

COUNCIL 6 FEBRUARY

PUBLIC QUESTIONS – AGENDA ITEM 6

Procedure at the meeting:

- The Mayor will call your name and ask if you have a supplementary question arising from the answer you have received.
- If you do not have a supplementary question then simply respond thank you, no.
- If you do have a supplementary question respond thank you, yes. You will be shown to a seat in the main chamber where you will present your supplementary question.
- Having put your question, please be seated whilst the Cabinet member responds.
- Once the response has been given, please return to your seat in the public gallery.
- The full text of your questions and answers will be detailed in the minutes of this evenings meeting.

Questions:

1. From Miss Helen Stanley (in attendance)

To Councillor Andrew Judge, Cabinet Member for Environment and Regeneration.

Question

“I believe the ‘Stag’ erected at Wimbledon Railway Station forecourt cost Merton ratepayers £20,000. Is this correct? If not, how much did it cost? At a time when Merton’s Borough’s services are being drastically cut, any such expense was shameful and ill-conceived.”

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR COMMUNITIES AND CULTURE

I am pleased to be able to put Miss Stanley’s mind at rest since the ‘Stag’ erected at Wimbledon Railway Station forecourt did not cost Merton

Ratepayers a single penny since the project was fully funded through a Section 106 Planning Obligation requiring Merton Council to install public art in Wimbledon. The cost of this project (£20,000) was borne wholly by the developer.

Supplementary

I am supposing that the latest revamping of the station forecourt was a public project. My question is how are developers funded for public projects?

Reply

This didn't cost Merton Council directly. There was going to be a piece of public art on the forecourt of the project and so it came as part of a planning gain from the development. I think there is a place for public art. I understand your question, I know street works can often seem expensive. This one has local resonance and was designed by a local student or artist. She took great pride in it when we opened it and I hope it will last for a very long time, but it's not come from council tax or development grant funding, it came from the development.

2. From Ms Sylvia Queenborough

To Councillor Andrew Judge, Cabinet Member for Environment and Regeneration.

Question

“Why are Merton still dragging their heels on making sure Morden Park Playing Fields are used for all the obese children in our society? Also why are school playing fields used for teachers' car parks in many schools, i.e. St John Fisher, St Mary's, etc?”

Reply

There is no sense in which Merton is obstructing or delaying the bringing into use of new playing fields in Morden Park. This is an extensive site, although sloping, and formerly maintained and used by ILEA. The Council does not have capital or plans to reinstate the playing fields and changing facilities ourselves (there are already a number of playing fields in that area such as Joseph Hood), but we are working with the Community Trust that aspires to establish new playing facilities. We recently met with their advisors to discuss a range of issues.

Merton Council does manage more than 110 separate park and open spaces that offer a huge range of formal and informal opportunities for the local community of all ages to enjoy sport and recreation. Our service offer for children and young people comprises numerous playgrounds, green gyms and water play facilities, over and above the sports pitches, ball courts and the three sports centres that form part of the leisure portfolio. In addition the

Council, both directly (e.g. through its Merton Active Plus programme for children held during school holiday periods) and indirectly through partnership working and some of its customers, promotes and supports the delivery of activities across a range of sports ranging from traditional games such as football, cricket, rugby and tennis, through angling, archery and netball, to relatively new sports such as BMX and beach volleyball. The borough has a popular sailing centre, and an athletics stadium, both utilised extensively by local schools and its parks pavilions support a number of play groups, martial arts groups and indoor sports such as badminton.

Whereas, formal sports activities may not currently be especially prominent at Morden Park, that locality does support the borough's largest green gym and Morden Park Pool (and, in addition, some recognised nature conservation interests for those interested in more informal recreation). Tennis for Free is active in the Cannon Hill Ward at Joseph Hood Recreation Ground where the Wimbledon Little League, one of five Little Leagues in the borough, also offers programmes for children year-round.

All in all, and over and above the sporting activities offered as part of the school curriculum, there is no shortage of activities in Merton that offer benefits in terms of the health and well-being of our youngsters, including many which take place in its parks.

The council has never recently been behind any conversion of a school playing field or playground to a car park, and during the school expansion process has worked with schools to ensure car parks are not increased at the expense of children's play space.

3. From Mr Whalebone

To Councillor Andrew Judge, Cabinet Member for Environment and Regeneration.

Question

"Cycling on pavements by adults is on the increase and is extremely dangerous to pedestrians, particularly to children and the elderly. A particular problem area is around the Surrey Arms on Morden Road. Will the Council please take action to stop this before a serious accident occurs there or in any other part of the borough."

Reply

Cycling on the footway in England and Wales is an offence under Section 72 of the Highways Act 1835 as amended by Section 85(1) of the Local Government Act 1888, unless there are signs showing that cycling is allowed.

The Council is not responsible for enforcement and this remains the responsibility of the Metropolitan Police. In August 1999, the Home Office

extended the fixed penalty notice system to cover the offence of cycling on the footway. The choice of issuing a fixed penalty notice, a prosecution, or a warning is a matter for the Metropolitan Police. Fixed penalty notices cannot be issued to children under the age of 16.

We recognise that footway cycling is an important issue and we continue to offer an extensive cycle training programme for both adults and children, which promotes responsible cycling as well as practical training on how to cycle safely and confidently on busy roads to discourage the use of pedestrian footways by cyclists.

I have asked council officers to raise this issue and your more immediate concerns about pavement cycling on Morden Road in the vicinity of the Surrey Arms with the Police Safer Neighbourhood Team on your behalf.

4. From Mr Gould

To Councillor Mark Allison, Cabinet Member for Finance

Question

“What happened to the insurance money from the building on Joseph Hood Park?”

Reply

The only insurance claim in respect of a building in Joseph Hood Park that officers can identify is for a fire that occurred in 2003. The claim was paid from the council's internal insurance fund so no external money was received. Approximately half of the money was used to demolish the remains of the structure settlement and the balance was passed to the service department for their use. Unfortunately, the council does not retain detailed financial records dating back for this time and so we cannot itemise the precise usage.

5. From Mr Pollak

To Councillor Mark Allison, Cabinet Member for Finance

Question

“What efficiency savings could be achieved by merging Green Spaces and Leisure Development into one overarching Parks and Leisure Department? Would this not produce a more efficient structure?”

Reply

There are no current plans to merge these two divisions. The Greenspaces division and the Leisure Development division have distinct areas of operation - the former looks after the management of Merton's parks and open spaces, cemeteries and allotments including the maintenance and letting of our sports

pitches. The latter is responsible for the development of arts and culture in the borough including the management of the GLL contract of our three leisure centres; the watersports centre and Morden Hall. We continually consider efficiency saving opportunities within all areas of operations and will act upon them accordingly.

Supplementary

Councillors will be aware that leisure development also includes sport and the parks and open spaces includes sports facilities. There is a lot of crossover between the two departments and communication disputes between them. If you actually merged them, these disputes would be removed and the Council could achieve significant savings without affecting frontline services.

Reply

As the answer that I've given suggests, our current thinking is that the two areas are distinct enough that it would be better if they were kept separate. As with all matters to do with reorganisation of the Council, we review things on an ongoing basis. Whilst I can't promise him that he's correct that we'll be able to make these savings or improvements that he desires, I can promise that it is something we look at from time to time. It's not something that we think is right at the moment, but who knows, in the future it might be.

6. From Mr Ling

To Councillor Mark Betteridge, Cabinet Member for Performance and Implementation

TO BE ANSWERED BY THE CABINET MEMBER FOR FINANCE

Question

"Given recent stories in the Wimbledon Guardian, is the Council doing anything to make records of councillors' attendance at meetings more accessible to the public?"

Reply

Member attendance at committee meetings is recorded in the minutes of each meeting, all of which are available on Merton's website after the meeting has taken place. The council's website provides details in relation to each Councillor together with a record of the committees they have been appointed to in the current municipal year and a link is provided below:

<http://www.merton.gov.uk/council/councillors.htm?view=allmembers>

7. From Mr Coverdale (in attendance)

To Councillor Mark Allison, Cabinet Member for Finance

Question

“In 2001 Parliament enacted legislation against aiding and abetting war crimes. By collecting council tax, knowing that it contributes to war crimes in Afghanistan, councillors render themselves and residents liable for prosecution as accessories to war crimes. What are you doing to uphold war law and halt unlawful tax collections?”

Reply

The council tax has no connection with any expenditure on war of a criminal nature or otherwise.

Supplementary

Anyone with a knowledge of the laws of war will know that the answer I received is incorrect in law. As the Government and HM Forces have been breaching war law and killing civilians in Afghanistan since 2001, is the Council willing to abide by its legal duties and suspend the collection of tax until an international court rules that the war, the killings and the actions of the British Government are lawful and accord with the laws of war? If not, is the Council willing to accept my offer of a briefing meeting to inform Councillors of their responsibilities and duties under the laws of war?

Reply

Unfortunately I think that there is clearly a legal disagreement. We have lawyers who tell us that what we are doing is absolutely lawful and I want to reassure him that no staff from Merton Council are being funded by us, out of council tax payers money to fight illegal wars anywhere in the world. It's hard enough cleaning the streets of Merton without sending staff abroad to war. The other thing I'd like reassure him about, I'm sure he's referring to wars that the Government have waged, and my understanding is that all the wars the Government have waged in recent memory have been lawful and he may disagree with us on this, but I think that the world is a better place because Britain has participated in cleansing the world of brutal, nasty, murderous dictators.

8. From Mr Sanchez (not attending)

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

“What's the council doing to listen, and to act upon, the concerns of the vast majority of residents of the Abbey Mills area, regarding ludicrous planning applications aimed to change the use of job generating sites such as the Riverside Business Park, and expecting the area to cope with up to 5000

extra visitors a week, when in fact, the infrastructure we have already struggles today?”

Reply

The council has strong planning policies, supported by the Mayor of London, to protect employment land such as the South Wimbledon Business Area for businesses and jobs. We also support business areas for business growth through investment in roads, the public realm and other local infrastructure and by working with the business groups within these areas.

The council will use its planning policies to resist inappropriate planning proposals that harm current or future business growth in designated business areas, or that harm local residential and business amenity.

Merton’s employment areas, and in particular, South Wimbledon Business Area, referred to in the question are protected to retain and promote employment generating use under a range of planning policies including:

London Plan – the area is a Strategic Employment Area for South West London, where other inappropriate uses will be resisted.

Merton’s Core Planning Strategy (2011) also recognises the importance of the South Wimbledon Business Area as a strategic employment area and where non B1-B8 employment uses would not be supported.

Merton’s UDP (2003) also provides similar reassurances.

The Council cannot control which applications it receives, but through Planning Applications Committee will be recommending refusal of such proposals that do not meet our planning policies.

In January 2013, the Government announced Permitted Development Rights for the conversion of office buildings to residential use. This will undoubtedly have an impact on the protection of local employment sites. However, such proposals will also have to adhere to the Council’s design and transport policies where applicable. We are awaiting a response from the Mayor of London regarding the status of office buildings within the London Plan protected employment areas.

9. From Mr Lawson

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

“What is the weekly volume of vehicles using the Ridgeway and Church road in Wimbledon Village”

Reply

Road	Northeastbound	Southwestbound	Total
Ridgeway (within the vicinity of Ridgeway Gardens)	48,757	48,512	97,269
Church Road (within the vicinity of Belvedere Avenue)	22,044	23,523	45,567

Supplementary

In the recent consultation on the Belvederes, Council officials expressed concern at the volume of vehicles going down Church Road. The Ridgeway is every bit as narrow or wide as Church Road and yet looking at these numbers, seems to be carrying excessive numbers. Should the Council be doing something about the volume of traffic on the Ridgeway?

Reply

I understand the basis and the context of Mr Lawson's question and I've got some measure of sympathy for it. We are constrained by the technical and professional advice that officers give us as traffic engineers. I understand that there was a concern on their part which is why they included it in the recent report, that various measures in the Belvederes might have caused congestion in Church Road in certain circumstances. I understand Mr Lawson's point that The Ridgeway actually deals with a heavier weight of traffic and there are significant difficulties with The Ridgeway's operation. I am sure we'll all take that point into account as we move into considerations of future proposals in the area.

10. From Mr Sidkin

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

"On what date was the final decision reached by Merton Council as to the extent of the consultation area for the purpose of the recent Belvedere roads consultation?"

Reply

The extent of the consultation area was agreed on 19 December 2011.

Supplementary

Why were Worcester Road residents consulted for the purpose of the recent Belvedere Road consultation?

Reply

I don't have a memory of direct consideration of Worcester Road. What happened was we convened an internal meeting of councillors from the wards directly affected, myself and officers. It was a consensus process by which we reached a decision on the roads that should be consulted. I think the view was taken that if a road was going to be directly affected by proposed measures then it should be consulted. I am sorry if you consider that Worcester Road, where I presume you live, was not consulted. I can take that into account for future consultations.

11. From Mr Beresford

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

"In the London Borough of Merton how many roads have protective measures, comprising banned turns, no-entries or gated closures, intended to control or prevent rat-running?"

Reply

Most of these measures were introduced many years ago to address personal injury collisions and improve safety. The table below shows the number of various traffic measures within the borough and not the number to prevent rat-running. Cannot give a definite number, which relates to rat-running, as these were introduced many years ago.

Traffic Measure	Number of locations
Compulsory turns	7
Banned turns	32
One way	56
Road closures	15
No entry	6
Total	116

12. From Ms Lines

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

“Could you tell concerned residents what the Council believes are its responsibilities regarding Watermill Way and the small footbridge that was constructed onto the Wandle Trail at the same time as Bennett’s Courtyard (2004). As leaseholders, some of our plans seem to delineate different boundaries to the private land. This question has arisen out of concerns about a proposal we have learnt of that would result in public access over these routes being multiplied by LITERALLY thousands of users, both pedestrian and vehicular.”

Reply

Council records indicate that Watermill Way is not Public highway and the footbridge is also not a Public Right of Way. These areas are therefore likely to be in private ownership and not under the Council's control although additional checks may be required to determine actual ownership. Also, I am not aware of whether prescriptive rights for the public have been obtained over the land in question. As a Cabinet Member, I cannot comment about a particular planning application, which should be addressed through the development control process, including a hearing before the Planning Applications Committee.

13. From Ms Barnes

To: Councillor Andrew Judge, Cabinet Member for Environment and Regeneration

Question

“In view of the large savings required on green spaces, and the match between Morley Park Trust's aspirations and the Council's agenda to achieve this, should the Council now discuss plans for Morley Park with the Trust in preparation for the Public Service Review of Leisure, Culture and Greenspaces?”

Reply

I have met representatives of LUNG on more than one occasion to discuss your aspirations, including a tour of the site with yourself and others some time ago. We welcome continuing dialogue about the possibilities of a Community Trust, potentially to include nominees of Lung, the Council and the Ursuline High School, in order to combine your aspirations with the wider public interest. That public interest should include full use of the playing fields and pavilion over the long term by the Ursuline High School, the largest comprehensive school in the Borough, and, subject to any terms of occasional private hire, public access to the grounds, where and when not used for school sport. In any event, we are also contemplating a lease of the playing fields and pavilion to the Ursuline alongside conditions to allow community use of the pavilion on occasions outside of school hours.

However, I am not persuaded by the 'savings to the Council argument', as these will be the most richly endowed playing fields in the Borough. If financial savings were to be the sole objective, the most advantageous route for the Council would probably be to maintain the land directly and hire out the facilities, almost certainly creating a surplus that could help maintain other greenspaces.

The Public Value Review in Greenspaces is not due to occur until the end of the current calendar year and the precise details of the review have therefore yet to be established. Irrespective, it will undoubtedly be an over-arching review that will consider a range of relevant issues across the parks service.

The review group will consider the views of stakeholder groups, but Morley Park is not currently a site within the Council's Greenspaces team's portfolio and the precise nature of the team's role at that site when it is eventually transferred to the Council is still to be determined.

The Council will continue to discuss its plans for Morley Park with all relevant stakeholders in the meantime, irrespective of the PVR.

Supplementary

How and when does the Council expect to consult the public on its plans for Morley Park and can the Cabinet Member promise there will be a public meeting held in the local area as part of this consultation?

Reply

It is some months before any decision will be made. I have no doubt that there will be further consideration by the Cabinet before any decision is made. We will certainly be talking to yourself and other members of LUNG about proposals. I am well aware that we have a community forum in the area which is very well attended and very well chaired on the whole. I pay tribute in particular to the role the Councillor Rod Scott has played and other members in that community forum. I think that would be a very good venue to consider any issues around the Atkinson Morley and to deal with any issues in the context of those meetings.

14. From Ms Kasipillai

To: Councillor Stephen Alambritis, Leader of the Council

Question

"What discussions has he had with the Borough Commander about safeguarding our Safer Neighbourhood Teams in Merton?"

Reply

I have had numerous conversations with the Borough Commander with regards to safeguarding our Safer Neighbourhood Teams. However, the decision does not sit with the Borough Commander but will be the result of an agreement between the Mayor of London and the Metropolitan Police Service. With this in mind both the Cabinet Member, Councillor Macauley, and I have written directly to these bodies setting out our concerns and our expectation that the local policing model in Merton meets our requirements and is not diluted. We remain committed to the future of safer neighbourhood teams in Merton.

As Members will know, as part of the consultation arranged by the Mayors Office for Policing and Crime, there is a public meeting on 26th of February here in the Council Chamber at which the Deputy Mayor for Policing and the Assistant Commissioner will discuss their plans for policing in Merton. This meeting is in the Council Chamber at 6.30 pm.

I would direct you to the Mayor's consultation document at:

<http://www.london.gov.uk/events/policing-and-crime-consultation-events?source=homepage>

for more information on the future of policing, in London including Merton, for further information on their plans for the future.

Supplementary

Can the Leader tell me whether the Mayor of London actually intends to close our local police offices in Mitcham and whether our Safer Neighbourhood Team will be cut from the six officers that it should have?

Reply

I would refer the resident to a meeting in this very chamber on 26 February, with the Deputy Mayor for Policing which I shall be chairing, open to all residents. We will be in a position to express our concerns both about the Mitcham Police Station that believe should be open 24/7 and about the protection of our SNTs and Police Teams. I have met with the Borough Commander on a number of occasions. He doesn't hold the answer to these questions. I've written to the various officers responsible for those questions and tomorrow I'm at a meeting with the Commissioner for the Metropolitan Police where I will raise the residents' concerns.