

Merton Council

Ordinary Council Meeting Agenda

Membership:

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 Nelless, 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.

Date: Wednesday 6 February 2013

Time: 7.15pm

Venue: Merton Civic Centre, London Road, Morden, Surrey in the Council Chamber

This is a meeting held in public and attendance by the public is encouraged and welcomed. For information about this agenda please contact democratic.services@merton.gov.uk or telephone 0208 545 3361.

All Press contacts press@merton.gov.uk 0208 545 3181

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6 February 2013

1.	Apologies for absence	
2.	Declarations of Pecuniary Interest	Page
	Members are reminded of the need to have regard to the items published with this agenda and, where necessary, to declare at this meeting any Disclosable Pecuniary Interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.	
3.	To approve the minutes of the Ordinary Council Meeting held on 21 November 2012	5
	The following items are not included with this agenda but are available for inspection on the web page for the 21 November Council meeting:	
	<ul style="list-style-type: none"> • the priority questions and the replies to these and their associated supplementary questions and replies; • the non-priority questions and the replies to these; and • the public questions and the replies to these and their associated supplementary questions and replies. 	
4.	To receive any announcements from the Mayor, Leader of the Council and the Chief Executive	-
5.	Questions from the Public (to be circulated at the meeting)	-
6.	Questions from Councillors (to be circulated at the meeting)	-
7.	Report: Sustainable Communities with a Focus on Culture and Libraries	25
	One strategic objective motion has been submitted and is published with this agenda. Any further motions relating to the strategic objective submitted post agenda publication will be found on the supplementary agenda circulated at the meeting.	43
8.	Reports of Community Forums	
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10.	Endorsement of the National Charter for Care Leavers	57
11.	Technical Reforms to Council Tax (forward plan ref: 1226)	61

12.	Calendar of Meetings	75
13.	Changes of Membership to Committees and Related Matters	79
14.	Petitions	81
15.	Business for the next Ordinary Meeting	-

Exclusion of the Public

-

To RESOLVE 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.

16. Western Road Development - Allocation of S.106 Funds (forward plan ref: 1240)

See the exempt agenda for this item

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COUNCIL
21 NOVEMBER 2012

(19:15 – 22:10)

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, 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 2)

Apologies for absence were received from Councillor Linda Scott.

2 DECLARATIONS OF INTEREST (Agenda item 1)

Agenda Item 13 – ‘Review of Polling Districts and Polling Places’ Councillor Henry Nelles advised that he would not be voting on the proposed Conservative amendment or the main report associated with this matter on the basis of his being a governor of Pelham Primary School.

3 MINUTES OF THE MEETING HELD ON 12 SEPTEMBER 2012 (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 12 September are agreed as a correct record.

4 ANNOUNCEMENTS (Agenda Item 4)

The Mayor

My announcements begin with some awards. These are Compact awards in three categories. I understand that a note has been put round the chamber that gives you some background detail. For the benefit of those who haven't got it immediately to hand, I am just going to tell you what each of the three are and then I'm going to move onto the floor of the chamber to make the awards. The first award is for shortlisting for Merton and the Local Compact Partnership Award, which will be accepted by Councillor Edith Macauley. The second is the Compact Innovation

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Award which went to Merton Youth Partnerships and Mark Clark, the Head of Youth Services and others will be coming forward to accept that. The third is the Compact Leadership Award which Chris Frost, the chief executive of Merton Volunteer Service Council will come forward to accept.

With regard to the first award, the judges also said that once again, Merton Partnership has demonstrated excellence and outstanding leadership and should be highly commended and I say in respect of the third award that again, Merton's pre-eminence in the work of voluntary sectors alongside local councillors is held up nationally as being an example of how it should be done. Congratulations to all.

On a sad note, I'm sorry to report that since the last meeting of the Council, we've been advised of the death of two former councillors; Su Assinen and Peter Glasspool. Su was an Abbey ward councillor between 1994 and 2006. During that time she served as Cabinet Member for Regeneration from 2002 to 2003 and Cabinet Member for Regeneration and Cultural Services from 2003 to 2004. She was also very involved with community organisations, notably Deen City Farm where she was a trustee.

Peter Glasspool was elected in May 1971 for Morden ward and from 1978 represented Lower Morden after the re-warding exercise. He was Housing Committee chairman from 1976 to 1977 and Deputy Leader of the Council until after the 1982 election, when he moved to Newcastle and subsequently served a term on Northumberland County Council. He died the day before his 66th birthday. I know that the Leader would like to say something about Su Assinen.

Leader of the Council

It is with great sadness that we all heard about the death of Su Assinen. As you rightly said, she dedicated 12 years of her life to this Council as an Abbey ward councillor from 1994 to 2006. You rightly said she was a Cabinet Member for Regeneration and Cultural Services. Not only was she a trustee of Deen City Farm, she was also trustee of Merton Priory Trust and in fact she was responsible for the first ever Merton Environment Action Plan. Her funeral was held on 1 October at Putney Vale Crematorium. Our thoughts are with her mother, Audrey, and with her friends.

Councillor Andrew Judge

Su Assinen was a very valued colleague and she was the Agenda 21 lead member and made a very great difference to the environmental reputation of the Council. She had a very strong commitment to partnership working, particularly her relationship with MVSC and the business sector. She was valued, I will remember her sense of humour, her friendship and her commitment.

Mayor

Moving on, the Autumn has been very busy for the Deputy Mayor and myself and I would like to thank councillors who supported the Remembrance Services, fireworks and Local Democracy Week. Amongst other engagements I attended the Merton Business Awards, a film to celebrate the Queen's visit to Merton, Merton in Bloom

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Awards and the Inter-Faith event. I have also undertaken several school visits and represented Merton at some events outside the borough, including the Lord Mayor's Show.

One regular event in our diaries is Citizenship Ceremonies at the Register Office which are also taken from time to time by the Deputy Lieutenant and the Leader of the Council. At one of these, you may be surprised to hear it, I am delighted to announce that Carl Brown took on full UK Citizenship and I am sure you will join me in congratulating him.

I am also grateful to members for their support for two charity fundraising events; one at Gino's Restaurant in Mitcham and the Quiz Night here at the Civic Centre which between them raised about £1700. However this is almost eclipsed by Councillor Edith Macauley's sponsored swim which raised nearly £1500 and is the largest single donation received so far during my Mayoral year. Edith, thank you.

On the horizon are, as the Chaplain's mentioned, my carol concert at St Mark's, Wimbledon on Thursday 6 December, charity lunch on Sunday 9 December at Cannizaro House, and the New Year's Day Parade, where I'm in the capable hands of a team led by Councillor Geraldine Stanford. Councillor Linda Kirby has also already composed one of her inimitable foot-tapping, hand-clapping tunes and I hope to report that Merton's performance will again be judged as an outstanding contribution. All these events were the subject of a recent email to you and I urge that you put the dates into your diaries along with those that follow later in the year.

The Leader of the Councillor

None advised.

The Chief Executive

None advised.

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 TRAFFIC AND TRANSPORT (Agenda Item 7)

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.

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The submitted report was moved by Councillor Andrew Judge and seconded by Councillor Mark Betteridge.

Motion 1 (Conservative)

It was moved by Councillor Gilli Lewis-Lavender and seconded by Councillor Krystal Miller that:

This Council notes that the previous Conservative administration in their 2006 manifesto committed to "consult on introducing a 'Twenty's Plenty' campaign to reduce the speed of traffic". The Conservative administration went on to initiate 20's Plenty schemes across the Borough. Between 2008 and 2010, 20's Plenty schemes were rolled out across several areas of Merton including in Hillside, West Barnes, St Helier, Wimbledon Park, Raynes Park, Trinity and Dundonald in response to residents' demand.

Council acknowledges the success of the scheme and notes that implementing 20mph limits, even without additional traffic calming measures, prevents road injury and disability. A recent study for the London Road Safety Unit showed that 20mph zones cut speeds by an average of 9mph and injury from collisions by an average of 43%.

Council believes that it has a responsibility to take all necessary steps to minimise the risk of death and injury on our roads and that the 20's Plenty scheme introduced by the previous administration in Merton has played a valuable role in making our residential roads safer.

Council further believes 20mph schemes cut the number and severity of road fatalities and injuries. Some collisions are avoided or impact speed is less, reducing the harm done by a crash.

Council therefore resolves that the Cabinet Member for Environmental Sustainability and Regeneration be requested to extend the 20's Plenty scheme to allow any area where a majority of residents express a clear demand for it, to be able to have it.

Amendment (Lib/Dem)

It was moved by Councillor Mary-Jane Jeanes and seconded by Councillor Iain Dysart that the motion is amended as follows:

In para 2, delete, ".....acknowledges the success of the scheme."

In para 3, delete, "and that the 20's Plenty scheme introduced by the previous administration in Merton has played a valuable role in making our residential roads safer" and replace with " Council further believes that the piecemeal approach previously adopted can be confusing for drivers and pedestrians, and that a borough-wide 20's Plenty scheme (where the Council and residents still decide whether particular roads are suitable for higher speeds) would be a better approach."

Replace final paragraph with " Council therefore resolves to ask Cabinet to draw up a plan for a default 20 mph speed limit across the borough. When deciding how such a scheme could be implemented, the plans should draw on wide evidence from

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monitoring of other local authorities which have implemented similar schemes. This plan should include provision for education, publicity and wide public participation when developing the scheme and determining the roads where higher limits should apply.

The Mayor put the amendment to the meeting and it was declared to be lost on a vote of 2 voting for the amendment and a majority voting against the amendment.

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

Motion 2 (Labour)

It was moved by Councillor Andrew Judge and seconded by Councillor Judy Saunders that:

Council notes that between 1996 and 2011 Merton experienced a 65% reduction in those killed or seriously injured, and a 34% reduction in slight casualties, due to traffic collisions on our roads. However, even one fatality as a result of a traffic collision is one too many and this council will continue to do all in its power to reduce these figures still further.

As part of the work to increase road safety and reduce casualties, Merton has a combination of roads with 20 mph limits and 20 mph zones, the majority of which have been implemented during the last 4 years.

In order to assess the effectiveness of the current Merton schemes, monitoring analysis has been commissioned. This is focusing on a comparison of 'before' and 'after' accident data at each of the individual limits and zones, along with 'before' and 'after' traffic flow and vehicle speed data at each. This work will be reported in the next few months.

The intention is to examine this evidence alongside the evidence from Boroughs such as Portsmouth and Islington which have implemented 'area wide' 20mph speed limits to determine what has and will work best to reduce road traffic casualties in an outer London Borough like Merton.

This Council affirms that:

- (1) it is important that road traffic policy and schemes are based on empirical evidence and
- (2) asks that this work is completed with due urgency as a priority and
- (3) asks that a Report is presented to both Cabinet and Scrutiny with balanced recommendations for future policy including practical measures to maximise road safety for all road users.

Amendment (Conservative)

It was moved by Councillor Richard Hilton and seconded by Councillor Suzanne

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Evans that the motion is amended to read as follows:

Council notes that between 1996 and 2011 Merton experienced a 65% reduction in those killed or seriously injured, and a 34% reduction in slight casualties, due to traffic collisions on our roads. However, even one fatality as a result of a traffic collision is one too many and this council will continue to do all in its power to reduce these figures still further.

As part of the work to increase road safety and reduce casualties, Merton has a combination of roads with 20 mph limits and 20 mph zones, the majority of which have been implemented during the last 4 years.

In order to assess the effectiveness of the current Merton schemes, monitoring analysis has been commissioned. This is focusing on a comparison of 'before' and 'after' accident data at each of the individual limits and zones, along with 'before' and 'after' traffic flow and vehicle speed data at each. This work will be reported in the next few months.

The intention is to examine this evidence alongside the evidence from Boroughs such as Portsmouth and Islington which have implemented 'area wide' 20mph speed limits to determine what has and will work best to reduce road traffic casualties in an outer London Borough like Merton.

This Council affirms that:

- (1) it is important that road traffic policy and schemes are based on empirical evidence and developed in consultation with residents; and
- (2) asks that this work is completed with due urgency as a priority and
- (3) asks that a Report is presented to both Cabinet and Scrutiny with balanced recommendations for future policy including practical measures to maximise road safety for all road users.

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 upon which further amendments could be moved.

Amendment (Lib/Dem)

It was moved by Councillor Mary-Jane Jeanes and seconded by Councillor Iain Dysart that the substantive motion is amended as follows:

At end of 2nd paragraph (page 42), add at the end, "interspersed with roads which have 30 mph speed limits."

Insert new 3rd paragraph; " Council believes that the existing piecemeal approach can be confusing for drivers and pedestrians, and that a default 20 mph scheme (where the Council and residents still decide whether particular roads are suitable for higher speed limits) would be a better approach".

Add a new recommendation 3 "an area wide approach to 20mph zones be evaluated

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in the Council's ongoing work; and” and renumber the original recommendation “3” to read “4”

The Mayor put the amendment to the meeting and declared it to be lost on a vote of 2 voting for the amendment and the majority against.

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 the substantive motion in the terms expressed in the Conservative amendment detailed above is carried.

Motion 3 (Labour)

It was moved by Councillor Richard Williams and seconded by Councillor Russell Makin that:

This council recalls that in April 2012 London Mayor Boris Johnson pledged that tube and bus fares would “go down in an honest and sustainable way” if he was re-elected, but on 7 November 2012 he confirmed above-inflation increases, with a 4.2% average increase in tube and bus fares from January 2 2013.

The rise is above inflation and will mean that the Oyster pay-as-you-go fare on buses will rise by 5p to £1.40 while the cash fare will increase by 10p to £2.40. A single Oyster tube fare within Zone 1 will rise from £2 to £2.10

The mayor has also confirmed that charges for the Barclays Cycle Hire scheme will double, with daily hire going up from £1 to £2, weekly access rising from £5 to £10 and yearly membership going up from £45 to £90.

In recognition of the difficult financial times Londoners are currently experiencing and the need to encourage cycling and public transport as sustainable alternatives to car use, this council calls on the Mayor of London to reconsider these increases.

Amendment (Conservative)

It was moved by Councillor Richard Hilton and seconded by Councillor Miles Windsor that the motion is amended to read as follows:

This council recalls that in April 2012 London Mayor Boris Johnson pledged that tube and bus fares would “go down in an honest and sustainable way under me. We will put in investment in automation which will take out cost and actually enable us to hold down fares in a sustainable way over the medium and long term” if he was re-elected. On 7 November 2012 he confirmed above-inflation increases, with a 4.2% average increase in tube and bus fares from January 2 2013.

The rise is above inflation and will mean that the Oyster pay-as-you-go fare on buses will rise by 5p to £1.40 while the cash fare will increase by 10p to £2.40. A single Oyster tube fare within Zone 1 will rise from £2 to £2.10

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The Mayor has also confirmed that charges for the Barclays Cycle Hire scheme will double, with daily hire going up from £1 to £2, weekly access rising from £5 to £10 and yearly membership going up from £45 to £90.

This Council recognises the difficult financial times Londoners are currently experiencing and the need to encourage cycling and public transport as sustainable alternatives to car use. However Merton Council believes that sustainable fare decreases are better for Londoners than one-off giveaways. Council therefore supports the Mayor in his efforts to deliver reductions in tube and bus fares in an honest and sustainable way. In particular this Council calls on the Mayor of London to press ahead with his plans for automation and the introduction of driverless trains which will strip out significant cost, improve passenger safety and allow him to reduce train and bus fares over the medium and long term.

The Mayor put the amendment to the meeting and declared it to be lost on a vote of 25 voting for the amendment, 30 voting against the amendment and 4 not voting.

The Mayor thereupon put the motion (Labour) to the meeting and declared it to be carried on a vote of 30 voting for the motion, 25 voting against the motion and 4 not voting.

It was, therefore

RESOLVED: That the Labour motion, in the terms detailed above, is carried.

8 REPORT OF COMMUNITY FORUMS (Agenda Item 8)

It was moved by Councillor Stephen Alambritis and seconded by Councillor Debbie Shears that the reports of the Community Forums detailed in the submitted agenda are received.

Reports received.

9 NOTICES OF MOTION (Agenda Item 9)

Motion 1 (MPWIR/Labour)

It was moved by Councillor Peter Southgate and seconded by Councillor Stephen Alambritis that:

This council notes the statement by David Cameron on 6 September that permitted development rules for domestic extensions in England are to be temporarily amended.

Although a formal consultation has yet to appear, government ministers have confirmed that the current rules, which allow for extensions of up to 3m in length for terraced or semi-detached properties and 4m for detached properties, will be changed so that extensions of double this size (up to 6m for terraced/semi-detached properties and 8m for detached properties) will be allowed without the need for planning permission.

Council notes that LGA chair Sir Merrick Cockell has stated: "Local government and

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business both agree that planning is not the key barrier to growth and further reforms of the planning system are not the answer. Instead we need the devolution of more power and money to local areas so that councils and business can drive economic growth from the ground up."

This council believes the new proposals fail to protect local communities and will encourage more neighbourhood disputes. Council therefore calls on the government to withdraw the proposals and, if the proposals are not withdrawn, asks officers to explore all legal means to ensure Merton can maintain the current regulations and protect our residents from inappropriate developments.

Amendment (Conservative)

It was moved by Councillor Chris Edge and seconded by Councillor Henry Nelles that the motion is amended to read:

This council notes the statement by David Cameron on 6 September that permitted development rules for domestic extensions in England are to be temporarily amended.

A formal consultation has now been launched on changing the current rules, which allow for extensions of up to 3m in length for terraced or semi-detached properties and 4m for detached properties, so that extensions of double this size (up to 6m for terraced/semidetached properties and 8m for detached properties) will be allowed without the need for planning permission.

Council notes that LGA chair Sir Merrick Cockell has stated: "Local government and business both agree that planning is not the key barrier to growth and further reforms of the planning system are not the answer. Instead we need the devolution of more power and money to local areas so that councils and business can drive economic growth from the ground up."

This council believes the new proposals fail to protect local communities and will encourage more neighbourhood disputes. Council therefore calls on the government to withdraw the proposals and, if the proposals are not withdrawn, asks officers to explore all legal means to ensure Merton can maintain the current regulations and protect our residents from inappropriate developments.

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, thereupon, became the substantive motion.

There being no further amendments, 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 the substantive motion, in the terms expressed in the Conservative amendment detailed above, is agreed.

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Motion 2 (Conservative)

It was moved by Councillor Suzanne Grocott and seconded by Councillor Debbie Shears that:

This Council is pleased that the Coalition Government has clearly recognised the financial constraints that families and pensioners in Merton, and across the country, are under following the previous Labour government's mismanagement of the economy and the significant impact that council tax payments have on their monthly income and expenditure. Council therefore welcomes the Government's recent announcement that, in order to assist families and pensioners, it is providing funding to enable councils in England to freeze council tax for a third consecutive year.

This Council notes that:

- Merton is projecting healthy reserves of £54m as at 31 March 2013;
- Through efficiencies started under the previous administration as part of the Transformation Programme, there is a projected under spend (before allocation to the capital financing reserve) of £ 5.8m this year, following on from the previous two years' total under spends which were more than £11m in 2011/12; and more than £9.8m in 2010/11;
- Merton consistently overstates its capital programme and has saved £631,000 against cost of borrowing this year so far.

This Council recognises that there are efficiencies that have been and could be identified that would release sufficient ongoing savings to fund a reduction in council tax for residents. Examples of such include Merton's poor procurement, inadequate use of technology e.g. the rubbish collection and translation services, and a bureaucratic and ineffective performance measurement system. In light of this, Council believes that, as part of the 2013-14 budget scrutiny process, the current Labour administration should present new ongoing savings that would enable a 5% cut in the Merton element of council tax, equating on average to a reduction of £55.15 for Band D homes, whilst also maintaining the quality of services currently provided. This would show that Merton Council is in tune with its residents by taking the opportunity to assist hard pressed families and pensioners in the borough.

This Council therefore calls on Cabinet to:

1. Recognise the real difference that a council tax cut would make to Merton residents' lives; and
2. Propose ongoing efficiency savings for scrutiny by the scrutiny panels and Overview and Scrutiny Commission as part of this year's budget process in order to reduce current annual spend by £4.1m and thereby deliver the proposed 5% council tax reduction.

Amendment (Lib/Dem)

Delete everything from "This Council recognises that..." (page 66) and insert;

"This Council therefore requests the Cabinet to;

- 1) Protect front-line services, particularly those affecting the most vulnerable in our borough;
- 2) Rejects calls to "play politics" with the budget process by accumulating reserves to fund a pre-election tax cut, as happened under the previous administration;
- 3) Rejects any officer recommendations to make further additions to the reserves as part of the oncoming budget process

The Mayor put the amendment (Lib/Dem) to the meeting and declared it to be lost on a vote of 2 voting for the amendment and the majority being against.

Amendment (Labour)

It was moved by Councillor Mark Allison and seconded by Councillor Mark Betteridge that:

This Council is pleased that the Coalition Government has recognised the financial constraints that families and pensioners in Merton, and across the country, are under and the significant impact that council tax payments have on their monthly income and expenditure. Council therefore welcomes the Government's recent announcement that, in order to assist families and pensioners, it is providing funding to enable councils in England to freeze council tax for a third consecutive year, although this funding is less than that offered in previous years and is one off funding only.

This Council notes that:

- Merton is projecting healthy reserves of £54m as at 31 March 2013, although most of these are earmarked reserves which have already been allocated to cover spending in specific areas, for example voluntary sector grants, business and employment support and for schools. The total level of unallocated general reserves is at a similar level to that under the previous Conservative administration;
- Through continuing efficiencies started under the previous administration and maintained by the current administration as part of the Transformation Programme, there is a projected under spend (before allocation to the capital financing reserve) of £5.8m this year, following on from the previous two years' total under spends which were more than £11m in 2011/12; and more than £9.8m in 2010/11. These one-off amounts are already being used to mitigate the impact of the reduction in the council's funding from central government;
- In addition to efficiencies, council has agreed to service savings of £14m in 2011/12, £11m in 2012/13, £9.717m in 2013/14 and £4.846m in 2014/15. Yet even with these cuts to services, there remains a funding gap of a further £17m;
- Due to capacity issues also present under the previous Conservative administration, Merton consistently overstates its capital programme and has saved £631,000 against cost of borrowing this year so far.

This Council recognises that although there are efficiencies that have been and could be identified that would release sufficient ongoing savings to fund a reduction in council tax for residents, further savings would be unpalatable to residents. To make the level of savings required to fund a council tax cut of 5% for example, council would need to re-consider savings that have previously been comprehensively rejected both by cabinet and by scrutiny, such as closing Colliers Wood and West Barnes library, closing Morden Park pool, closing children's centres, stopping the weekly street sweep, closing many of our parks, stopping the free bulky waste collection and the free food waste collection and stopping manned CCTV. Even this level of cuts would only amount to c£2m of savings. In light of this, Council believes that, as part of the 2013-14 budget scrutiny process, the current Labour administration should seek to conduct public value reviews of council services to assist in bridging the £17m funding gap whilst keeping to its priorities as agreed by council at its meeting of July 2011, including low council tax.

The Mayor put the amendment (Labour) to the meeting and declared it to be carried on a vote of 31 voting for the amendment, 25 voting against the amendment and 3 not voting.

The motion as amended thereupon became the substantive motion.

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

It was, therefore

RESOLVED: That the motion expressed in the terms of the Labour amendment detailed above is agreed.

10 WEBCASTING FEASIBILITY REPORT (Agenda Item 10)

The report was moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis.

Amendment (MPWIR)

It was moved by Councillor John Sargeant and seconded by Councillor Peter Southgate that:

Council recognises the support in principle for webcasting expressed in the motion agreed unanimously at its meeting on 1 February 2012, but also shares Cabinet's concern to secure value for money.

Council therefore requests Cabinet and officers to plan for the introduction of webcasting for a trial period of one year, subject to a maximum budget of £20,000. Parameters to measure the success of the trial are to be defined in advance. The trial is to be funded from an allocation from contingency, and not from offsetting savings in the Democracy Services budget.

The Mayor put the amendment to the meeting and declared it to be carried on a vote

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of 30 voting for the amendment, 28 voting against the amendment and 1 not voting.

It was, therefore

RESOLVED: That Council recognises the support in principle for webcasting expressed in the motion agreed unanimously at its meeting on 1 February 2012, but also shares Cabinet's concern to secure value for money.

Council therefore requests Cabinet and officers to plan for the introduction of webcasting for a trial period of one year, subject to a maximum budget of £20,000. Parameters to measure the success of the trial are to be defined in advance. The trial is to be funded from an allocation from contingency, and not from offsetting savings in the Democracy Services budget.

11 DRAFT HOUSING STRATEGY 2012-15 (Agenda Item 11)

The recommendation detailed in the submitted report was moved by Councillor Nick Draper and seconded by Councillor Stephen Alambritis.

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

It was, therefore

RESOLVED: That agreement is given to the Housing Strategy 2012-2015.

12 LOCAL COUNCIL TAX SUPPORT SCHEME (Agenda Item 12)

The recommendations detailed in the submitted report were moved by Councillor Mark Allison and seconded by Councillor Nick Draper.

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

It was, therefore

RESOLVED: That

A. agreement is given to the Council absorbing the funding reduction for council tax support for 2013/14 and implement the prescribed default scheme which will be broadly similar to the existing council tax benefit scheme, in order to maintain low Council Tax charges for those on lower incomes and other vulnerable residents;

B. agreement is given to a review of local schemes being undertaken for the full year of 2013/14 and that any changes arising from that review for a local scheme will be developed for consideration for the 2015/16 budget process along with the impact of the ageing population in Merton; and

C. officers review the administration arrangements for the prescribed default scheme for 2013/14 to try to make the claim process easier for residents.

13 REVIEW OF POLLING DISTRICTS AND POLLING PLACES (Agenda Item 13)

The recommendations detailed in the submitted report were moved by Councillor Mark Allison and seconded by Councillor Peter McCabe.

Amendment (Conservative)

It was moved by Councillor Diane Neil Mills and seconded by Councillor Debbie Shears that the recommendations are amended to read as follows:

- A. That the Council agrees the continued designation of All Saints Church Hall as the polling place for polling district QB in Abbey Ward and that Griffiths Road Methodist Church becomes the new polling station for QA.
- B. That officers present to General Purposes Committee proposed revisions to QA and QB polling district boundaries to best reflect the proximity of residents to these polling stations.
- C. That the Council agrees to make no change to the polling districts and polling places for Pollards Hill Ward.
- D. That the Council agrees the designation of Drake House as the polling place for polling district MC in Hillside Ward and Gifford House as the polling place for polling district FC in Ravensbury Ward.
- E. That the Council agrees to make no change to the polling place for polling district SD in Cannon Hill Ward.

The Mayor put the amendment to the meeting and declared it to be lost on a vote of 27 voting for the amendment and 28 voting against the amendment.

The Mayor put the original recommendations detailed in the submitted report to the meeting and there being none voting to the contrary, declared the recommendations to be carried.

It was, therefore

RESOLVED: That

A. agreement is given to the continued designation of All Saints Church Hall as the polling place for polling district QB in Abbey Ward and that all other arrangements in Abbey Ward remain the same;

B. agreement is given to the making of no change to the polling districts and polling places for Pollards Hill Ward;

C. agreement is given to the designation of Drake House as the polling place for polling district MC in Hillside Ward and Gifford House as the polling place for polling district FC in Ravensbury Ward; and

D. agreement is given to the making of no change to the polling place for

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polling district SD in Cannon Hill Ward.

Note:

Subsequent to the meeting it was confirmed that the votes cast in respect of the Conservative amendment did not take into account the fact that Councillor Henry Nelless did not vote on this matter. Therefore, if the declared result were to have reflected actual votes cast, then the said declaration would have confirmed the outcome as being 26 voting for the amendment and 28 voting against the amendment.

14 MERTON'S GAMBLING POLICY (Agenda Item 14)

The recommendations detailed in the submitted report were moved by Councillor Nick Draper and seconded by Councillor Stephen Alambritis.

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

It was, therefore

RESOLVED: That

A. approval is given to the Gambling Policy that was agreed by the Licensing Committee on 25 October 2012; and

B. approval is given to the resolution not to issue casino licences within Merton that was agreed by the Licensing Committee on the 25 October 2012.

15 PROPOSED PAN-BOROUGH CDZ and ADDENDUM TO THE REPORT
(Agenda Item 15)

Council had regard to the addendum paper submitted in respect of the officer report.

The recommendations detailed in the submitted report were moved by Councillor David Simpson and seconded by Councillor Edith Macauley.

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

It was, therefore

RESOLVED: That

A. the content of the submitted report is noted;

B. agreement is given to a public consultation exercise process on the implementation of a Controlled Drinking Zone (CDZ) to commence on or after the 30/01/13;

C. for the purposes of consultation, agreement is given to the geographical area to be covered by the proposed CDZ being borough wide;

D. agreement is given to the Chief Executive being given delegated authority

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to take the decision on establishing a Controlled Drinking Zone having considered the evidence and the results from consultation; and

E. should a borough wide CDZ be agreed, that all other CDZ's are rescinded and that only one CDZ covering the whole borough is in operation.

16 CAPITAL PROGRAMME 2012/16 (Agenda Item 16)

The recommendations detailed in the submitted report were moved by Councillor Mark Allison and seconded by Councillor Martin Whelton.

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

It was, therefore

RESOLVED: That approval is given to

a) the incorporation in to the Capital Programme of the additional funding for:

£1.339 million to the Community and Housing element of the Capital Programme for 9 Adult Social Care IT related schemes:

Community and Housing	2012/13 £000s	2013/14 £000s
CareFirst Report Developer	20	0
ASC Collections	10	0
Excel Add - Ins	3	0
Capitive e-Learning	10	0
Laptops for Social Workers	15	0
Laptops for Other Social Workers etc.	80	0
Telehealth	80	0
Merton Information Portal	150	0
Retendering of our Social Care System	0	900
Contingency	0	71
Total	368	971

b) £0.271 million to the Community and Housing element of the Capital Programme for the refurbishment of 8 Wilton Road in 2012/13.

c) £0.600 million Loan to Ursuline Secondary School (split £0.100 in 2012/13 and £0.500 in 2013/14)

d) £0.702 million in relation to Wimbledon Community Association

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b) approval is given to the following virements:

Scheme	2012/13 £000s	2013/14 £000s
Redundancy Payments	(1,000)	0
Acquisitions	1,000	0
Total	0	0

17 DISPENSATIONS (Agenda Item 17)

The recommendations detailed in the submitted report were moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis

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

It was, therefore

RESOLVED: That

- A. agreement is given to the following dispensations being granted to all members from Section 31(4) of the Localism Act 2011 on the basis that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business to impede the transaction of the business, such dispensations to be made in respect of members of the Council and take effect from 21 November 2012 for the period of 4 years:
- (i) housing, where the member is a tenant of the authority; provided that those functions do not relate particularly to that member's tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where the member is a parent or guardian of a child in full time education, or is a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) an allowance, payment, pension or indemnity given to members;
 - (iv) any ceremonial honour given to members; and
 - (v) setting Council Tax or a precept under the Local Government Finance Act 1992.
- B. agreement is given to the Monitoring Officer being designated as the proper officer of the authority for the purposes of written requests by a Member(s) or co-opted Member(s) of the authority for the grant of a dispensation;
- C. the power to grant dispensations pursuant to section 33 Localism Act

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2011, be delegated to the Monitoring Officer and be subject to a right of appeal to the Standards Committee; and

D. where the Monitoring Officer has used his delegated powers to grant a dispensation a report on the use of the power be prepared and submitted to the next meeting of the Standards Committee.

18 CHANGES TO THE CONSTITUTION (Agenda Item 18)

The recommendation detailed in the submitted report was moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis.

Amendment (Conservative)

It was moved by Councillor Linda Taylor and seconded by Councillor Debbie Shears that the recommendation be amended to read:

That the Council agrees the changes to the constitution detailed in this report subject to an additional sentence being added after the word 'officers' at the end of the first paragraph of Article 3.2 in Appendix A of the report at page 252 as follows:

Persons who willfully refuse to operate within these "citizens' responsibilities" will be referred to the relevant authorities.

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

The Mayor put the motion as amended (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 agreement is given to the changes to the constitution detailed in this report subject to an additional sentence being added after the word 'officers' at the end of the first paragraph of Article 3.2 in Appendix A of the report at page 252 as follows:

Persons who willfully refuse to operate within these "citizens' responsibilities" will be referred to the relevant authorities.

19 CHANGES OF MEMBERSHIP TO COMMITTEES AND RELATED MATTERS (Agenda Item 19)

The recommendations detailed in the submitted report were moved by Councillor Stephen Alambritis and seconded by Councillor Mark Betteridge.

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

It was, therefore

RESOLVED: That

A. agreement is given to the addition of the Pollards Hill Community Committee (PHCC) to the Council's list of 'Outside Bodies' and that members

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are appointed to the PHCC for the remainder of the municipal year on the basis of two ward councillors for the area, Councillor Martin Whelton and Councillor Jeff Hanna, and Councillor Maurice Groves (Conservative); and

B. the changes to the membership of Committees approved under delegated powers since the last meeting of the Council are noted.

20 PETITIONS (Agenda Item 20)

Council received petitions as follows:

A petition presented on behalf of residents by Councillor Andrew Judge – “Controlled Drinking Zone”

A petition presented on behalf of residents by Councillor Maurice Groves – “Thornton Court, Traffic Restricts on Grand Drive”

21 BUSINESS FOR THE NEXT ORDINARY MEETING (Agenda Item 21)

It was moved by Councillor Stephen Alambritis, seconded and agreed that the primary business to be considered at the 6 February 2013 Council meeting is ‘Sustainable Communities with a Focus on Culture and Libraries’.