

COUNCIL  
6 FEBRUARY 2013

(19:15 – 22:12)

PRESENT: The Mayor, Councillor David Williams  
The Deputy Mayor, Councillor John Bowcott  
Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Mark Betteridge, Margaret Brierly, Richard Chellew, David Chung, David Dean, John Dehaney, Nick Draper, Iain Dysart, Chris Edge, Suzanne Evans, Karin Forbes, Brenda Fraser, Samantha George, Suzanne Grocott, Maurice Groves, Gam Gurung, Jeff Hanna, Richard Hilton, James Holmes, Janice Howard, Mary-Jane Jeanes, Philip Jones, Andrew Judge, Linda Kirby, Gilli Lewis-Lavender, Logie Lohendran, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Krystal Miller, Ian Munn, Diane Neil Mills, Oonagh Moulton, Henry Nelles, Dennis Pearce, John Sargeant, Judy Saunders, Linda Scott, Rod Scott, Debbie Shears, David Simpson, Peter Southgate, Geraldine Stanford, Linda Taylor, Sam Thomas, Ray Tindle, Gregory Udeh, Peter Walker, Martin Whelton, Richard Williams, Miles Windsor and Simon Withey.

1 APOLOGIES FOR ABSENCE (Agenda item 1)

None advised.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda item 2)

None advised.

3 MINUTES (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 21 November 2012 are agreed as a correct record.

4 ANNOUNCEMENTS (Agenda Item 4)

**Mayor's Announcements**

It is with great sadness I begin my announcements by confirming to you the death of Honorary Alderman and Honorary Freeman of the Borough, Danny Connellan. I was partly responsible for ending his first period on the Council in 1974 as a member for Cannon Hill. He bounced back in Figges Marsh ward in 1986 and continued to represent it until 2006. During his service as a Councillor, Danny was Deputy Mayor in 1973-4 and Deputy Leader in 2000 -2006. He was also the go-between party groups and I was closely associated with him during that period, as well as serving with him as a magistrate on the Wimbledon Bench.

He was a Magistrate from 1979 – 1999 and I know that Councillor Edith Macauley recalls meeting Danny at the court before she became a Councillor, and he looked after her there as a mentor, especially using guidelines as and when there were bail

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applications.

He was described as both an old-school magistrate and I think an old-school Councillor, admired on all sides of the chamber for his depth of service to the community, for which he was made Honorary Freeman. I am now going to invite the Leader of the Council, the former Leader of the Council and some of the other party leaders to say a few words in his memory, following which I will then ask the Council to rise in memory of our friend, Honorary Freeman Danny Connellan.

### **Councillor Stephen Alambritis**

No stranger to hard work, Honorary Alderman Danny Connellan started out life as a sheet metal worker. When he retired from a career in engineering he kept his four grandchildren busy as well as devoting his energies to people in Merton as an experienced Labour Councillor.

An enthusiastic football fan, Danny was a leading light on the campaign to save Tooting and Mitcham FC from going under, and he was very proud to see the club's new facilities in the borough, and I know Mr Mayor, you're aware that's in Ravensbury ward.

First elected for Cannon Hill ward in 1971 with Councillor Philip Jones, he was key to ensuring that Merton was Labour controlled for the first time since its creation in 1965. In his first term on the Council he served as Deputy Mayor for 1973-74. When Labour took control in 1990, Danny became Chair of the Planning Committee, a position that he held for a number of years. In 2000, Danny became Deputy Leader of the Council, and from 2002 was the Cabinet Member responsible for the budget, when he successfully managed to keep Council tax rises down and reduce debt, which had been a problem for Merton Council for many years.

Danny was the font of all knowledge; when it comes to the history of Merton, he was second to none. It is hard to believe that he's now not with us. His wisdom and knowledge has been a huge asset to the Council and he will be greatly missed.

### **Councillor Andrew Judge**

Danny Connellan made a great contribution to Merton and is a sad loss. He was someone who came to the Council with very wide experience of life. He came from a very large family. As a boy he came home to find his house damaged by a flying bomb. Fortunately nobody was injured. He spent his national service in the RAF and was posted to Palestine where he helped defend a base against terrorists, and one of his friends was killed next to him.

He was always a sportsman and played a range of sports. The RAF used to fly him home so that he could play Rugby League. In later years he enjoyed watching all kinds of sport. He also had a decisive role in the arrangements that enabled Tooting and Mitcham FC to move from dilapidated premises in Sandy Lane to their present ground. He was proud of the part he played in that and was made a life member of the club because of it.

He was a loving husband of Barbara, a father and grandfather, and was very close to

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his family. Our thoughts are with them at this time.

He was dedicated to Labour and to this Council. He had a principled approach to politics and was committed to locally maintained schools and Council housing. He loved the public debating side of politics and was good at tweaking the nose of opponents.

He had a long memory; Councillors will remember the history lessons that everyone looked forward to at Council meetings, always delivered with a gleam in the eye and without rancour. He had respect for opponents and maintained good relationships across the chamber. He told me he used to enjoy drinks with conservatives in the Prince of Wales pub opposite Wimbledon Town Hall during the breaks in long Council meetings.

He had a fund of stories for both public and private occasions and a great sense of humour. He loved to talk ten to the dozen and was great fun to be with.

One of his greatest interests was planning. As Chair of Planning Committee, he introduced a procedure that allowed objectors to speak. He had a strong sense of fairness and understood that everyone needed an opportunity to have their say. He chaired meetings with politeness but also firmness. On one occasion, some very rude objectors who had been barracking the meeting announced that they were walking out. That, he said, was the best decision they'd made all evening, and everyone laughed.

He was particularly careful to ensure that the planning application for the mosque in London Road was dealt with fairly. That the mosque is there today is much to his credit.

When I became Leader in 2001 he was already Deputy Leader. It was often a busy time and we had many complex and difficult issues to deal with. He was a very good friend to me and was solid in his support at all times.

He was a great judge of character and always gave good advice on tactics and approaches. One of his responsibilities was the complete schools reorganisation from three to two tier schools. Danny led on the PFI tendering process for the expansion of secondary schools and conducted negotiations with the preferred bidders. He understood commercial motivations and knew how to handle contractors and developers.

As Cabinet Member with responsibility for Finance and Corporate Support, he supervised a series of budgets and, as we've heard, due to his work, the debt of the Council was substantially reduced, reserves were increased and resources invested in services. He also led on the introduction of new, more efficient financial systems.

In all his Council work, he always had a eye for the detail, even when it came to the Council's pension fund investments. For him, this was challenging because of his deteriorating eyesight, but he never failed to have a complete grasp of the facts. He had a strong sense at all times of what was in the interests of Merton and the Council.

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I learned more about local government from Danny than from anyone else. When it came to relationships with officers, his approach was a model – respectful but friendly. He liked good officers who knew their own minds, with clear recommendations on the way to proceed. As a consequence, he had excellent relations with officers in every area that he worked, and maintained some relationships even after he left the Council.

Danny Connellan was an outstanding Councillor who did great service to Merton. It was right he received Freedom of the Borough in 2006. He and Joe Abrams were tripped out in yellow ribbon for the occasion. Colleagues will remember that he reassured us that they hadn't joined the Liberal Democrats.

Whatever the circumstances, he remained cheerful. Once when we were canvassing, he felt unwell, but carried on. Later, he found out that he'd had a heart attack. He fought various debilitating conditions with good humour, even recently up to last days when he knew his condition was fatal, he remained in good spirits. Altogether he was a lovely man and will be remembered with affection and respect in this chamber for a very long time.

**Councillor Geraldine Stanford**

I'd already known Danny for some time before I joined the Council in 1990. I was actually offered a place in Lavender ward when I stood for the Council but I held out for a place in Figges Marsh ward because he was already a Councillor in that ward. So they offered the place to some guy called Tony Coleman, who some of you might remember, so who knows what might have happened if I'd stayed in Lavender.

Straight away Danny showed me the ropes. There was no training, induction, advice or anything at all. You just signed a bit of paper and were left to get on with it and pick things up as you went along. Danny persuaded me to go on Development Control as his vice-chair. We spent many hours going around the borough together, looking at planning sites, which was a very good way of getting to know all parts of the borough. Under Danny, Merton was one of the very first London boroughs to allow public representation at Planning meetings. This was scary stuff. Allowing public access to members making planning decisions resulted in some very hairy meetings. But Danny dealt with everything very calmly and fairly. I picked up my interest in planning through him and have continued to stay on that committee almost continuously ever since.

We'd speak on the phone very regularly, every Sunday evening at 7.30, the phone would go and I knew it was Danny phoning for his weekly chat. Even if I'd seen him the day before or he was away on holiday, he still phoned and this continued until very recently. He was delighted when I chose him as my principal consort when I became Mayor in 2006, although I did ask his wife's permission. We had an extremely enjoyable year together and he was very proud to be representing Merton.

He was well respected by all parties across the Council and by the many officers he worked with. I've been inundated with messages from current and past officers who are all saddened by the news of his death.

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At Council meetings, he put his point across with a great deal of good-natured and often mischievous banter. He was always polite and courteous – the perfect gentleman.

Danny and Barbara were childhood sweethearts. I don't think they were ever apart for any length of time. Even when we were at meetings, Danny would look at his watch and say "must go and pick up Barbara from the hairdressers now", or "I've got to get home, she'll have my dinner on the table". He also had a very close-knit and loving family and was always talking about the achievements of his children and grandchildren. He was very, very proud of them. I went to their 60<sup>th</sup> wedding anniversary a few years ago and it was lovely to see the family altogether.

Danny battled many health problems over the past ten years or so, but he always pulled through. I always called him a tough old bird and he seemed indestructible. Even with this last health scare, many of us felt he'd pull through as he'd done so many times before. He was always positive and cheerful about the situation, never feeling sorry for himself, or if he did, he never showed it. My heart goes out to Barbara. She hasn't just lost a husband, but a lifelong friend. I too have lost one of my very best friends who I loved very much, and who I will always remember with great fondness.

**Councillor Debbie Shears**

I personally would like to pay my condolences to his family but also to his close colleagues on the Labour side. I think it's fair to say that those of us who knew Danny on this side regarded him as a true politician but as a gentleman. In everything he did, he was polite, he was courteous, he put his political point of view, but he did it in such a manner that we all respect.

There aren't many Councillors who come through Council life that are remembered by all members on all sides of the chamber, but also the residents he represented. He was somebody who touched everybody, it could have been a kind word here or a kind word there, and he was always willing to come and have a word with you if he thought there was a problem or something going on.

I know personally I will miss him, and I know many members in my group will. We extend our deepest sympathy to everyone. He was loved, he was a gentleman and I think there's a brilliant epitaph if we can all go away and know we've done the best for Merton, but in such a way, that's the way to go.

**Councillor Iain Dysart**

Merton's lost another of its character. This means no more history lessons. Danny was a passionate advocate for what he believed but he always combined wit and mischief with courtesy and tolerance. Whilst necessarily businesslike, he was also one of those people who didn't take themselves too seriously. He always managed to generate laughs in the chamber and we were all laughing with him.

He was a West Barnes ward resident and would often pull my leg about what local Councillors were doing, as well as whatever shenanigans were going on within all of

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the parties.

Danny's generous accomplishments were well deserved and will outlive him. We'll retain many fond memories of a man who gave so many years of his life to public service.

### **Mayor**

I do appreciate that there are people in the public gallery and indeed colleagues on all sides of the chamber who didn't know Danny Connellan but if you look at the board behind me, you'll see that there are very few people who have been made a Freeman of the Borough and he was one of the two remaining members. Only Allan Jones, who now lives in Australia, is still alive.

My other announcements largely relate to mayoral activities and I would like to thank you for your support of the charity lunch at Cannizaro House, and also the Bollywood Evening. Together with collections at carol singing in Centre Court and at railway stations, some £3000 has been added to the pot. Ticket sales for my charity ball on 9 March are going well and if you have not indicated to your respective group offices that you would like to attend, please do so without delay.

The biggest boost to the charitable trust is expected tomorrow when we receive £7500 prize money for our first place as a borough in the New Year's Day Parade. I am indebted to Councillor Geraldine Stanford, who led the whole team effort, and Councillor Linda Kirby, who wrote the catchy song that you may have seen and heard on the YouTube link that was circulated at the time.

I am now delighted to make two awards and I will step off the rostrum to do that. The details of these have been circulated around the chamber. The first will be to Superintendent Pete Dobson, who has become a familiar figure in Merton, with particular expertise around the security arrangements for the Wimbledon Championships. As he leaves the Police and steps into retirement, we wish to acknowledge his service to our community.

The second award is the Health Service Journal Award for an improved partnership between Health and Local Government and there are a number of people who will be stepping forward to receive that.

**The Leader** – none advised.

**The Chief Executive** – non advised.

**At the invitation of the Leader, Councillor Debbie Shears made the following announcement:**

Mr Mayor I am very pleased to say, on behalf of the Conservative Group, that we would like to nominate Councillor Krystal Miller to be the Mayor to succeed you in May. We would also like to warmly congratulate her on choosing Councillor John Sargeant to be her Deputy.



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5 QUESTIONS FROM THE PUBLIC (Agenda Item 5)

The questions and answers and oral supplementary questions and answers are detailed on the web page for this meeting.

6 QUESTIONS FROM COUNCILLORS (Agenda Item 6)

The priority questions and answers and oral supplementary questions and answers are detailed on the web page for this meeting.

The non-priority questions and answers are detailed on the web page for this meeting.

7 REPORT: SUSTAINABLE COMMUNITIES WITH A FOCUS ON CULTURE AND LIBRARIES (Agenda Item 7)

The submitted report was moved by Councillor Nick Draper and seconded by Councillor Stephen Alambritis.

Report received.

**Motion 1 (Labour)**

It was moved by Councillor Nick Draper and seconded by Councillor Peter Walker that:

“Council notes the investment both the current and previous administrations have made into self service technology in our libraries.

This investment, along with a hugely successful and nationally recognised volunteer programme, has ensured that, unlike many other councils facing reductions in their government funding, in Merton we have been able to:

- keep all our libraries open
- increase opening hours overall
- achieve the highest performing library service in London on cost versus performance.

However, council notes that we must continue to invest in new technologies if our libraries are to remain relevant to the needs of our residents and if we are to continue to protect them from the impact of reduced council funding.

In this context, the following recent developments in our libraries service are to be welcomed:

- new automated 24/7 telephone renewal line and access to over 6 million items of stock through the London Libraries Consortium
- new email system for overdue books reminders
- new ebooks and emagazines initiative which gives free access to over 8,000 epublications
- free web access to subscription services including Encyclopaedia Britannica and other reference and study resources
- free wifi to be available in all libraries by March 2013
- development of a libraries “app” for smartphone and ipad users to be launched

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later this year.

Council believes that the above initiatives, along with the decision to roll out automatic membership of our libraries to all school children in Merton, will ensure that our libraries are enjoyed by a new generation of users.

Council commends staff and volunteers on the transformation that has taken place in our libraries service and asks the Cabinet Member to continue to prioritise investment in appropriate new technologies where this will help secure the long term future of our libraries in a time of austerity.”

The Mayor put the motion to the meeting and there being none voting to the contrary, declared the motion to be carried.

RESOLVED: That the foregoing motion is agreed.

### **Motion 2 (Conservative)**

It was moved by Councillor Gilli Lewis-Lavender and seconded by Councillor Samantha George that

“This Council recognises that residents in Merton greatly value their local facilities and services, and notes that there have been considerable efforts to protect and preserve a number of community assets that haven’t come to fruition, for example:

- The Campaign for Morden Tavern community group was unsuccessful in re-opening this locally listed building as a community pub despite considerable support from local residents.
- In June 2008 under the previous Government, five post offices closed in Merton (Sherwood Park Road; Green Lane; Coombe Lane; Wimbledon High Street; and Woodside Parade).
- The last Labour administration closed Wimbledon Park and Lower Morden libraries meaning that these community assets were lost to the borough.
- The Morley Park Trust has so far been thwarted in its attempts to take over the running of the future Morley Park playing fields situated in the Copse Hill area.

Some work is being undertaken by the Council on a potential Community Trust for Merton’s library services. This Council wants to see the community in Merton fully involved in the opportunity to protect and enhance vital amenities such as libraries, community centres, local shops, pubs, swimming pools, allotments, parks and post offices.

This Council therefore welcomes provisions within the recent Localism Act for the introduction of a new Community Right to Bid and Community Right to Challenge (in force since 2012), which have the aim of keeping amenities in community use by giving local people the chance to bid to buy or run these services. This will benefit the recreational, cultural and sporting wellbeing of residents in our area.



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This Council accordingly resolves to:

- a) Ask Cabinet to name a specific Cabinet Member to take forward this initiative.
- b) Raise awareness among Merton residents of the Community Rights Grants Programme, as well as the national website and telephone advice service, which are available to anyone working to keep vital facilities open in their neighbourhood.
- c) Operate a voluntary public log of organisations which have indicated they could be interested in running council services or bidding for community assets in Merton.
- d) Hold a public meeting within the next 3 months and invite interested community groups who might like to develop and run community assets, such as the Campaign for Morden Tavern, the Morley Park Trust and representatives of former post offices, to come and discuss their aspirations for local facilities with council officers and ward councillors, and then to report back to Full Council by the autumn.

**Labour Amendment**

It was moved by Councillor Andrew Judge and seconded by Councillor Mark Allison that Motion 2 is amended as follows:

In the first paragraph, delete all after “and notes that” down as far as “in the Copse Hill area” and insert:

“some would like to have a greater involvement in these.

One example of community involvement is in the council’s highly successful and cost-effective libraries, where local volunteers play a key role in their operation, thus helping to ensure the survival of this much valued service.”

At the beginning of the second paragraph (which starts “Some work is being undertaken”) insert:

“This council is constantly looking at new ways to keep providing valuable community services in this difficult financial environment and”

At the end of the third paragraph, after “wellbeing of residents in our area”, insert:

“Nonetheless, council notes that there will need to be extensive and sustained capacity building to ensure there is a genuinely level playing field between small local groups and big private sector providers with years of experience in bidding and delivering on local government contracts.”

Delete action point A) and replace with:

- a) Note that the Cabinet Member for Finance has responsibility for the Community Right to Bid and the Community Right to Challenge

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- b) Note that on 10 December 2012 Cabinet agreed processes for locally implementing both the right to bid and the right to challenge and further notes that information inviting groups to submit an Expression of Interest under the right to challenge has been added to the council's website. Information on how to nominate to the council's log of community assets will shortly be online as per the agreement of December Cabinet.

Renumber subsequent action points accordingly.

In exiting action point C) delete "Operate" and insert "Consider operating" and at the end of this action point add: "where this is not deemed potentially commercially sensitive for prospective bidders."

Delete existing action point D).

**Motion now to read**

This Council recognises that residents in Merton greatly value their local facilities and services, and notes that some would like to have a greater involvement in these.

One example of community involvement is in the council's highly successful and cost-effective libraries, where local volunteers play a key role in their operation, thus helping to ensure the survival of this much valued service.

This council is constantly looking at new ways to keep providing valuable community services in this difficult financial environment and some work is being undertaken by the Council on a potential Community Trust for Merton's library services. This Council wants to see the community in Merton fully involved in the opportunity to protect and enhance vital amenities such as libraries, community centres, local shops, pubs, swimming pools, allotments, parks and post offices.

This Council therefore welcomes provisions within the recent Localism Act for the introduction of a new Community Right to Bid and Community Right to Challenge (in force since 2012), which have the aim of keeping amenities in community use by giving local people the chance to bid to buy or run these services. This will benefit the recreational, cultural and sporting wellbeing of residents in our area. Nonetheless, council notes that there will need to be extensive and sustained capacity building to ensure there is a genuinely level playing field between small local groups and big private sector providers with years of experience in bidding and delivering on local government contracts.

This Council accordingly resolves to:

- a) Note that the Cabinet Member for Finance has responsibility for the Community Right to Bid and the Community Right to Challenge
- b) Note that on 10 December 2012 Cabinet agreed processes for locally implementing both the right to bid and the right to challenge and further notes that information inviting groups to submit an Expression of

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Interest under the right to challenge has been added to the council's website. Information on how to nominate to the council's log of community assets will shortly be online as per the agreement of December Cabinet.

- c) Raise awareness among Merton residents of the Community Rights Grants Programme, as well as the national website and telephone advice service, which are available to anyone working to keep vital facilities open in their neighbourhood.
- d) Consider operating a voluntary public log of organisations which have indicated they could be interested in running council services or bidding for community assets in Merton where this is not deemed potentially commercially sensitive for prospective bidders.

The Mayor put the amendment to the meeting and a roll-call was requested with the following result:

**Voting for the amendment 31:** Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Mark Betteridge, David Chung, John Dehaney, Nick Draper, Karin Forbes, Brenda Fraser, Gam Gurung, Jeff Hanna, Philip Jones, Andrew Judge, Linda Kirby, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Ian Munn, Dennis Pearce, John Sargeant, Judy Saunders, Peter Southgate, Geraldine Stanford, Sam Thomas, Gregory Udeh, Peter Walker, Martin Whelton and Richard Williams.

**Voting against the amendment 28:** Councillors John Bowcott, Margaret Brierly, Richard Chellew, David Dean, Iain Dysart, Chris Edge, Suzanne Evans, Samantha George, Suzanne Grocott, Maurice Groves, Richard Hilton, James Holmes, Janice Howard, Mary-Jane Jeanes, Gilli Lewis-Lavender, Logie Lohendran, Krystal Miller, Oonagh Moulton, Diane Neil Mills, Henry Nelles, Linda Scott, Rod Scott, Debbie Shears, David Simpson, Linda Taylor, Ray Tindle, Miles Windsor and Simon Withey.

**Not Voting 1:** The Mayor, Councillor David Williams.

The Mayor declared the amendment to be carried and this became the substantive motion.

The Mayor put the substantive motion to the meeting and there being none voting to the contrary, the Mayor declared the substantive motion to be carried.

It was, therefore

**RESOLVED:** That the substantive motion in the terms expressed in the foregoing Labour amendment is agreed.

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8 REPORTS OF COMMUNITY FORUMS (Agenda Item 8)

Reports received.

9 NOTICES OF MOTION (Agenda Item 9)

**Motion 1 (Labour)**

It was moved by Councillor Peter McCabe and seconded by Councillor Stan Anderson that:

“Council recalls and reiterates its decision at the full council meeting of 12 September 2012 to:

“vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital’s accident and emergency, maternity services and other related services open, including encouraging residents to respond to the consultation.”

Council notes that since 12 September 2012:

- The proposed consultation on the closure of St. Helier’s A&E, maternity services and other related services, due to start last autumn, has been suspended
- Epsom Hospital has now been included in the Better Services Better Value review
- On 9 January 2013 the review recommended that two hospitals out of St Helier, Epsom, Kingston or Croydon University Hospital should lose their A&E and maternity departments
- Consultation on these proposals will begin in spring or early summer

Council further notes that on 7 November 2012 the Leader of the Council received a comprehensive letter from the Secretary of State for Health which stated: “Where an OSC or Joint OSC is not content with the adequacy of the NHS’s consultation with it, or does not believe that the changes being proposed are in the interest of the local health service, it can refer the proposals to the Secretary of State for Health for a final decision.”

Council does not believe that the closure of St. Helier A&E, maternity services and other related services would be in the interests of the local health service.

Council therefore urges Merton’s Healthier Communities Overview and Scrutiny Panel to ensure that any proposals to close accident and emergency, maternity services and other related services at St. Helier hospital are referred to the Secretary of State for a final decision.”

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### **L/D Amendment**

It was moved by Councillor Iain Dysart and seconded by Councillor Mary-Jane Jeanes that the final paragraph is amended to read:

“Council therefore urges the Healthier Communities Overview and Scrutiny Panel to ensure that any proposals to close accident and emergency, maternity services and other related services at St Helier hospital are referred to the Secretary of State for a final decision, in the event that it considers the consultation to have been inadequate, or that the changes are not in the interest of the local health service, clarifying its reasons for so doing.

The Mayor put the amendment to the meeting and there being none voting to the contrary, declared the amendment to be carried.

### **Conservative Amendment**

It was moved by Councillor Suzanne Evans and seconded by Councillor Richard Hilton that the motion as amended is further amended to read as follows:

“Council recalls and reiterates its decision at the full council meeting of 12 September 2012 to:

“vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital’s accident and emergency, maternity services and other related services open, including encouraging residents to respond to the consultation.”

Council also recalls and reiterates its decision at the full council meeting of 28 March 2012 to “discourage any scaremongering on this matter [...] and using rumour as a political tool, as this could alarm residents, particularly those who depend upon NHS care at St. Helier hospital.”

Council notes that since 12 September 2012:

- The proposed consultation on the closure of St. Helier’s A&E, maternity services and other related services, due to start last autumn, will now not start until after Easter
- Epsom Hospital has now been included in the Better Services Better Value review
- On 9 January 2013 the review recommended that two hospitals out of St Helier, Epsom, Kingston or Croydon University Hospital should lose their A&E and maternity departments
- Chairman of Merton’s Healthier Communities and Older People Overview and Scrutiny Panel, Councillor Suzanne Evans, and Stephen Hammond MP have secured a meeting with Anna Soubry, Parliamentary Under Secretary of State for Health, to raise concerns on behalf of Merton residents regarding the threatened closure of services at St Helier Hospital.

Council further notes that on 7 November 2012 the Leader of the Council received a

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comprehensive letter from the Secretary of State for Health which stated: "Where an OSC or Joint OSC is not content with the adequacy of the NHS's consultation with it, or does not believe that the changes being proposed are in the interest of the local health service, it can refer the proposals to the Secretary of State for Health for a final decision."

Council does not believe that the closure of St. Helier A&E, maternity services and other related services would be in the interests of the local health service.

(L/D agreed amendment) Council therefore urges the Healthier Communities Overview and Scrutiny Panel to ensure that any proposals to close accident and emergency, maternity services and other related services at St Helier hospital are referred to the Secretary of State for a final decision, in the event that it considers the consultation to have been inadequate, or that the changes are not in the interest of the local health service, clarifying its reasons for so doing"

### **Labour Amendment**

It was moved by Councillor Mark Betteridge and seconded by Councillor Mark Allison that the motion is further amended as follows:

"After "Council notes that since 12 September 2012", add an additional final bullet point as follows:

- And that Cllr Stephen Alambritis also attends this meeting, in his capacity as Leader of Merton Council"

The Mayor put the amendment to the meeting and, there being none voting to the contrary, declared the amendment to be carried.

The motion as amended became the substantive motion.

The Mayor put the substantive motion to the meeting and, there being none voting to the contrary, declared the substantive motion to be carried.

It was, therefore

RESOLVED: That

"Council recalls and reiterates its decision at the full council meeting of 12 September 2012 to:

"vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital's accident and emergency, maternity services and other related services open, including encouraging residents to respond to the consultation."

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- Epsom Hospital has now been included in the Better Services Better Value review
- On 9 January 2013 the review recommended that two hospitals out of St Helier, Epsom, Kingston or Croydon University Hospital should lose their A&E and maternity departments
- Chairman of Merton's Healthier Communities and Older People Overview and Scrutiny Panel, Councillor Suzanne Evans, and Stephen Hammond MP have secured a meeting with Anna Soubry, Parliamentary Under Secretary of State for Health, to raise concerns on behalf of Merton residents regarding the threatened closure of services at St Helier Hospital.
- And that Cllr Stephen Alambritis also attends this meeting, in his capacity as Leader of Merton Council

Council further notes that on 7 November 2012 the Leader of the Council received a comprehensive letter from the Secretary of State for Health which stated: "Where an OSC or Joint OSC is not content with the adequacy of the NHS's consultation with it, or does not believe that the changes being proposed are in the interest of the local health service, it can refer the proposals to the Secretary of State for Health for a final decision."

Council does not believe that the closure of St. Helier A&E, maternity services and other related services would be in the interests of the local health service.

(L/D agreed amendment) Council therefore urges the Healthier Communities Overview and Scrutiny Panel to ensure that any proposals to close accident and emergency, maternity services and other related services at St Helier hospital are referred to the Secretary of State for a final decision, in the event that it considers the consultation to have been inadequate, or that the changes are not in the interest of the local health service, clarifying its reasons for so doing"

**Motion 2 (L/D)**

It was moved by Councillor Iain Dysart and seconded by Councillor Mary-Jane Jeanes that:

"Council notes;

- The Mayor's Office for Police and Crime's recent announcement on proposals for the future of policing in London, and the draft Estates Strategy; .
- That the documents propose significant changes to London's policing, including; reduction of Safer Neighbourhood Teams to one dedicated police constable and one Police and Community Support Officer per ward; closing front counters at 65 police stations across the capital including Morden Police Office and Tooting Police Station and Former Section House; and opening new "contact points" in public and other

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buildings such as council offices, supermarkets and post offices.

Council believes the Mayor's consultation process to be seriously flawed, with;

- Just one event per London borough scheduled to last only one hour, with advance registration required;
- Presentations by the Deputy Mayor and police taking up most of the scheduled time, leaving little opportunity for residents to have their say;

Council calls upon the Leader to respond formally on behalf of Merton residents and the Council, expressing the borough's opposition to the proposals as they stand, and to their potential impact on community safety and crime levels in Merton"

### **Conservative Amendment**

It was moved by Councillor David Simpson and seconded by Councillor Henry Nelless that the motion is amended to read as follows:

Council notes;

- The Mayor's Office for Police and Crime's recent announcement on proposals for the future of policing in London, and the draft Estates Strategy; .
- That the documents propose significant changes to London's policing, including; reforming Safer Neighbourhood Teams to deliver greater operational flexibility by allocating more police officers to front line neighbourhood policing in Merton whilst also ensuring at least one dedicated police constable and one Police and Community Support Officer per ward; closing front counters at 65 police stations across the capital including Morden Police Office and Tooting Police Station and Former Section House; and instead opening new "contact points" in public and other buildings, which residents visit more regularly, such as council offices, supermarkets and post offices.

Council further notes the Mayor's consultation process with Londoners which includes;

- One event per London borough scheduled to last one hour, with advance registration required;
- Presentations by the Deputy Mayor and police taking up most of the scheduled time, but leaving opportunities for residents to have their say during the meeting; and
- Via an online questionnaire which can be completed by residents in Merton and across the capital allowing them to contribute to the consultation.

Council also notes the positive dialogue thus far between the Borough Commander and Merton council in working together to ensure the best possible outcomes from these changes for Merton and its residents.

Council calls upon the Leader a) to respond formally on behalf of Merton residents and the Council, applauding the Mayor of London on his plans to cut back office

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costs in the Metropolitan Police whilst increasing by 2015 the number of warrant card holding officers out on the streets of Merton, and on their potential impact on community safety and crime levels in Merton; and b) to maintain a healthy dialogue with the Mayor of London, MOPAC and the Borough Commander so as to ensure the best possible outcome for Merton as one of the safest boroughs in London.

The Mayor put the amendment to the meeting and there voted for the amendment 26, against the amendment 30 and not voting 4.

The Mayor declared the amendment to be lost and thereupon put the original motion to the meeting.

The Mayor declared the motion to be carried on a vote of 30 for the motion, 26 against and not voting 4.

It was, therefore

RESOLVED: That

“Council notes;

- The Mayor's Office for Police and Crime's recent announcement on proposals for the future of policing in London, and the draft Estates Strategy; .
- That the documents propose significant changes to London's policing, including; reduction of Safer Neighbourhood Teams to one dedicated police constable and one Police and Community Support Officer per ward; closing front counters at 65 police stations across the capital including Morden Police Office and Tooting Police Station and Former Section House; and opening new "contact points" in public and other buildings such as council offices, supermarkets and post offices.

Council believes the Mayor's consultation process to be seriously flawed, with;

- Just one event per London borough scheduled to last only one hour, with advance registration required;
- Presentations by the Deputy Mayor and police taking up most of the scheduled time, leaving little opportunity for residents to have their say;

Council calls upon the Leader to respond formally on behalf of Merton residents and the Council, expressing the borough's opposition to the proposals as they stand, and to their potential impact on community safety and crime levels in Merton"

**Motion 3 (L/D)**

It was moved by Councillor Iain Dysart and seconded by Councillor Mary-Jane Jeanes that:

"This Council notes the Coalition Government's proposals to bring forward legislation that will enable;

- 1) Same-sex couples to have a civil marriage ceremony;
- 2) Those religious organisations which wish to conduct same-sex marriages to do so;
- 3) Existing civil partners to convert their partnership to a marriage, should they so

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wish;

4) Individuals to change their legal gender without having to end their marriage.

This Council also notes that;

- The legislation will make it explicitly clear that no religious organisation or minister can be compelled to marry same-sex couples, or to permit their premises to be used for this purpose;
- A number of religious organisations do wish to perform same-sex marriages, but are currently prevented by law from doing so;
- An ICM poll in December 2012 found that 62 per cent of people support moves to legalise same-sex marriage.

This Council believes that;

- Marriage is a demonstration of a couple's commitment to each other;
- Every couple wishing to celebrate their relationship in the eyes of society in this way should be able to do so;
- Allowing same-sex couples access to marriage helps to ensure that this remains a relevant and vibrant institution;
- Community cohesion is improved by tackling the barriers of race, faith, culture, gender, age and disability, and helping people to make reasoned decisions about their own lives.

This Council therefore resolves to support the Coalition proposals to implement equal marriage and to ask the Leader to write to the Conservative Culture Secretary confirming this".

The Mayor put the motion to the meeting and declared it to be carried on a vote of 42 voting for the motion, 7 against and not voting 11.

**Motion 4 (Conservative)**

In moving the following motion, Councillor Chris Edge sought the approval of the meeting to amend the motion, duly given, and, in particular to the first sentence reading as detailed below.

"That the Council has no confidence in the ability of the Cabinet member for Finance and notes that during the budget scrutiny process for 2013-14, the Cabinet Member for Finance, Councillor Mark Allison has failed to deliver in a timely and concise manner all of the relevant budget information necessary to enable councillors and residents to understand clearly the current and future financial status of Merton Council. In particular, the improved Service Report structure introduced by the former Director of Transformation whereby Service Reports summarising the relevant Business Plan objectives, financial information and forecasts are linked directly to the proposed budget savings and equality impact assessments, rather than as separate papers, has not been implemented.

As well as publishing budget papers late and with incomplete Service Plans, the

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Cabinet Member has for example:

- Consistently been unable to answer questions at Scrutiny on whether efficiency savings proposed for 2014-17 could be taken earlier;
- Failed to provide detail of how the administration actually intends to use the considerable amount of residents' money that has been allocated to earmarked reserves, thereby echoing the concerns highlighted in a recent report from the Audit Commission which found that increased earmarking by councils "does not always mean there is a plan for spending the funds";
- Repeatedly been unable to produce current and historic figures for the size and cost of the council's workforce, which are vital for the construction and consideration of the 2013-14 Budget and Business Plan;
- Refused to take certain savings even when they have already been agreed by Full Council e.g. the £20,000 staff-side saving; and
- Not brought forward reviews of potential service savings in a timely fashion for consideration. Despite repeated requests for reviews of the Council's translation services and the commercial waste service, no reports have yet been received.

The lack of complete financial data has meant scrutiny panels having to consider budget proposals and savings in the knowledge that the Cabinet Member still has further relevant budget information to publish. This has resulted in a poor and opaque scrutiny process without the openness and transparency that Merton's residents would rightly expect.

This Council is particularly concerned that, as a result of budgetary incompetence in managing the borough's finances, a number of frontline services valued by residents have been cut over the last two years whilst at the same time the council has consistently under spent against its budget by more than those same services cost to provide.

This Council therefore resolves:

1. To take a vote of no confidence in the ability of the Cabinet Member for Finance, Councillor Allison, to carry out his duties as set down by the Leader of the Council; and
2. To request that the Overview and Scrutiny Commission reassures all those present at the annual Budget Council meeting on 6 March 2013 that the borough's scrutiny bodies have had the opportunity to scrutinise properly and in full all of the proposed cuts in departmental budgets as well as the proposed capital budget, and that councillors have received all of the necessary information on which to take a balanced decision.

The motion was seconded by Councillor Suzanne Grocott.

The Mayor put the motion to the meeting and declared it to be lost on a vote of 25 voting for the motion, 31 against and not voting 3.

10 ENDORSEMENT OF THE NATIONAL CHARTER FOR CARE LEAVERS  
(Agenda Item 10)

The recommendation detailed in the submitted report was moved by Councillor Maxi Martin, seconded by Councillor Stephen Alambritis and upon the Mayor putting the recommendation to the meeting it was

RESOLVED: That the 'National Charter for Care Leavers' detailed at Appendix 1 to the submitted report is endorsed.

11 TECHNICAL REFORMS TO COUNCIL TAX (Agenda Item 11)

The recommendations detailed in the submitted report were moved by Councillor Mark Allison, seconded by Councillor Stephen Alambritis and upon the Mayor putting the recommendations to the meeting, it was

RESOLVED: That

A. approval is given to the Council implementing the changes discounts and exemptions shown in section 3 of the submitted report from 1<sup>st</sup> April 2013; and

B. agreement is given to reviewing the impact of these changes along with a review of the empty homes premium to establish if a premium should be charged for the full year of 2013/14 and then reported back to Cabinet for consideration for the 2015/16 budget process.

12 CALENDAR OF MEETINGS (Agenda Item 12)

The recommendations detailed in the submitted report were moved by Councillor Stephen Alambritis, seconded by Councillor Mark Betteridge and upon the Mayor putting the recommendations to the meeting, it was

RESOLVED: That

A. agreement is given to the calendar of meetings detailed in Appendix 1 to the submitted report;

B. the proposed Scrutiny task group dates detailed in Appendix 1 to the submitted report are noted; and

C. the member development dates detailed in Appendix 2 to the submitted report are noted.

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

The recommendation detailed in the submitted report was moved by Councillor Stephen Alambritis, seconded by Councillor Mark Betteridge and upon the Mayor putting the recommendation to the meeting, it was

RESOLVED: That the changes of membership to committees approved under delegated powers since the last meeting of the Council are noted.



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14 PETITIONS (Agenda 14)

The recommendations detailed in the submitted report were moved by Councillor Stephen Alambritis and seconded by Councillor Mark Betteridge and upon the Mayor putting the recommendation to the meeting, it was

RESOLVED: That

1. the advice given by officers in respect the petitions presented to the 21 November Council meeting is noted; and
2. the petitions presented at the meeting are noted i.e.

Councillor Gilli Lewis-Lavender presenting a petition regarding a request to Network Rail to re-open the waiting room at Motspur Park; and

Councillor Henry Nelless presenting a petition regarding a request to provide a pedestrian crossing to the school on Southey Road.

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

It was moved by Councillor Debbie Shears, seconded and agreed that the primary business to be considered at the 27 March 2013 Council meeting is 'Sustainable Communities with a Focus on Waste and Recycling'.

16 EXCLUSION OF THE PUBLIC

RESOLVED: That the public are excluded from the meeting during consideration of the following item (agenda item 16) on the grounds that it includes exempt information pursuant to Category 3 of Paragraph 10.4 of Part 4B of the Constitution.

17 WESTERN ROAD DEVELOPMENT ALLOCATION OF S.106 MONIES  
(Agenda Item 16 Exempt Report)

The recommendations detailed in the submitted report were moved by Councillor Andrew Judge, seconded by Councillor Stephen Alambritis and upon the Mayor putting the recommendations to the meeting, it was

RESOLVED: That

A. authorisation is given to the allocation of up to £1,520,000 S.106 funding outlined in Appendix A to the submitted report, being financial contributions received by the Council, to London and Quadrant Housing Trust towards the delivery of new affordable housing in the borough, specifically at the Western Road development in Mitcham; and

B. the Director of Environment and Regeneration is authorised in consultation with the Lead member (Cabinet Member for Environmental Sustainability and Regeneration) for determining the final total amount of funding referred to in Recommendation A to the submitted report to be allocated.