

## COUNCIL 27 MARCH 2013

### PUBLIC QUESTIONS

#### **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.

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#### **Questions:**

1. From Mr Keith Walton

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

Can you tell me when the monitoring analysis to assess the effectiveness of the current Merton 20mph zone schemes will be completed and the report made available, given it's 'due urgency and priority'? What is the cost of the monitoring analysis that has been commissioned?

#### **Reply**

The Council commissioned TMS Consultancy in 2012 to undertake a review of its 20mph limits and zones in the borough at a cost of £15,000. This work has focused 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 of the individual limits and zones. The findings of the report will assist in reviewing current speed management policy in line with new guidelines issued in January 2013 by the Department for Transport. This

work is still in progress and will be reported to the Cabinet Member for Environmental Sustainability and Regeneration later this year.

### **Supplementary**

I notice in November this was a matter of due urgency and priority. It's now four months later and £15,000 represents, it seems to me, about two months' work for one person. It would be helpful therefore if we could have a slightly more accurate date than sometime later this year. Is that possible please?

### **Reply**

This is a topic on which there is no good evidence of impact across the country for any scheme. We are forging a new direction here. We have a number of 20 mph zones and speed limits already. We have many physical restrictions. We must assess before and after. We're also trying to develop our own local approach to these matters where we can give priority to pedestrians and cyclists and look particularly at the examples of Home Zones that have been established in the Netherlands and in Germany for many years, to see whether those lessons might be drawn for this borough. I can't give a more accurate date right now. I know that work is being undertaken.

2. From Mr Andrew Craig

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

Why do you trim the trees in our streets to feeble stumps? Give us broad, green, leafy trees that make our streets shady in summer, and give birds a home. I'll live with the tiny risk of a branch falling on my head.

### **Reply**

Pollarding trees is a well established method of crown control and is applied to the range of species which will accept heavy pruning - such as Planes and Limes. This method of crown control has the added bonus as controlling crown size also limits water uptake thus preventing highway and property damage.

Since the 1970s this has become a major consideration as the inclusion of subsidence issues in house insurance cover has resulted in an industry of litigation against local government for alleged tree root induced subsidence.

Maintaining steady state crown sizes on trees in areas of shrinkable clay soil such as London Clay is the key to our success in defending and minimising such claims and retaining a healthy tree stock.

This method of crown control is not damaging to the tree and is considered to be the most appropriate management regime in certain cases.

It should also be noted that once a tree has been pollarded, the pollarded point can become weak and it is important to continue with this maintenance regime at the required frequencies to reduce the risk of branches falling on users of the Public Highway.

I would like to assure you that the London Borough of Merton is committed to maximising the value and life of its tree stock and will apply the most sensible maintenance regime to protect and preserve these important assets.

### 3. From Mr Tony Burton

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

What consultation was undertaken with local residents and what assessment was done of the compatibility of proposals for 29 new road signs with Department for Transport Traffic Advisory Leaflet 01/13 "Reducing sign clutter" before construction began on opening up access to Willow Lane industrial estate from Carshalton Road?

#### **Reply**

The Council is supportive of the advice and guidance contained with the DfT's Traffic Advisory Leaflet 01/13 "Reducing Sign Clutter" and are endeavouring to apply these principals to new traffic and highway schemes.

The signage associated with the re-opening of Willow Lane has been designed with these principals in mind, while at the same time ensuring that the proposed weight, width, one way and waiting restrictions can be enforced while clearly advising drivers what is expected of them.

Every effort will be made to reduce the amount of signage required as part of this scheme, however road safety is of paramount importance when designing traffic and highway schemes

### 4. From Charles Barraball

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

What priority is given to resolving barriers to the free passage of the impaired wheeled or on foot in day-to-day management of the council's public highway assets?

#### **Reply**

We treat access as a high priority. The council has an accessibility programme funded by Transport for London to improve access for the visually

impaired, those with mobility difficulties, the elderly, parents with young children and other vulnerable road users. Furthermore as part of their inspection duties the council's Highway Safety Inspectors ensure that illegal obstructions such as A-boards on the highway are kept clear or removed.

5. From Mrs Barbara Mansfield

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

The Street Management Committee held on the 30th January provided London Bus figures of people boarding and alighting in The Fair Green (para 2.43 Officers Report) Will the Council publish a breakdown of these journeys including the bus stops used and the type of traveller?

### **Reply**

The data provided by London Buses is based on Oyster Card figures and covers the following bus stops:

C (Raleigh Gardens): 2,150 boarders per day and 1,420 alighters

D (Raleigh Gardens): 600 boarders and 1,000 alighters

G (Raleigh Gardens): 730 boarders and no alighters

H (Upper Green West): 1,400 boarders and 1,030 alighters

The data belongs to TfL and they have clarified that it is not possible to break it down by pass holder type.

### **Supplementary**

Would you agree that this data is poor, no help to the officers in our current position or to societies around Mitcham who have an interest in the proposed changes to the buses in the Fair Green?

### **Reply**

Clearly what we have here are very good figures, they are provided by TfL, possibly the finest transport organisation in the world. Currently under a Conservative Mayor and I trust these figures. They show thousands of people are getting on and off buses in Mitcham town centre every day and that footfall could make an appreciable difference to the commercial viability of shops in Mitcham town centre.

6. From Sandra Vogel

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

When will the council complete the process for recognising London Road Playing Fields and Figges Marsh as Queen Elizabeth II Jubilee Fields given the deadline for completion is now approaching?

### **Reply**

The process will be completed when the council is fully satisfied with the legal aspects of the dedication of these sites as QEII Fields, including the formal Deed of Dedication. Fields in Trust (FiT) are aware of the council's formal nomination of these two sites in Merton and the respective legal representatives are currently dealing with the matter, aware that FiT is working towards a deadline for completion. FiT have always recognised that some sites may come on line after 2012 due to the negotiation processes involved.

7. From Alan Hutchings

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

Will the council confirm a commitment to keeping open the designated right of way between Mitcham Park and Tramway Path, East of Mitcham tram stop and to take action to re-open it as a matter of urgency, after so months of closure?"

### **Reply**

The path was kept closed due to safety concerns following the works carried out by London Tramlink. To address the safety concerns London Tramlink has contacted the council proposing a permanent diversion of the path. As a result the council has sought legal advice regarding Tramlink's proposal and are now in the process of responding to this proposal.

The council will endeavour to keep the path open and to have it reopened as soon as practicable. However, the council also has a duty to ensure the safety of users of the path and can only agree its reopening once the council is satisfied that all relevant steps have been taken by London Tramlink to address the safety concerns.

If London Tramlink wishes to pursue their proposal to permanently divert the crossing then they will have to go through the relevant public consultation process.

8. From John O'Sullivan

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

When will the council commence monitoring lorry movements leaving the Benedict Wharf site, which I understand is required as part of the planning permission granted to Sita UK for the development of the site?

### **Reply**

The monitoring of vehicular movements associated with the site is secured by the Section 106 agreement, which requires a delivery and servicing plan to be submitted to the council in respect of the development. This plan has been approved and includes measures for the ongoing monitoring and review of the delivery and servicing plan. It also includes mitigation measures to minimise the impact of deliveries on Church Road and also encourage delivery vehicles to turn left from Hallowfield Way. At this stage, the planning permission has not been implemented and therefore monitoring is not yet required. The delivery and servicing plan would be implemented by the owners of the site. However, the monitoring and review of the effectiveness of the plan will be undertaken by council officers who will take enforcement action should issues affecting neighbour amenity arise.

9. From Ceridwen Davies

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

The Council has responsibility for protecting the community's investment in pavements designed for feet, yet in every ward they are being abused by motor vehicles causing obstruction danger and distress to the vulnerable. What action is in hand to safeguard assets and maximise cost recovery from perpetrators?

### **Reply**

Permitted footway parking is considered as a last resort where, due to the width of the road, parking on the carriageway would prevent access for emergency, refuse and service vehicles. In giving consideration to allowing footway parking the Council takes a balanced view between the need to maintain vehicular and pedestrian access and the parking needs of residents, their visitors and businesses.

The Council will take action to prevent unauthorised footway parking where persistent offenders cause damage to the footway and impose a maintenance burden to the Council.

10. From Ben Saunders

To Councillor Linda Kirby, Cabinet Member for Adult Social Care and Health.

Will Merton Council display commitment to tackle mental health discrimination and sign the "Time to Change" pledge?

### **Reply**

Merton Council is fully committed, working with the Mental Health Trust, to tackling discrimination against those with a mental health need. The Time to Change pledge, led by Rethink and Mind, is the biggest national programme to challenge mental health stigma and discrimination. The council would support that campaign. At a local level it is the core business also of those who work within mental health to challenge discrimination where possible, and social workers and other mental health professionals work hard to ensure that where discrimination is evident they mitigate this through their work with individuals. The mental health teams advocate as much as possible for people with mental health problems on a range of issues on a daily basis.

However, discrimination is a matter for communities as a whole and so working with colleagues in other agencies to provide information and training, and with partners in public health, we must all continue to address any discrimination we encounter. The campaign aims to empower people with mental health problems to talk about their problems without facing discrimination and we aim to do this ourselves with support to local networks and in our work with organisations from all sectors to improve policies and practice around mental health discrimination.

### **Supplementary**

I welcome the Councillor's apparent commitment to tackling mental health discrimination. Can you explain how it is not discriminatory to take Freedom Passes from more than 400 people with serious mental illnesses, unless for example they prove they also have a serious physical disability.

### **Reply**

We don't have a statutory requirement to provide Freedom Passes to people with mental health issues and I'm very sad that we aren't able to continue funding those passes. The fact is, we have lost a third of our funding in local government and we are now struggling to provide for statutory services. We are reassuring that those people that require travel support will get it and it is a matter for them to talk to their care workers and to make sure that those cases are put. You are right, it would be good if we were able to continue that and I'm sad that we're not. But that's a fact of life, we are now dealing with far less money these days and we have statutory requirements we must comply with.

11. From Richard Heinrich

To the Cabinet Member for Community Safety, Engagement and Equalities

Regarding the proposal for a borough-wide controlled drinking zone, what is the Council's evidence that alcohol is the cause of anti-social behaviour in each and every part of the borough?

### **Reply**

Each and every part of the borough does not have alcohol related crime and disorder. However to segment the borough would displace issues into other areas and would require numerous consultations which would be a financial burden to the council and therefore the community. We do have evidence of alcohol being a cause in a number of locations in the borough. The consideration of a controlled drinking zone is a response to this and to ensure the safety of our residents no matter where they are in the borough whilst ensuring value for money through minimising successive consultations as problems are displaced.

12. From Louise Evans

To Councillor Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities

Should the Council choose to implement a borough-wide controlled drinking zone, what measures will be taken to ensure that it is not applied in a disproportionate or discriminatory way by police and other enforcement officials?

### **Reply**

The implementation and control of the controlled drinking zone would be a matter for the police to ensure the equity of the process. The Licensing Committee has committed to reviewing the actions bi-annually and therefore would hold the police to account for their responses. Should members of the public feel that the power has been used inappropriately then they would have recourse through the police complaints procedures.

13. From Anthony Fairclough

To Councillor Linda Kirby, Cabinet Member for Adult Social Care and Health.

An acquaintance of mine is very worried about the removal of the discretionary freedom pass from people with certain mental health conditions; how and when will this information be communicated to a group containing a number of vulnerable people?

### **Reply**

Due to financial pressures, Merton Council has needed to come in line with most other councils in London and restrict Freedom Passes to those who



have a statutory entitlement to them within the London wide scheme. This decision was taken in March 2011 as part of the budget process.

The decision has been communicated to all of those who would be affected. At the end of February a letter was sent to those who currently hold a Freedom Pass for mental health reasons and they were asked to consider whether they were eligible for a mandatory pass for any other category of disability (physical, sensory or learning disability) and respond to the freedom pass department in the civic offices. Those over 60 will be eligible on the grounds of age.

However, for those with serious mental health problems the mental health service is committed to assisting those they work with, as much as possible, to identify other travel passes they may be eligible to apply for.

If people have a clear need for assistance with transport and are not in receipt of the benefits with a mobility component, then their care coordinator in the mental health team will assess that need, as part of their care planning arrangements and in line with their recovery plan. An amount of money was added to the mental health social care budget so that transport costs could be provided for, if identified as a time limited need in relation to meeting recovery goals or essential needs.

A number of meetings have been held by the mental health service with service user groups for people with mental health problems, including Merton Platform, Rethink and Imagine, to explain this change and the options available. Posters and information were placed in public places, including libraries, around the borough and in mental health premises. Posters have also been sent to GP surgeries.

Anyone who is unclear should ask their mental health professional to explain their options and if necessary ask them to help with any alternative applications.

### **Supplementary**

I would like to ask the Cabinet Member if it would be possible to add this information to the Council's website in a readable form. Secondly, I raised this query with the Council on 7 March, I received an automated response saying the query had been received but I got no response at all in answer to the question and would the Cabinet Member be able to investigate how the query got lost, because this is an issue that people are concerned about.

### **Reply**

I am happy to do that.