necessary with decisions and recommendations.
- (viii) Subject to the Council's Scheme of Delegation to officers, to discharge the Council's functions in relation to the Local Government Pension Scheme including, but not limited to, the management of the Council's superannuation fund investments and the establishment of a Pension Fund Investment Panel and exercise of Council discretion in relation to adopting policies.
- (ix) Subject to the Council's Scheme of Delegation to officers, to discharge the Council's functions in relation to health and safety at work, to the extent that those functions are discharged otherwise than in the Council's capacity as an employer.

- (x) Subject to the Council's Scheme of Delegation to officers, to discharge the Council's functions in relation to elections.
- (xi) Subject to the Council's Scheme of Delegation to officers, to consider all personnel-related issues which are not within the terms of reference of any other committee or otherwise reserved to Council including the appointment of an independent person to undertake investigations as required into allegations of misconduct against the Chief Executive, Monitoring Officer or Chief Finance Officer.
- (xii) To receive reports of all payments exceeding £1,000 to persons who have been, or may have been, adversely affected by any maladministration on the part of the Council as identified in a report by the Local Government Ombudsman.
- (ix) To exercise the functions, powers and duties of the Council as Trustee of trusts for which the Council is Corporate Trustee except insofar as those functions have been delegated to Chief Officers of the Council.
- (x) To maintain an overview of the Council's Constitution (insofar as it relates to the discharge of non-executive functions) and Financial Regulations and to consider related reports from the Chair of Standards Committee. The Head of Paid Service, the Monitoring Officer and/or Chief Finance Officer and to make appropriate recommendations to Council in relation thereto.
- (xi) Any issue which in the professional opinion of the Chief Executive or Chief Officers should be referred to the Committee.
- (xii) Any matter which has been referred by the Council or from another committee for determination.
- (xiii) The setting up of sub-committees and panels and the setting of their terms of reference.
- (xiv) To receive reports upon, monitor, manage and advise the Council upon the implementation of the Council's Member Development Strategy and the Member Development Programme.
- (xv) All other matters which are non-executive functions and which are not otherwise reserved to Council, are not within the terms of reference of any other committee and which are not delegated to officer

Committee: Council

Date: 19 November 2014

Subject: Petitions

Lead officer: Paul Evans, Assistant Director, Corporate Governance

Lead member: Leader of the Council

Contact officer: Democratic Services, democratic.services@merton.gov.uk

Recommendation: That Council

- (1) receives petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution; and
 - (2) notes the advice given by officers in respect of the petitions presented to the 10 September 2014 Council meeting.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report invites council to receive petitions in accordance with Part 4A, paragraph 18.1 of the Council's Constitution

2 DETAILS

- 2.1. At the meeting held on 5 February 2014, Council received the petitions detailed below. Petitions received by Council are referred to respective departments with responsible officers asked to advise the presenting member in each case of the way in which the petition is to be progressed.

- 2.2. 'Re-surfacing works for Oxford Avenue SW20 8LS/ 8LT.

This petition was presented by Councillor Mary-Jane Jeanes. Officers have confirmed Oxford Avenue was on the list of roads to be resurfaced under the Council's agreed prioritisation model and was currently 73rd on the list. Based on this the road will be resurfaced in the next three to four years.

- 2.3. "Locally listing of Cottages in Morden Road"

This petition was presented by Councillor Andrew Judge. The issue is being investigated by the Council's conservation and design officers and Councillor Judge is being kept informed of progress.

3 ALTERNATIVE OPTIONS

- 3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purpose of this report.

5 TIMETABLE

5.1. None for the purpose of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. None for the purpose of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

11 APPENDICES

11.1. None.

12 BACKGROUND PAPERS

12.1. None.