

ORDINARY COUNCIL MEETING
23 FEBRUARY 2005

(7.15pm – 10.10pm)

PRESENT: The Mayor, Councillor Margaret Brierly (in the Chair);
Councillors Tariq Ahmad, Stephen Alambritis,
Mark Allison, Jillian Ashton, Su Assinen, Steve Austin, Matt Bird,
John Bowcott, William Brierly, Fiona Bryce, Horst Bullinger,
Angela Caldara, Horatio Cheng, David Chung, John Cole,
Andrew Coles, Danny Connellan, Pauline Dawkins, John
Dehaney, Nick Draper, Corinna Edge, Mick Fitzgerald, Samantha
George, Maurice Groves, Stephen Hammond, Richard Harwood,
Philip Jones, Andrew Judge, Dot Kilsby, Linda Kirby, Sheila
Knight, Gilli Lewis-Lavender, Edith Macauley, Russell Makin,
Maxi Martin, Peter McCabe, Beth Mitchell, Oonagh Moulton, Ian
Munn, John Nelson-Jones, Dennis Pearce, Amanda Ramsay,
George Reynolds, Judy Saunders, Deborah Shears, Andrew
Shellhorn, David Simpson, Peter Southgate, Mickey Spacey,
Geraldine Stanford, Mike Tilcock, Martin Whelton, David
Williams and Ronald Wilson.

Apologies for absence were received from Councillor Joe Abrams, Mary Dunn, Christopher McLaughlin, Terry Sullivan and Leighton Veale. Apologies for lateness were submitted on behalf of Councillors Tariq Ahmad, Jillian Ashton and Richard Harwood.

730 MINUTES (Agenda Item 2)

RESOLVED: That the Minutes of the meeting held on 15 December 2004 and of the extraordinary meeting held on 5 January 2005 be signed as correct records.

731 DECLARATIONS OF INTEREST (Agenda Item 3)

No declarations were made when the Mayor drew Members' attention to this item.

732 OLYMPICS 2012 (Agenda Item 4)

Richard Sumray from London 2012 attended the meeting and gave an oral presentation on the bid to stage the 2012 Olympic games in London. He also responded to Members' questions.

733 ANNOUNCEMENTS (Agenda Item 5)

The Mayor referred to the recent deaths of Vincent Talbot and John Edmunds who were former Members of this Council. Councillors David Williams, Sheila Knight, Danny Connellan and Philip Jones paid tribute to service of Vincent Talbot which began in 1949 and which included him being a member and Chairman of the former Merton and Morden Urban District Council and an Alderman, Councillor, Leader and Mayor of Merton Council. Council stood in silent tribute to both former Members.

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The Mayor also drew particular attention to the Knighthood of Alderman Robert Finch a resident of Merton, the New Years Day Parade when Merton were placed 4th, the recent Civic Service, Holocaust Memorial day and her charity Ball.

Neither the Leader nor the Chief Executive had any announcements.

734 STRATEGIC OBJECTIVE REVIEW – EDUCATION MERTON (Agenda Item 6)

A motion to be moved under this Objective was detailed on the supplementary agenda.

The following questions and answers were circulated at the meeting, and the supplementary questions asked, and replies given, are also detailed.

1. From Councillor Nick Draper to the Cabinet Member for Education and Lifelong Learning

“What has been the real terms spending and percentage increase in education budget since 1998/99?”

Reply

“In 1998/99 Merton’s Education budget was £76.98m. The budget for 2005/06 is £110.133m. This is an increase of £33.153m (43%)

Over the same period the Retail Price Index has increased by 16% and if the Education budget had increased in line with the RPI the budget would be in the region of £89m - £90m, some £20m less than it currently is.”

Supplementary question

“Every year we get massive anxiety and instability around the time of the Education budget settlement which is reflected, quite honestly, in some of the questions tonight. Can the Cabinet Member for Education see an end to this painful, annual ritual?”

Supplementary reply

“Thank you Councillor for that supplementary. The proposals on the table at present means that there will be a 3 year budget which will actually stabilise the funding arrangements.

In the proposal also there is actually the discussion about the continuing role of the Local Education Authorities in this funding regime. They would be able to concentrate on their strategic and quality assurance role in education. We in Merton are requisitioned to do this because we as you know have had a recent LEA Inspection which gives us a highly satisfactory rating as well as places us to support the implementation of this budget.

2. **From Councillor Maxi Martin to the Cabinet Member for Education and Lifelong Learning**

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“Could the Cabinet Member for Education and Lifelong Learning please inform Council of the number of children receiving pre-school education in Merton?”

Reply

“Children aged 3 and 4 years of age are able to receive free part-time nursery education in Merton at a range of establishments – These include Maintained Sector Schools as well as Private, Voluntary or Independent settings who are registered to provide early education.

The figures for this term (Spring 2005) show that **4,209 children** aged 3 and 4 years are currently receiving pre-school education.

The estimated population of 3 & 4 year olds in Merton is approximately 5,100

This means that **82.5%** of the Merton population of 3 and 4 year olds are currently receiving free part-time nursery education.

There are spare places available in maintained schools as well as private, voluntary and Independent settings for any child whose parents wish them to take up a free place.

Advertising has been used widely over the past year to publicise this free entitlement (with a rise in uptake resulting). Such publicity will continue in the future in an attempt to achieve the nationally recognised benchmark for “universal provision” set at 85% of the cohort population.”

3. From Councillor Debbie Shears to the Cabinet Member for Education & Lifelong Learning

“Could the Cabinet Member for Education and Lifelong Learning please tell me how many schools will be unable to balance their accounts this year and have applied to the LEA for a loan?”

Reply

“The Authority has yet to release its final budgets for 2005/2006. As part of the Government's Regulations (this is embodied within Merton's Scheme for Financing Schools - "The Scheme"), schools must set a balanced budget by 1st May of each financial year.

If schools cannot set a balanced budget, "The Scheme" requires that they contact the LEA and obtain approval to set a deficit budget. A team of multi-disciplinary officers will then scrutinise the school's budget and only in exceptional circumstances will they be allowed to set a deficit budget. The school is required to submit a recovery plan detailing how it will return to a balanced budget over the next 36 months.

Indicative budgets were released Mid January 2005. The main driver of

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funding within the Fair Funding Formula is pupil numbers. Officers within the Education Finance Team have already visited schools with downward fluctuations in pupil numbers to talk through their budgets in detail.

Final Budgets will be issued this week. Schools have been grouped into the following five headings:

- 1) As at 31st March 2005, it is estimated that 9 schools will have a deficit budget, Finance officers have already had detailed discussions with seven of these schools.
- 2) Due to reductions in pupil numbers/weighting of the pupils at the school, 11 schools appear to have really tight budgets. These schools will be visited by the schools finance manager to talk through their budgets.
- 3) Three schools are facing falling rolls but require the input of a multi-disciplinary team (i.e. school effectiveness, premises, pupil place planning and financial). This will enable wider consideration to be given to the future of the schools.
- 4) A further 8 schools have stagnant pupil rolls and will be setting a tight budget
- 5) The remaining schools (23) have increasing pupil rolls, resulting in a reasonable increase in funding and should be able to set a balanced budget.

As in previous years all schools will be contacted and offered help with their budget setting, and contact will be maintained until head teachers have confirmed their budget position for 2005/2006.”

4. From Councillor Debbie Shears to the Cabinet Member for Education & Lifelong Learning

“Could the Cabinet Member confirm that one school is considering redundancies due to financial pressures, could he tell us which school this is and if there are other schools contemplating redundancies?”

Reply

“Decisions about staffing numbers and staff deployment are matters for individual schools and not the LEA. Therefore requests for information on staffing numbers for 2005/06 would need to be sought from individual schools.”

5. From Councillor Fiona Bryce to the Cabinet Member for Education & Lifelong Learning

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"What provision is made for a) blind b) visually impaired c) deaf children in Merton's education system?"

Reply

"The provision made for children in Merton's education system with visual impairment or hearing impairment is made in a variety of ways depending on the individual level of need. All children are supported by Merton's services for children with visual or hearing impairment which work alongside children, parents and teachers. The service for children with hearing impairment is also working closely with Health as part of the early intervention programme in supporting children who are identified at birth with a hearing impairment.

The majority of children with visual and hearing impairments are educated in mainstream schools. A few children with hearing impairment with higher levels of need attend mainstream schools with specialist bases in neighbouring local authorities. These children have statements of special educational needs.

Additionally there are a few children whose needs are more complex and require a specialist residential setting. Three children with complex needs arising from visual impairment attend out-borough special schools on a day basis, and three children with complex needs arising from hearing impairment attend out-borough special schools on a residential basis. Residential placement has however, only been made where the level of resourcing required to meet need could not be met from local provision.

Pupils with statements	
Visually Impaired	
Mainstream	11
Day Special School	3
Hearing Impaired	
Mainstream	7
Out Borough Base	13
Residential Special	3

N.B. The majority of children with hearing impairment or visual impairment are in mainstream schools. Because the borough has

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peripatetic services for these children their needs can be met at School Action Plus without the need for a statement.”

Supplementary Question

“I just wondering that considering children with special needs are specifically mentioned in Agenda Item No. 10 – Equalities, I was going to ask how many meetings you had had with the Cabinet Member for Equalities on Education issues and what was raised?”

Supplementary Reply

“Thank you for that supplementary Councillor Bryce. There have been quite a lot of discussions and consultations and communications; to my recollection I have had one meeting, which is in order, because as a Cabinet Member I think I should actually be very mindful of how we consult on specific matters. I actually met with the group once and I have actually had paperwork correspondence through the e-mails and various telephone conversations. I am mindful that it is important that we actually communicate and consult and that we develop the partnerships, so I will do everything I can to facilitate that.”

6. From Councillor Fiona Bryce to the Cabinet Member for Education & Lifelong Learning

“How much did increased provision of library services for a) the general public b) ethnic minorities c) asylum seekers cost if broken down into these three groups?”

Reply

“Last year's increase in the media fund of £98,000 was added to the then current provision for media purchase and was not separately allocated. I am not, therefore, able to make a meaningful response to the request for a breakdown of the extra provision. I can, though, give details of the total media fund expenditure for the current year which amounted to £256,520. Of this, £24,000 was allocated to a range of special collections serving ethnic minorities or in languages other than English.

In addition £1,000 was spend on a resource collection for asylum seekers arising from the Home Office funded 'Welcome to your Library Project' which is housed in Donald Hope Library.

I would add that next year your council will be putting an additional £1,000,000 capital into our libraries which will be for the benefit of all our residents, and indeed, those of other boroughs who use our facilities.”

7 From Councillor Dennis Pearce to the Cabinet Member for Education and Lifelong Learning.

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"I would welcome my Cabinet colleague's assurance that amongst the many changes which have taken place in our education system in the last 3 or 4 years the 16-18 year age group have not been forgotten and are getting the necessary encouragement and maintenance allowances so that they can stay in education or training in Merton.

Reply

"Last year the Government rolled-out Education Maintenance Allowances (EMA) nationally. This scheme is administered by the school or college attended by the student, not the LEA.

For the academic year 2004/05 all 16 year old students attending a school sixth form or college of further education can apply to their establishment to be considered for an EMA. Depending on the level of parental earning EMAs can be worth up to £30 per week. In addition annual bonuses, agreed between the student, establishment attended and the DfES, can be added to an award.

Students aged 17 and 18 this year are not currently covered by the EMA system. However, they can still apply for assistance this year through learner support funds either from their LEA, if they are attending a school sixth form, or the college directly, if they are attending a college of further education. Generally speaking these awards are not financially as generous as EMAs, some colleges only offering £50 per term towards study costs. Merton awards when given, value at least £90 per term.

The situation gets better for the academic year 2005/06. EMAs will be extended to cover 16 and 17 year olds, whilst Transport for London will be offering free travel on London Transport services for all students under 18."

Councillor David Chung initiated debate on this Objective.

The following motion was moved by Councillor Debbie Shears and seconded by Councillor Oonagh Moulton:

"The Council recognises that Merton's education system is failing to give its pupils an average education.

Standards of achievement in Merton schools fall below the national average at all Key Stages, culminating in a figure of less than 50% of students achieving A*-C grades at GCSE. Standards of achievement at two of the borough's secondary schools, Mitcham Vale and Tamworth Manor, are so poor that they have come under close monitoring by the DfES.

Merton's residents, especially those living in the east of the borough, have little confidence in the quality of education provided by local schools.

This Council has no confidence in the improvement strategies in place for

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education in the borough.”

Following debate the motion was put to the vote and declared lost by 21 votes to 33 votes.

The report on this Objective was otherwise RECEIVED.

735 STRATEGIC OBJECTIVE REVIEW – SAFE, CLEAN AND GREEN MERTON
(Agenda item 7)

The following questions and answers were circulated at the meeting, and the supplementary questions asked, and replies given, are also detailed.

**8. From Councillor Horst Bullinger to the Cabinet Member for
Community Service & Community Engagement**

Appendix 12 of the Cabinet Supplementary Agenda of 14. February
2005,

**SUMMARY OF SAVINGS FOR ENVIRONMENT & REGENERATION
DEPARTMENT, (PARKING INCOME)**

Ref. ER28.

“Under that reference a figure of £750,000 is earmarked as achievable out of additional income and/or increased efficiency. Is the Cabinet member of the opinion that additional revenue increases of this magnitude can be achieved in future years or does he share my feeling that the pain barrier of the motorists will soon be breached?”

Reply

“As Councillor Bullinger will be aware the estimated net additional revenue from parking management in Merton for 2005/6 is £910,000. The details of how this will be achieved were set out in a report to the Street Management Overview and Scrutiny Panel on 8th December 2004.

In calculating the budget forecasts for 2005/6 officers took a number of factors into account. The key ones were the Secretary of State’s Traffic Management and Parking Guidance that advises on the setting of tariffs for paid for parking and improvements in service delivery including the upgrading of the penalty charge notice processing system (and associated hand held computers used by parking attendants) and increasing the number of parking enforcement staff.

In summary the budget forecast is that additional revenue will be recovered through pay and display income, penalty charge notices (increased numbers including through CCTV enforcement and better recovery), permit price increases from September 2005 and the full year

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effect of price rises made during 2004/5 and improved recovery of unpaid penalty charge notices through our bailiff operation.

In terms of predicting likely increased revenue in future years and the prices which motorists will be required to pay I would like to assure Councillor Bullinger that these will be soundly based on both the Secretary of State's Guidance and this Council's own policies.

This may be an opportune time therefore to remind members of the objectives underlying parking management in Merton which are to secure a safe environment where traffic circulation is as efficient as practicable and, within the parameters of our transport planning policies, to provide appropriate parking facilities for example in town centres.

The cost of parking both in terms of pay and display changes and the level of penalty for failing to observe parking regulations has a key role to play in achieving these objectives. Hence Councillor Bullinger can be assured that officers will carefully review the relationship between the supply of parking space and demand for it before considering any change these parking charges in the future. In terms of permit parking Merton has discretion as to the level of charge and any eligibility qualifications. Again there is guidance from the Secretary of State; this advises that charges should be set to reflect local conditions and identifies the option of applying a sliding scale of charges for residents' permits with a higher charge for second and subsequent permits per household. In setting charges for Merton account is taken of the current charge levels for Merton, the value of having a permit (eg in comparison with parking at pay and display facilities) and charges made in adjacent and similar boroughs.

It will be necessary to assess the impact of the price changes and service delivery improvements already planned for 2005/6 before identifying any further changes for future years and then estimating the budgetary impact. It is therefore not practicable or appropriate to comment on the magnitude of any additional income for future years at this stage."

Supplementary Question

"Reading with concern of the key role energy notices are playing for additional income, does the Cabinet Member agree with me that ever higher penalties could in the end lead to a reduction of income due to motorists starting to park legally? That seems to be the last thing we want to achieve."

Supplementary Reply

"I am not too sure whether it will or it won't but the implication of what Councillor Bullinger is saying is that we want to encourage people to break to law so we can get lots of money in! I think what we really want is for people to obey the law in the first place and to see how the trends go and then make the necessary amendments to any future Party process in that line. I can't really

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agree with the idea of trying to get people to break the law so we can make a lot of money out of it. As to the pain threshold, I don't where that comes in."

9. From Councillor Horst Bullinger to the Cabinet Member for Environmental Quality

Appendix 12 of the Cabinet Supplementary Agenda of 14. February 2005,

SUMMARY OF SAVINGS FOR ENVIRONMENT & REGENERATION DEPARTMENT,

Ref. ER35.

"Under that reference a figure of £5,000 is earmarked as an efficiency saving from rationalising dog bin emptying frequencies. Instead of financing this service out of every resident's Council tax, would it be within the powers of the Council to introduce a realistic dog tax in order to compensate for the massive cost, which owners of dogs inflict on their non dog owning fellow tax payers?"

Reply

"The Council does not have the power to charge dog owners for the collection and disposal of the waste left in dog waste bins. Not all the waste left in dog waste bins is dog waste. Sometimes general litter is placed there inappropriately. It used to be a requirement for dog owners to obtain a Licence to own a dog and a charge was made for this. Without a national dog licensing system, there is no practical way for charges to be levied on dog owners alone. The council is by statute both a Waste Collection and Waste Disposal Authority. The provision of the dog-waste collection service is a small proportion of the total waste management cost borne by the Council and assists maintaining public health standards."

10. From Councillor Stephen Hammond to the Leader of the Council

"What action has the Leader taken to protest at the MPA's new capped resource allocation formula which gives Merton less extra police officers than the original formula proposed?"

Reply

"The annual Police Resource Allocation Formula (RAF) has now been agreed. Under the 'pure' Police Resource Allocation Formula (RAF) Merton was to have been given 11 extra officers. However this would have meant many high crime borough's losing significant numbers of officer, for example Tower Hamlets would lose 20+ officers. In order to balance this a 2% cap has been placed on gaining boroughs (including

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Merton). The result is that Merton will now gain 7 extra officers in this year's RAF."

11. From Councillor Samantha George to the Cabinet Member for Environmental Quality

"Can the Cabinet Member please give an update on how the Council intends to drive up its recycling as a percentage of total household waste?"

Reply

"I believe that the Council has in the pipeline a variety of initiatives that will enable us to increase the percentage of household waste recycled. The currently projected recycling rate for 2004/5 is around 20%; our target for 2005/6 is 27% - this is a statutory target set by central Government. I am also pleased to report that residents' satisfaction with Merton's recycling services has improved with 58% of respondents in the most recent survey regarding the service as good.

The house-to-house multi-material collection of recyclables is now fully rolled out. This will be extended to flats. We currently have around 60 locations where arrangements have been agreed and these will be implemented in early 2005/6. In addition the patch system of refuse and recycling collection allows a more detailed analysis of participation and recycling rates and hence we will be focussing information and other activities in areas where participation is lower. Improvements to the Garth Road Civic Amenity site (to improve separation of waste brought in by residents), the opening of the second site at Weir Road (estimated for May05) and the removal of charging for the green waste collection should also all contribute positively to the household recycling rate.

For the longer term Merton is one of four boroughs working in partnership with Viridor and Sita on a new waste processing plant at Beddington Lane known as the Dano Drum. This is scheduled to open in Spring 2006. Of the waste that is handled by this plant (currently anticipated to be 33,000 tonnes of Merton refuse) we estimate that metals will comprise 4% of the weight and be recovered and 18% will be composted. We are also working closely with schools on a number of projects overing waste minimisation, reuse and recycling.

For the further future research is currently being undertaken with respect to an energy from waste project. We also have the opportunity of the retendering process for our waste disposal contract (to come into effect in 2008); again we are working in partnership with other boroughs – Sutton, Croydon and Kingston and have secured funding from Defra to enable a wide ranging options analysis which is nearing completion and will be made available to members later in the year."

Supplementary Question

"I thank the Cabinet Member for the answer to the question, could the Cabinet Member please say how much recycling would drop if the Council perhaps carries out its threat to evict the Squirrels Community Scrap Scheme from its premises without rehousing them?"

Supplementary Reply

"We are not trying to evict the Scrap Scheme, in fact, we are working very hard to try and accommodate the Scrap Scheme. The premises that they are in, is going to be used by Education. They have a deadline within which to get themselves in situ and we have already had a series of meetings and there are a few options on the table about how we are going to be able to support the Scrap Scheme but we are certainly doing our best to make sure they have a home but we have timetables and time scales within which to meet for Education. I think they will be rehoused."

Councillor Linda Kirby opened debate on this Strategic Objective.

Following brief debate the report was RECEIVED.

736 STRATEGIC OBJECTIVE REVIEW – CARING MERTON (Agenda Item 8)

The following questions and answers were circulated at the meeting, and the supplementary questions asked, and replies given, are also detailed.

12. From Councillor Andrew Shellhorn to the Leader of the Council

"Can the Leader update the Council on how his colleague, Councillor Stephen Alambritis, is progressing in his fight to save St Helier Hospital?"

Reply

"The Labour Group and Siobhain McDonagh MP, with Cllr Alambritis's close and active involvement, has been supporting St Helier as the site for the critical care hospital. We have made continuing representations to the Programme Board:

- at public meetings last summer and on January 25th
- through written representations by expert report and correspondence
- through meetings and presentations with representatives of the Programme Board.

We do not accept the proposal that a new critical care hospital should be sited at Sutton and are continuing the campaign for St Helier. In particular, we believe that there should be:

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- further work on access to a critical care hospital by those disadvantaged by poverty
- further work on access for staff
- further assessment of the impact of 'payment by results' on financial viability
- further work on planning issues

The Merton public support St Helier. Adequate work should be undertaken to make a real comparison of that choice with other options. In our view that work has not been commissioned by the Programme Board and consequently the present proposal is not based on a solid foundation of research and analysis.”

Supplementary Question

“I thank the Leader for his answer, although to be honest, it doesn't answer the question completely and what I would like to ask him is that he mentions that he is continuing the campaign for St Helier – I would like to ask him what he is actually doing and who he is making representations to, to continue his campaign?”

Supplementary Reply

“We are using the resources of the Council and of Members to continue advocacy on behalf of the people of this Borough to ensure, so far as possible, that we get a critical care hospital on the St Helier site and that means representation to the Programme Board and it will almost certainly involve representations to the Secretary of State, both in written form and directly and we are continuing that work; work that we need to do to demonstrate that the Programme Board have not carried out the studies that they should have done, appreciating that St Helier is the choice of Merton and Sutton residents. Given that choice, they should then engage in a whole series of actions and of work. We don't believe they have done it and we need to demonstrate that for the benefit of the Secretary of State and that we will do.”

13 From Councillor Maxi Martin to the Cabinet Member for Care Services

“Could the Cabinet Member for Care Services please give council an update on adoptions taking place in Merton. Are we on track to reach our Public Service Agreement of 11 adoptions completed a year?”

Reply

“There have been nine adoptions to date in 2004-05, including three that took place this week. A court date of 28 March has been set for a further adoption, which will bring the total up to 10. The PSA figure is set over a three year period as a whole, with 11 for 2004-05 being an indicative

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figure.

There are a further nine children currently in adoptive placements for whom court dates are awaited. Officers are actively family finding”

Supplementary Question

“Could I thank the Cabinet Member for his response and ask how Merton’s performance compares to the national picture please?”

Supplementary Reply

“Thank you Madam Mayor. I am afraid I don’t have those figures available at the moment, but my belief is that they are quite good. I am not sure whether the officer is able to assist me on this one, or certainly we could come back to you in due course.”

14 From Councillor Oonagh Moulton to the Cabinet Member for Care Services

“At the Life Chances Scrutiny Panel held on the 19th January 2005 the Cabinet member failed to answer why he had chosen to means test his proposed charging policy for Children’s Care Services and he repeatedly failed to answer why he had chosen the threshold of free schools. Can he now answer these questions?”

Reply

“The current existing practice of a flat rate contribution disproportionately affects families on the border of eligibility for charging and is not in line with Fair Access to Care Services (FACS) requirements. Therefore, a revision of the Children’s Charging Policy was instigated in line with a Life Chances Panel request in relation to the budget round discussions in 2003 for the budget year 2004-05.

In relation to the issue of choosing the threshold of free school meals, the original threshold figure was based on consideration of other agency thresholds with the Free School Meals Threshold, for instance, being considerably higher than that of the Child Support Agency (CSA) and also considerably higher than Income Support level. It is important to note that charges levied are on an incremental scale after the threshold has been reached. In light of the concern of the Life Chances Panel, the charging threshold is being reviewed.”

Supplementary Question

“Parents have great concern as seen at Life Chances at the proposals for charging and how they are to be implemented. We on this side are pleased to see that the threshold is to be reviewed and to ensure that this policy doesn’t deter the respite and help for disabled children that it is aimed at and we wonder if there is any further comment that the Cabinet Member could give on

it?”

Supplementary Reply

“All I can really say in terms of an update at the moment, is that there is a review being conducted around the threshold figure and it is being looked at in a very serious way.”

Councillor Andy Coles opened on this Objective and following a contribution by another Member, the report was RECEIVED.

737 STRATEGIC OBJECTIVE REVIEW – THRIVING MERTON (Agenda Item 9)

The following questions and answers were circulated at the meeting, and the supplementary questions asked, and replies given, are also detailed.

15. From Councillor Stephen Hammond to the Cabinet Member for Community Service & Community Engagement

“Has the Cabinet Member decided what consultation he will undertake, following the Wimbledon Monitor Study?”

Reply

“NO”

Supplementary Question

“I am pleased with the Cabinet Member's answer. Can he give me assurances he will speak to the ward Members for Hillside and Village before he makes any decision on that consultation length and procedure please?”

Supplementary reply

“Your question was succinct and unambiguous and I think it deserves the courtesy of a succinct and unambiguous reply. I have, as you know, constantly met with ward Councillors for all these areas in these matters and I see no reason why I should discontinue that practice.”

16. From Councillor Stephen Hammond to the Cabinet Member for Community Service & Community Engagement

“Does the Cabinet Member agree that the Wimbledon Monitor Study fails the test of good corporate governance as JMP Consultants were asked to review the effectiveness of their own Study of 1998?”

Reply

“NO”

Supplementary Question

“From his answer, I am assuming that he is not aware of the concept of

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Corporate Governance, so could he tell me please what other traffic schemes ordinarily London Borough of Merton asks a consultant to propose a scheme and then two or three years later asks them to review their own work?"

Supplementary Reply

"Again, I thank you for your question. I can't answer that immediately; I just don't know, but I think that you are labouring under misinterpretation of the purpose of the Monitor Study in this case. This particular Study was commissioned by Merton Council to review the impact of recently introduced bus priority, cycle and road safety improvement scheme in and around Wimbledon Hill Road, Mansel Road and Woodside. The Study was undertaken firstly because it's good practice to review the impact of schemes and secondly as a result of commitments made by officers to the Street Management Overview & Scrutiny Panel at its meeting in November 2003. The report is intended to set out the results of studies undertaken, to establish the impact of traffic management schemes. It is an after study, it is not intended as an evaluation or an audit of the initial project undertaken by JMP on Merton's behalf. JMP are the South West sector consultants for London Bus Priority Network. They were selected by Transport for London and work for boroughs across the south west."

17. From Councillor Samantha George to the Cabinet Member for Strategic Resources and Performance

"Can the Cabinet Member please advise on the amount of section 106 monies for which sums have been received but not yet spent, and on the number of section 106 agreements these refer to?"

Reply

"Thank you for your query. I think it would be helpful if I explained how Section 106 monies, relating to planning obligations, are received and allocated by the Council. There are 2 categories of obligation which are relevant to the question you raise. The first category constitutes those obligations which provide a sum or sums to undertake specific works which relate directly to the project for which planning permission has been granted. An example would be an adjustment to the highway network to enable a development to proceed and this would usually be undertaken before the development were completed. The actual terms of the obligation would require funding to be passed to the Council in sufficient time to enable the works to be completed before the development. There would be only a small period during which funds had been received by the Council, but not 'spent'.

A second category of obligation is where the financial contribution is being made towards a project which relates to a number of developments, and which may need other contributions from elsewhere. An example would

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be contributions from developments in Colliers Wood to the cost of employing an Urban Centre Manager and providing a fund for that manager to utilise. In these cases, the timing of receipt is less crucial, so may be later in the construction process, and the contributions likely to be unspent for some time. Then once the contributions have reached the necessary level, they will mostly be 'spent'. Also, it should be noted that for some of these funds, following the initial expenditure, there may be a surplus remaining which will further accumulate over the years to enable a further stage of the project to be undertaken.

Unfortunately, due to a technical problem, it is not possible to identify all the agreements with unexpended monies at the present time. Once the information has been extracted, I will ensure that the information is passed to you."

18. From Councillor Samantha George to the Cabinet Member for Strategic Resources and Performance

"Can the Cabinet Member please advise how much, if any, section 106 monies are past the time limits in which they must be spent, and need to be returned?"

Reply

"Thank you for your further query on Section 106 obligations. I should first explain to Members that the sums obtained through Section 106 obligations are sometimes time-limited. That is, the sums must be expended on a particular project within a particular time, or they are returned to the developer. This condition of the agreement will have been inserted at the request of the developer. Whilst such terms are not favoured by the Council, in view of the statutory provisions which enable a planning obligation to be reviewed after 5 years, then it is considered that such conditions cannot realistically be resisted. It is also sometimes the case that sums are required to be spent on a specific project and nothing else, so that if that project does not proceed, then the sum is unusable. Such sums may also be returned on request.

To date, sums relating to 3 agreements have been returned. One related to a specific project which cost less to implement than the original estimate. Another related to a project which was funded by another source, and the third related to an improvement scheme, for which the take-up was less than anticipated. Due to the same technical problem mentioned in Question 12A, precise figures are not available, but it is known that returns are less than 1% of Section 106 receipts overall."

Supplementary Question

"I look forward to receiving the full details when they are available. When the Cabinet Member replies, could he please also confirm why, if my information

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is correct, a six figure sum due to be spent on one of the Borough's key sites, appears to have been returned unspent by the Council?"

Supplementary Reply

"I think the answer to that question is, yes, I will and can you let me know what the proposed site is that you are talking about?"

Councillor Russell Makin opened debate on this Objective and following a contribution by another Member the report on this Strategic Objective was RECEIVED.

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

There were no questions under this Objective.

Councillor Stephen Alambritis opened debate on this Objective and following contributions by other Members the report on this Strategic Objective was RECEIVED.

739 STRATEGIC OBJECTIVE REVIEW – EFFECTIVE MERTON (Agenda Item 11)

The following questions and answers were circulated at the meeting, and the supplementary questions asked, and replies given, are also detailed.

19. From Councillor Martin Whelton to the Cabinet Member for Strategic Resources and Performance

"Could the Cabinet Member for Strategic Resources and Performance provide the Capital Debt figure at the end of each financial year since 1999/2000 and the percentage increase/decrease, the likely outcome for 2004/05 financial year and the predicted capital debt figure at the end of 2005/06 financial year. By what percentage has Capital debt been reduced over since 1999/2000 and how has this benefited the Council?"

Reply

"(a) The outstanding Capital Debt at the end of each financial year from 1999/2000 –

	£m
1999/2000 Actual	229.1
2000/2001 Actual	230.4
2001/2002 Actual	230.6
2002/2003 Actual	209.6

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2003/2004 Actual	191.6
2004/2005 Likely Outcome	169.0
2005/2006 Predicted	169.0

(b) The percentage reduction in debt since 1999/2000 is 26.2%.

(c) The benefit to the Council is primarily to the revenue budget in that the net cost of servicing outstanding capital debt has been reduced by £2.7m since 1999/2000 allowing additional resources to be targeted at the Council's spending priorities."

Supplementary Question

"Does the Cabinet Member agree that it shows the prudent financial management of Merton Council that we have reduced capital debts which has been a scourge on this Council for far too long and has given us the extra resources for the Council and can hold Council Tax rises down?"

Supplementary Reply

"I don't know whether I do thank Cllr Whelton for that supplementary. The truth of the matter is, that officers and Members looked very seriously at the fact that we were one of the highest capital debt boroughs in London and made great efforts to change this. The only way to change this is to buy off your capital debt at a level which isn't too expensive and officers have been very careful to use part capital receipts and all other methods possible from investing capital to balance those things to do this and I for one, would like to thank those officers who have had to put up with me badgering them for the last three or four years about making sure that nothing in the way of capital was thrown on the table to be just picked up and spent but to make sure that we reduced our capital debt. Next year may not be so simple because we have decided to put much more capital into schemes throughout the Borough, ie roads and parks and things like that, and because of that, we may have a lull, but we will check every capital receipt as it comes in to decide whether we need to use some of it to buy off more capital debt and I look forward to the day when our invested capital and capital debt balance."

20. From Councillor Martin Whelton to the Cabinet Member for Strategic Resources and Performance

"What has been the real terms percentage increase in the local government settlement

(a) between 1993/94 and 1997/98; and

(b) between 1998/99 and 2005/06?"

Reply

"Between 1993/94 and 1997/98 the amount of central government support to

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the revenue budget via Aggregate External Funding (i.e RSG + Share of the Business Rates Pool) fell by £2m from £94.2m to £92.2m (i.e. 2%). Over this period the RPI increased by approximately 12% which if applied to the 1993/94 AEF would have meant that the Council would have received about £105m in 1997/98, an additional £13m on the £92m actually received.

Between 1998/99 and 2005/06 the grant increased from £98.8m to £140.1m, an increase of £41.3m (42%). Over the same period the RPI increased by around 16% and if this increase had been applied to the 1998/99 level of AEF, the Council would have received between £114m and £115m, some £25m less than the amount notified in the Final Settlement 2005/06.”

Supplementary Question

“Does the Cabinet Member not agree that under a Labour Government, this Council has benefited financially significantly? Indeed, see how much extra we have got on rate support over the past few years and what would the consequences be of the Tories coming back. Does he not agree that Gordon Brown has delivered for this Council?”

Supplementary Reply

“I don’t say it for Cllr Williams but I thank Cllr Whelton for his supplementary. Yes, it is true and towards the end of this last Administration, and when they lost control, we picked up control and unfortunately Central Government did not look very kindly upon us; I’m not quite sure why, but I have a vague idea. So therefore we were very strapped for cash right through. This Labour Administration, even Central Government, has slowly but surely made things better for us by virtue of the fact that they have increased the RSG and just any name you like to put to it, so our grant could improve. At the same time, we have managed to do a lot more with what we have already got and on top of that, and it’s going on from the Education debate earlier, we also have put £57m worth of PFI capital receipts into our high schools and £17m of capital receipts into our primary sector and it’s all part of the fact that Central Government has been more generous to us than Central Governments in the past.”

21. From Councillor David Simpson to the Cabinet Member for Customer Services

“Will the Cabinet Member for Customer Services provide information on the amount of money that has been invested in technology for Merton Link since it opened in February 2002? What was the spend in 2004/05 as a percentage of the overall Council budget?”

Reply

“The original expenditure on Merton Link's technology was secured through capital investment. This was £45k for the new ticketing system in use in the One Stop Shop and £72k for the telephony system used within

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the Contact Centre.

All procurement was carried out using existing guidance and evaluated based on criteria that offered best value and was considered highly fit for purpose.

Since Merton Link opened, revenue expenditure has been dependant on day-to-day operational requirements and the continued maintenance and support of the 2 systems mentioned above (the approximate cost is £15k per annum).

The technology has enabled us to complete approximately 500,000 'customer transactions' through Merton Link in 2004, and as a direct result of the performance management information we have learned from using these systems, we have continued to secure improvements in service delivery.

A number of corporate initiatives using IT will have a further bearing on improving performance in Merton Link, including the introduction of a Customer Relationship Management system and electronic document management, and the scanning of paper records. The cost of these IT investments are not directly attributable to Merton Link but will nevertheless benefit its customers.

Merton's One Stop Shop has a high level of customer satisfaction and was commended by the recent Audit Commission review of Customer Access within Merton which said Merton's "Overall approach to customer access is good" and "The Council provides a high standard of customer access to customers in the One Stop Shop."

This is also reinforced by the number of other local authorities visiting the service as a model of excellence including a number that have already attained "excellent" status in the CPA.

We are now looking at further increasing the number of services available in Merton Link in order to increase customer satisfaction. Members will receive a briefing paper in the near future outlining these, but on a positive note Members should be aware that Care Connect has already re-located to Merton Link, offering a free, confidential and impartial public information service about social, community and healthcare services for people living, working and studying in Merton.

This type of initiative, which is of particular benefit to the very vulnerable within our community, is exactly the sort of service that Merton Link should be offering local people, and I am very proud of the efforts of Members, staff and management to ensure that Merton Link provides a good quality service to the people we represent."

22. From Councillor David Simpson to the Cabinet Member for Customer

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Services

“What are the reasons for the high costs of *My Merton* magazine? According to the Mayor of London’s Budget 2005/06, the cost per copy per household is 21p. This compares with an average cost across the London boroughs of 16p, with Wandsworth managing to produce its publication for 7p. *My Merton* has the same distribution (85,000) and frequency (bi-monthly) as Richmond-Upon-Thames’ *Arcadia* magazine. If *My Merton* was produced at the same cost as *Arcadia* (16p), the Council could realise savings of £4,250 per issue, totalling £25,500 over the course of a year.”

Reply

“I am afraid that the figures used in the question do not appear to be authoritative. The cost of 'My Merton' is not as high as described because a like-for-like comparison has not been made.

'My Merton' is a 24-page, bi-monthly full colour magazine that is distributed to 85,000 households in the borough. The publisher, Limehouse, was chosen after an exhaustive tendering process where hundreds of publishers applied for the commission, and following detailed debate involving close scrutiny by Councillors.

In fact, a cost breakdown for the last issue (issue 9) is as follows:

£11,597 - Design and Production
£ 3,114 - Distribution by Royal Mail Door-to-Door (all-Merton postcodes)
£ 789 - Distribution by new private company (Merton roads that are in
postcodes shared with other borough)
£15,500

This works out at 18.2p per copy, or 16.7p if advertising revenue is offset against costs.

The statistics for the other quoted Boroughs, Wandsworth & Richmond, may also be incomplete.

Wandsworth's publication is called 'Brightside'. The editor, Steve Mayner, has confirmed to me that this publication is 8 pages, and it is in a lower-quality newspaper format rather than a magazine style publication. It is distributed to 140,000 households, so the increased print run should attract further savings, and the cost per issue is actually 9p, AFTER advertising and other income. Although this is a lower per issue cost than My Merton, there are fewer pages

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and it is a newspaper-style product rather than a longer magazine that is usually regarded as more appropriate for a features-led information publication.

Richmond Upon Thames' publication is called 'Arcadia'. Like 'My Merton', 'Arcadia' is a 24-page, full colour magazine distributed to 85,000 residents - and is produced by Limehouse. The editor of Arcadia has confirmed to me that the approximate cost of production is £12,000, with a further £4,000 for distribution, which works out at 18.8p per copy, slightly more than My Merton.

The figure for My Merton may also reduce further because I have decided to use a new distributor for the entire distribution of issue 10. If this trial proves successful and is rolled out for the remainder of the year, the council will save over £1,500 this year in distribution costs alone. This distributor was appointed for part of issue 9, and proved a much more effective distributor with a more efficient distribution tracking and management reporting process.

It is a difficult challenge to balance the need for a quality product that helps people learn more about the services Merton provides, and has optimum distribution efficiency, with the need to keep costs to a minimum. We continue to speak with alternative suppliers in the quest, not just for lower costs but also for improved value from our expenditure.

Analysis of reader feedback has, so far, been positive and supportive, indicating that My Merton has provided effective communication about Merton Council and helped to improve the council's image through the use of clear, plain English. A more detailed analysis of reader perceptions will be produced following receipt and evaluation of the reader satisfaction survey being published in the June/July issue (issue 11) of My Merton.

I believe that close inspection will show that My Merton is a good product and provides value for money. It is an effective communications tool, and compares at least as well as other Council's magazines."

23. From Councillor Samantha George to the Cabinet Member for Strategic Resources and Performance

"Can the Cabinet Member please provide an update on the number of requests received under the Freedom of Information Act, since its implementation on 1st January 2005, giving details on whether the requests originated from Councillors or members of the public? Can the Cabinet member please also advise on how many how been answered, how many have been refused and on what grounds, and how many remain to be answered?"

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Reply

“Since the implementation of the Freedom of Information Act on 1st January 2005, we have received 39 requests for information. This figure only reflects those requests made where the legislation was quoted and the staff member receiving the request felt unable to respond to it without assistance.

- None of these requests have come from Councillors.
- 19 requests received have been answered by sending the requested information, in some cases small amounts of information were censored. In all but one case this was simply the removal of third party names from documents. In the other case advice from a QC was removed under the Legal Privilege exemption
- 15 requests are currently being dealt with.
- 3 requests were refused outright under the Section 40 exemption - as the information requested was covered by the Data Protection Act. The people making the requests were given access to their own information but not to that held about others.

2 requests were refused on the grounds that they would take over 18 hours to respond to. The applicants had both made multiple requests (6 questions and 20 questions) and were advised to reduce the scope of their requests.”

Councillor Mark Allison opened the debate on this Objective, and following a contribution by another Member the report on this Strategic Objective was RECEIVED.

740 MOTIONS (Agenda Item 11)

Councillor Stephen Hammond moved and Councillor Richard Harwood seconded the following motion:

”This Council notes ever increasing crime levels across London and the Borough of Merton. It is disappointed by the cuts in funding for the Reassurance Scheme and notes that Merton has not received the additional teams it requested under the Safer Neighbourhood scheme.

It is concerned that the prospect of twenty-four hour drinking was not curtailed in the adopted Licensing Policy.

The Council resolves to provide the resources to reinstate the Government cuts in funding for anti crime measures and to work more closely with the local police to ensure that our town centres are safe from public nuisance and anti social drunken behaviour. It will consider whether the funding cuts can be

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made up in the 2005-2006 budget at the Budget Council meeting."

Following debate the Motion for put to the vote and declared lost by 22 votes to 31 votes, with one abstention.

741 CHILDREN ACT COUNCIL RESTRUCTURE (Agenda Item 13 and additional information on supplementary agenda)

The recommendations in the submitted report were duly moved and seconded and it was

RESOLVED: That the proposals for restructuring of the Council and the associated process and timescale be approved

742 LONDON LOCAL AUTHORITIES BILLS (Agenda Item 14)

RESOLVED UNANIMOUSLY: That the Resolution of this Council passed at a Meeting of the Council held on 15 December 2004 to promote a Bill in the present Session of Parliament, pursuant to which the Bills intituled "A Bill to confer further powers upon local authorities in London; and for related purposes" and "A Bill to confer further powers upon local authorities in London and upon Transport for London; and for related purposes" and "A Bill to provide for the prohibition of smoking in places of work in Greater London" have been deposited in Parliament, be and the same is hereby confirmed.

743 CALENDAR OF MEETINGS 2005/06 (Agenda Item 15)

The recommendations in the report were moved and seconded.

The following amendment was moved by Councillor Stephen Hammond:

1. That the Council considers the draft calendar and approves that draft Calendar of Meetings for 2005-2006, save that it should be amended to reflect the following principles:

(a) that no meetings of the Council nor its Panels, Forums or Committees (including the Cabinet and Overview & Scrutiny Commission) should be scheduled for the periods: August, 10 December - 5 January, or Merton school half terms;

(b) that Scrutiny Panels should mirror the new Council Structure and the calendar be amended accordingly;

(c) that the Council meeting dates on the draft Calendar be agreed save that the Annual Council Meeting in 2006 be held on 24 May; and

(d) that the Overview & Scrutiny Commission give consideration to the suitability of holding the second round of budget meetings in January 2006 instead of December 2005 and the implications for giving timely advice to the Cabinet."

2. That the Director of Corporate Resources, in consultation with Members as appropriate, be authorised to agree a Calendar of Meetings to reflect

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the above principles.

The Leader of the Council felt that Members had not had sufficient time to consider the implications of the amendment and it was

RESOLVED: That determination of a calendar of meetings for 2006/6 be deferred so that Officers can review the draft calendar in the light of the proposals in the amendment, and that the Chief Executive be authorised to determine the calendar.

744 POLLING PLACES WITHIN COLLIERS WOOD AND WIMBLEDON PARK WARDS (Agenda item 16)

The recommendations were put to the meeting and it was

RESOLVED: That (1) the polling place for new polling district CE be designated as Abbey Orchard Community Room.

(2) the polling place for polling districts CC and CCW be designated as Christ Church Hall.

(3) the polling district boundaries for polling districts CC, CD and CE be established as shown on Appendix 2.

(4) the polling place for polling district NB be designated as Christ the King Catholic Church Hall.

745 MEMBERSHIP OF COMMITTEES (Agenda item 17)

RESOLVED: That (1) That Councillor Andy Coles replaces Councillor Horatio Cheng as a member of the Fostering Panel;

(2) Councillor Ron Wilson replaces Councillor Richard Harwood as a member of the Licensing Committee; and

(3) Ravi Kurup be appointed a voting parent co-opted member of the Overview and Scrutiny Commission and also the Life Chances Overview and Scrutiny Panel.

746 PETITIONS (Agenda Item 18)

Councillor Oonagh presented a petition from residents of Kenilworth Avenue about proposed cycle route improvements at Leopold Road junction with Kenilworth Avenue and Woodside.

747 MOTION FOR BUSINESS FOR NEXT MEETING (Agenda Item 18)

RESOLVED: That Thriving Merton be the main Strategic Objective for review at the next ordinary Council meeting.