

Council 26 June 2015

Public questions Procedure

The Mayor will call your name and ask if you have a supplementary question arising from the answer you have received.

If you do not have a supplementary question then simply respond thank you, no. If you do have a supplementary question respond thank you, yes. You will be shown to a seat in the chamber where you will ask your supplementary question. Make sure you use the microphone.

Having put your question, please be seated whilst the Cabinet member responds. Once the response has been given, please return to your seat in the public gallery. The questions and answers and all supplementary questions and replies will be published on Merton's website after the meeting.

**1) From David Steer
To the Cabinet Member for Finance**

Question

“Councillors have received £700,000 this year in allowances with some Councillors receiving amounts which appear excessive. 11 councillors received in excess of £17,000 and one – Councillor Alambritis received £41,467. How can such sums be justified and surely some of this money would be better spent on services?”

Reply

The Council is required by the Local Authorities (Members' Allowances) (England) Regulations 2003 to adopt a scheme of member allowances each year. In doing so, Council is required to give due regard to the recommendations made by the Independent Panel on the Remuneration of Councillors in London. The Independent Panel's latest report in 2014 did not recommend any significant changes to the scheme of allowances which it approved in its report in 2006 and again in 2010. It recommended that members' allowances continue to be pegged to the annual local government pay settlement, as is already the case in Merton, except that the recent increase was not implemented in Merton where allowances have remained frozen.

The principle behind Councillors receiving allowances is to compensate for the loss of income as a result of their civic duties. Many Councillors have to cut down on employment as a result of the hours they put into serving the community, and allowances ensure that the opportunity to be a Councillor is not closed to people who do not have private wealth. The level of allowance does, however, reflect an expectation that much of the work of Councillors is done on a voluntary basis.

When the Conservatives were last in charge at Merton Council increased Councillor allowances, including in 2008 attempting to increase the payments made to Cabinet Members by a whopping 28%. However, since Labour has been in control of the council in 2010 there has been no increase in Members Allowances. Indeed the total spend on Councillor allowances has fallen since 2010, due to Labour's decision to abolish of Assistant Cabinet Member posts. There has also been a fall in the spend on Councillor allowances since 2014, due to a reduction in the number of political groups on the Council, after UKIP-aligned Councillors lost their seats.

Merton has the 4th lowest basic allowance in London.

The report of the Independent Panel on the Remuneration of Councillors in London sets out the range of responsibilities for which a special responsibility allowance may be paid:

http://www.merton.gov.uk/indep_panel_report_2014.pdfhttp://www.merton.gov.uk/indep_panel_report_2014.pdf

The Council, at its meeting on 4 February 2015, confirmed its existing scheme of Member Allowances for 2015/16 and to retain the same level of allowances for 2015/16, thereby agreeing to not apply the local government pay settlement. The scheme was published on the council's website and in a notice in the Wimbledon Guardian.

The amounts paid to individual councillors each year are published on the council's website: <http://www.merton.gov.uk/council/councillors/councillors-payments.htm>

**2) From Diane Neil Mills
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question

What are the legislative requirements and Merton Council's approach to the implementation and enforcement of 20 mph zones and limits? (Please provide references to the relevant legislation.)

Reply

The present legislation regarding maximum speed limits is contained in sections 81-88 of the Road Traffic Regulation Act 1984, as amended.

Council's must 'have regard' to the Government's guidance in devising speed limits, contained in the Department for Transport circular, 01/2013, Setting Local Speed Limits.

The Council's approach to 20pmh Zones and 20mph Limits applies to urban streets that are primarily residential or in town centres, when pedestrian and cycle movements are high, such as near schools, shopping parades, playgrounds where motor vehicle movement is not the priority function of the road (e.g. compared to trunk roads, local distributor roads)

For a 20mph zone, traffic calming features in the form of road humps; speed cushions; road closures; one way systems; pedestrian refuge islands and road narrowing's would have to be introduced at the appropriate distance to achieve a legal and self-enforceable zone. (For example, Hillcross Avenue)

A 20mph limit does not require any traffic calming features as part of the legal requirements except for the introduction of the appropriate signs and road markings which will be located at all the entry points into the area. (For Example, Cecil Road)

The Council also takes into account, reported accident statistics in considering traffic calming or limiting interventions.

The Council has already set up information online for residents regarding 20mph zones and limits. See www.merton.gov.uk/20mph-limits-zones

Sustainable Communities Overview and Scrutiny Panel received a report in November 2014 which set out research and analysis on this matter. The report is available on the Council website:

<http://democracy.merton.gov.uk/ieListDocuments.aspx?CId=157&MIId=1957&Ver=4>

**3) From Sandra Vogel
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question

Merton Council's swift action to deter caravans along Cricket Green has resulted in wholly inappropriate bollards and metal posts unsuited to the Conservation Area. When will they be replaced by something appropriate and consistent with the Conservation Area Appraisal and Management Plan and will the local community be consulted?

Reply

The bollards were installed quickly as a deterrent to caravans but are not the final solution.

It is worth noting that there are more than 10 styles of bollard in the vicinity as they have been put in over decades and manufacturers discontinue certain styles.

We will secure a more sensitive design for the conservation area in consultation with design officers and community groups. This will inevitably cost more money and take a bit more time. Please bear with the chalk posts in the meantime.

4) From Paul Carter

To the Cabinet Member for Environmental Sustainability and Regeneration

Question

In the light of a notice on the Burn Bullock pub door asking two car sales firms to 'drop post at the back office' (photographed and reported to Planning applications Committee on 18 June 2015) when will the enforcement notice which came into effect on 20 August 2014 be implemented?

Reply

The site has been monitored and the cars associated with the unauthorised sales use in the car park were being removed albeit quite slowly. Given that progress, it was not considered enforcement prosecution action would be expedient at the time, however, in the light of recent developments, the matter is being investigated once again with a view to instigate such action. The council's legal section will be provided with any evidence and prosecution pursued unless advised legal advice suggests otherwise. The planning enforcement team will continue to try and work with the owner to negotiate the cessation of any unauthorised use.

5) From Brett Hollins

To the Cabinet Member for Environmental Sustainability and Regeneration

Question

Traffic is unnecessarily caused by Burlington Road train crossing (Motspur Park) where tailbacks run down Burlington Road into Shannon Corner - and continues down Burlington Road!

Traffic is congesting A3 off/on ramps and for those not using the crossing but wanting to go straight on. Road layout needs changing desperately?

Reply

Unfortunately the operation of the railway level crossing has a bearing on the free-flow of traffic in the West Barnes & Motspur Park areas and causes some localised queuing. This is inevitable at any level crossing and its operation is not something the Council has direct control over.

Our Highway team are investigating the issues raised by Mr Hollins. The Burlington Road area does not feature significantly in our accident or safety statistics as a problem junction. However congestion and ensuring our roads are safe is a matter of

concern for the council; both in terms of the impact on residents and on local air quality. We will be investigating potential solutions to congestion and any air quality issues found in the Burlington Road area as part of our 2015/16 programme and in partnership with TFL 's roads task force (who are responsible for the Shannon Corner A3 slip roads)

6) From Martin Burrell.

To the Cabinet Member for Community Engagement and Safety:

Question

Following numerous media reports of crimes committed by foreign offenders in Merton and comments by the Metropolitan Police Commissioner on the impact on policing, can she set out the level of crime committed by foreign offenders in Merton? In particular the levels of robbery, assault and sexual assault since 2010.

Reply

The council is unable to respond to this request as the information is not held. A request has been made to the local police but the information is not available at a local level within the timescale available for this meeting.

7) From Giles Bailey

To the Cabinet Member for Environmental Sustainability and Regeneration

Question

"I understand that TfL will be closing the section of Tramlink between Wimbledon Strn and Dundonald Rd from mid July to October. Will Merton Council be increasing litter collection along Dundonald Road and Hartfield Crescent as a result of the hundreds of additional expected pedestrians?"

Reply

We will ensure that we monitor the situation and take appropriate remedial action to maintain high standards during this period.

8) From Echo Chong

To the Cabinet Member for Education

Question

How will the council ensure the additional spaces made available by the Dundonald expansion will enable more local non-sibling child to attend rather than siblings who have moved out of area?

Reply

The offer day statistics show that last year, with 30 places offered, the council provided only 9 places to non-siblings to a maximum distance of 106 metres. This year, with 60 places offered, the council provided 47 places to non-siblings to a distance of 452 metres.

The expansion has therefore ensured there are additional places to local non-sibling children, offered to a much more reasonable distance.

Supplementary

How would the council monitor the ratio of siblings of those who move out of the catchment area and those who are still in the catchment area to ensure local children go to local schools?

Reply

Each year we consult about our admissions procedure. This year alone, we have been able to offer significantly more places at Dundonald School. In terms of the sibling rules there are various views, some people support the sibling rule, and some people don't. We understand that Wandsworth have changed the rules. We will shortly be consulting on the admissions criteria for 2017, but on balance I think the present system works best in this borough and that the sibling rule should remain in place.

9) From David Bell To the Cabinet Member for Community and Culture

Question

Will the Council congratulate Mitcham Cricket Green Community & Heritage for securing Mitcham cricket pavilion as Merton's first Asset of Community Value, and does the Council agree that the pavilion should remain as an important part of the heritage scene in its current location?

Reply

The Council is of course proud to be home to arguably the world's oldest cricket ground, and the Mitcham Cricket Pavilion is an important part of our heritage. Congratulations to Mitcham Cricket Green Community and Heritage for their pioneering work on this. I would also like to thank the Council Officers who assessed the bid and also recommended that the Mitcham Cricket Pavilion be listed as an asset of community value.

The Council understands the private land-ownership issues restricting the Cricket Pavilion at present, but will do what is in its power, and within its budgets, to ensure the future of the asset.

10) From Tony Burton To the Cabinet Member for Environmental Sustainability and Regeneration

Question

"When did Council officers last visit the Burn Bullock to assess compliance with (a) enforcement notice dated 20 August 2014 to stop car sales and (b) the listed building repair notice, and did they go inside?"

Reply

Enforcement and conservation officers visited the Burn Bullock on Friday 15/5/15 and met with the owner. We inspected the building and assessed what had been done so far, advising on some of the work that needed clarification.

I can advise that most of the rubbish and clearing work have been done within the building on the ground and other floors of the building in preparation for subsequent repair works.

We were also informed that window frames and broken glass had been measured and an order had been placed to repair or replace. The owner was advised that any new window or framework needs to be approved by the council first and was asked to provide samples of the timber and material for approval before the replacement can go ahead.

The owner requested for a meeting for officers to inspect and approve samples for window replacements this is expected to take place in the next week and will involve another site inspection.

**11) From Andrew Boyce
To the Cabinet Member for Environmental Cleanliness and Parking**

Question

What progress she has made on the issues we discussed at our meeting on 17 January this year?

Reply

The Council has recently purchased five new pedestrianised mechanical sweeping machines called "The Mac Vax Glutton". This is an electric street sweeping vehicle. It can sweep large outdoor areas and pedestrian zones without obstructing pedestrian traffic. There is no noise pollution, it produces zero Co2 emissions and complies with health and safety standards. This machine collects all debris and litter (including cigarette butts) and is able to reach under street furniture, eliminating the additional need for a hand held broom and they are being utilized in high footfall areas including South Wimbledon.

We have completed the process to extend the existing waste collection time banding area of Wimbledon to include Merton High Street between Merton Road and Haydon's Road which includes the station area, this will ensure that waste sacks are presented on the highway within a time band and are collected swiftly; this will be implemented by August 2015. We continue to work with a specialist environmental enforcement officers who provide additional enforcement capacity concentrating on litter in the town centre areas.

**12) From Maurice Groves
To the Leader of the Council**

Question

You have authorised payments for the benefit of Trade Unions of £93,000 in 2013/14 and increased to £97,610 in 2014/15. Trade Unions require their members to pay subscriptions. You have cut All Saints, High Path and M A E., services depriving poor and vulnerable residents of Mitcham and Morden. Why?

Reply

No doubt the former Conservative Councillor will be relieved to learn that in fact this figure has reduced under Labour, compared to the £112,700 spent last time he and his Conservative colleagues were in charge at Merton Council.

The figure he quotes is not a payment for the benefit of trades unions, but is in fact the cost of trades union secondees' time and the facilities provided. Such secondments help ensure good relations between staff and management and therefore represent good value.

Based on data provided by London Councils Merton provides a level of support in line with the mid-point of other London Boroughs. The increase between years was primarily the result of the nationally agreed pay award for staff and allowed for in corporate pay and inflation budgets.

The [ACAS code of practice on time off for trade union duties and activities](#), which is a code issued under s.199 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) sets out the statutory framework for time off for trade union duties.

Whilst within the statutory framework, there is no requirement for provision of paid full time release, historically in the London Borough of Merton, there has been an arrangement to allow facility time equivalent to 2.5 X FTEs for release to the respective Branch Secretaries (GMB and Unison) as the number of trade union members at Merton is relatively higher than some neighbouring boroughs.

The rationale for allowing time off is to enable a point of contact for management through which to conduct employee relations. This has benefits in facilitating consultation and communication on change particularly where there are statutory and/or common law requirements to consult, such as redundancy, reorganisation of which there are many in response to savings or service redesign (involving contract change) and TUPE transfers, particularly in response to Shared Services. Having a trade union representative whose release is not affected by operational requirements can speed up such processes, including resolving or completing grievance and discipline procedures.

This service is within Corporate Services and savings have been put forward according to the targets set and agreed by Council in accordance with the July principles.

13) From Cypren Edmunds To the Cabinet Member for Community and Culture

Question

In view of the investigation of Circle Anglia by the HCA. Why hasn't the Council not taken Islington Council's lead by issuing statutory notices on a company intent on performing disingenuously?

Reply

The Council takes its relationship management role with housing associations seriously and works closely with CHMP to safeguard the needs of residents on Merton's Housing Estates. However, unlike the HCA, the Council does not have regulatory powers over CHMP. Notwithstanding this the Council has, since September 2014, worked with 14 CHMP tenants regarding disrepair and through its interventions with CHMP has been successful in achieving 8 cases of repairs being completed. The remaining 6 cases remain open and continue to be progressed with CHMP.

Supplementary

While we can understand the need for the council to have a serious relationship with housing associations such as Circle Homes Merton Priory, residents are still waiting 10 months for their repair issues to be resolved, even with the intervention of the council. How seriously is the council taking its relationship with its residents, please disclose the remit of your actions, powers and safeguards and how you go about protecting them.

Reply

The situation with Circle and with other housing associations is that we deal with every complaint that we get as councillors on a one by one basis and we as a council take further, certain cases that are seen to be sticking. You will see from my response that last year we had 14 cases that we took to CHMP of which now there are still 6 cases remaining, which is not acceptable. In addition to these cases, I have been involved with cases that have gone on for a year or more. I can tell you that by comparison to housing associations elsewhere in London, and in comparison to our own record as a housing provider, those statistics are relatively good, hard though this is to believe, and this is not acceptable. What we are doing about it apart from continuously keeping up the pressure, I do it as Cabinet Member case by case, and we are taking it to every appropriate scrutiny panel and will keep doing that until Circle get it right. We will make it happen.

14) From Lauren Walker To the Cabinet Member for Education

Question

Considering the recent Wandsworth sibling 800m limit ruling, what criteria would Merton council require be satisfied to adopt a similar measure to ensure the local children attend their local school?"

Reply

This year, thanks to its extensive school expansion programme, the council offered a school place to all children, with the first preference offers for primary school up by 4% from the previous year to 81.4%, and 91.4% of parents receiving a top 3 preference for their children. The vast majority of parents therefore receive their first choice school, and over 90% received offers within their top three preferences. It should be acknowledged that the policy adopted by LB Wandsworth will cause problems to some families. Sending young children to two separate primary schools is logistically very challenging for a parent and a siblings policy therefore provides important assistance to prevent this.

Nevertheless, the council is aware that there are issues due to the very narrow distances offered in a small number of schools and will be undertaking a review of its admissions policy for 2017 entry this autumn prior to the annual admissions consultation which takes place in early 2016.

Supplementary

What is the criteria that the Council use in assessing the hardship children and families face in small catchment areas when they cannot attend the local school verses that of siblings who have moved out of area and can therefore attend their

new local school with their sibling and thus have both children in the same new local school in their new area.

Reply

The answer is to provide additional school places, and Dundonald School was a very popular school where we only had nine non-sibling children get in in the past, but 47 get in this year, a massive increase providing those much needed school places. In terms of the sibling for people who have moved outside the catchment area it is actually a very small number, which I don't have with me, but it certainly wouldn't have had that much impact in terms of the catchment area for a school. I think the sibling rule is very important in keeping families together and we know people's circumstances do change, they do move out of the area. There is a wide range of views on it, and it is important to listen to their views before coming to any conclusions about the 2017 admissions criteria.

15) From Maggie Heaney To the Cabinet Member for Environmental Sustainability and Regeneration

Question

For over 10 years Merton has been trying to appease a small minority of residents demanding traffic calming measures in the Belvederes. This costly ongoing debacle flouts the democratic process, creates discord with neighbours and hardship to traders. What has this cost both Merton/3rd Parties, how can it be justified?

Reply

The question includes an incorrect assumption and analysis. The Council has not sought to appease anyone, but instead apply sound street management principles. Nor have democratic principles been flouted as all scheme proposals have been subject to extensive consultation. Conflict is inherent in many schemes between the views of those who suffer from particular traffic conditions and what often constitutes a wider group who are not subjected to a particular problem, but apprehend that their interests may be affected, sometimes to a minor degree. At no time have traffic issues in the Belvederes been considered in isolation, but always as part of a series of interventions in the Village and Hillside based on a borough-wide approach.

Since 2009 the Council has spent approximately £700k on traffic issues in the wider Village and Hillside area including the most recent works.

This includes consultations, staff costs, scheme design and engineering, and construction works in locations such as Wimbledon Hill Road/ Mansell Road - Burghley Road, Ridgway Place - as well as the most recent Belvederes experimental scheme as part of the Wimbledon Area Traffic Study projects.

The Council regularly receives requests and complaints from residents concerned about through-traffic and rat-running in the Wimbledon Area.

As mentioned the programme of measures has been widely consulted on and approved by the then Street Management Committee, Ward Councillors and Cabinet Member. <http://www.merton.gov.uk/watm>