



CORPORATE SERVICES DEPARTMENT
Caroline Holland - Director

To all Members of the Council

**Democratic Services
London Borough of Merton
Merton Civic Centre
Morden, Surrey SM4 5DX**

Tel: 020 8545 3356
Email: democratic.services@merton.gov.uk

Date: 11 December 2013

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 9 December 2013 are attached.

The call-in deadline is Monday 16 December 2013 at noon

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

Yours sincerely

Democracy Services

Decisions of the Cabinet held on Monday 9 December 2013

Call-in deadline - Monday 16 December 2013

3.	Minutes of the meeting held on 11 November 2013	<p>RESOLVED:</p> <p>That the minutes of the meeting held on 11 November 2013 are agreed as a correct record.</p>
4.	Dundonald Recreation Ground and Primary School - appropriation of land	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1) Cabinet agrees, for the purposes of section 122 of the Local Government Act 1972, that the open space shown in appendix 1 forming approximately 2,578 square metres of Dundonald Recreation Ground is no longer required for the purposes for which it is currently held and may be used instead for the following purposes to allow the enlargement of the Dundonald Primary School: <ol style="list-style-type: none"> a) Approximately 579 square metres (coloured green and blue) for building and outside space to transfer to become permanently part of Dundonald Primary School. b) Approximately 147 square metres (coloured amber) to provide a replacement two storey recreation ground pavilion which will remain under the control of the Greenspaces team for the primary purpose of changing facilities, toilets and a social space for the recreation ground but may at certain times have a more flexible use. c) Approximately 1,852 square metres (coloured yellow) for tennis courts and/or a multi-use sports area which will remain under the control of the Greenspaces team but the school will have exclusive use at set times as set out in a Community Use Agreement that is underpinned by a Unilateral Undertaking.
5.	Dundonald Primary School expansion - approval to expansion under Education Law	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. Cabinet approves the proposal for a prescribed alteration to expand Dundonald Primary School from 210 places plus nursery to 420 places plus nursery with a permanent admission number of 60 per year from September 2015.

Decisions of the Cabinet held on Monday 9 December 2013

Call-in deadline - Monday 16 December 2013

		<p>2. That the reason for this decision is to provide basic need school places in the local area and the expansion of Dundonald Primary School provides extra places in an area of demand at a successful and popular school. The council's Head of Education is satisfied that the leadership of the school has the management capacity to continue to raise standards while the school expands.</p> <p>3. Cabinet notes that a report on appropriation of land from Dundonald Recreation Ground is being made to this Cabinet meeting and would need to be agreed before this prescribed alteration can be approved.</p>
6.	Allocation of S.106 monies to Mitcham Town Centre	<p>RESOLVED</p> <p>That Cabinet agrees that the requested S106 contributions as detailed be allocated to the Mitcham Town Centre project in accordance with the S.106 Spend Parameters set out in paragraph 1.2.</p>
7.	Reference from the Overview and Scrutiny Commission - pre decision scrutiny of the Business Plan 2014-2018	<p>RESOLVED:</p> <p>That Cabinet, in taking decisions relating to the Business Plan 2014-18, will take into account the comments and recommendations made by the Overview and Scrutiny Commission (including the minutes of the financial monitoring scrutiny task group) and the outcomes of consideration by the Overview and Scrutiny Panels.</p>
8.	Financial Monitoring - October 2013	<p>RESOLVED:</p> <p>1. That Cabinet notes the financial reporting data relating to revenue budgetary control, showing a forecast underspend at year end of £1,291k (which is 0.79% of the gross Council Budget) after allowing for a £510k transfer to the Capital Programme and consider any relevant action they may wish to take in respect of variations</p> <p>2. That Cabinet approves adjustments and virements detailed in Appendix 5b and the Current Capital Programme as detailed in Appendix 5a.</p> <p>3. That Cabinet notes current progress to date on savings.</p>

Decisions of the Cabinet held on Monday 9 December 2013

Call-in deadline - Monday 16 December 2013

9.	Business Plan 2014-18	<p>RESOLVED:</p> <ol style="list-style-type: none">1. That Cabinet agrees the amendment to savings and alternative proposals put forward as set out in Appendix 2 of the report.2. That Cabinet reviews the savings proposals put forward by officers, refers them to the Overview and Scrutiny panels and Commission for consideration in January 2014 (Appendix 3) and requests officers to produce equalities impact assessments for each proposal.3. That Cabinet agrees the latest amendments to the draft Capital Programme 2014-2018 which was considered by Cabinet on 21 October 2013 and scrutiny in November 2013.4. That Cabinet NOTES the feedback from the Scrutiny Panels and Overview and Scrutiny Commission on the previous information referred to them by Cabinet in October 2013, particularly the draft Capital Programme 2014-2018.5. That Cabinet notes the latest draft Medium Term Financial Strategy (MTFS) for 2014-18 (Appendix 6).6. That Cabinet agrees the Council Tax Base for 2014/15 set out in paragraph 2.7 and Appendix 10.
----	-----------------------	--

Merton Council - call-in request form

1. Decision to be called in: (required)

--

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

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

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

3. Desired outcome

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

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

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

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

5. Documents requested

6. Witnesses requested

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

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

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

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

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor's email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy Services, 8th floor, Civic Centre, London Road, Morden SM4 5DX.

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