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Merton Council

Council

18 September 2019

Supplementary Agenda 5

28 Public and Councillor Supplementary Questions and Replies

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1. From: Ricardo Gladwell

To the Cabinet Member for Commerce, Leisure and Culture

Park by-laws prohibit 'the lighting of fires' in all parks; why is Merton risking the health and safety of park users by allowing barbecues, resulting in fires in bins, the children's playground and causing harmful pollution, thereby failing in its duty of public safety and Government clean air objectives?

Reply

The Council's broad position on barbecues is captured within Agenda Item 18 (para. 2.5) of this Council meeting.

The Council recognises that the topic of barbecues in parks is a controversial matter and regrets some of the avoidable issues that some barbecues and picnics bring to our parks. However, it also recognises that our customers' leisure-time needs and aspirations have changed in recent times and substantially so since the local authority last formally updated its park byelaws during the 1990s. The emergence and ready-availability of cheap and disposable barbecue equipment in many local stores and supermarkets is a very obvious illustration of this transformation.

Our view is that the borough's parks and open spaces should continue to be places of enjoyment for the whole community and, with this in mind, the Council is proposing to undertake a community-wide consultation on the issue of barbecues in its parks in the very near future.

Supplementary

So my question is; Park by-laws prohibit the lighting of fires in all parks. Why is Merton risking the health and safety of park users by allowing barbecues resulting in fires in bins, the children's playground and causing harmful pollution thereby failing in its' duty of public safety and Government clean air objectives?

Reply

Thank you Madam Mayor and thanks to Mr Gladwell for his supplementary question. As I've said in my written response, we are proposing to hold a community-wide consultation and I advise that we wait for the result of that consultation. Thank you.

2. From: Joyce Pountain

To the Deputy Leader and Cabinet Member for Finance

The Isle of Wight Council has switched to Ecotricity, so that 100% renewable energy is now powering all council buildings – see <https://www.islandecho.co.uk/clean-and->

[green-buildings-for-isle-of-wight-council/](#). Does Merton Council have a similar contract? If not, will it switch to one, now that it has declared a Climate Emergency?

Reply

The London Borough of Merton has recently entered into an agreement to purchase 100% green electricity backed by REGOs (Renewable Energy Guarantees Origin - <https://www.ofgem.gov.uk/environmental-programmes/rego>) via its supply contract with Scottish Power. The Energy and Sustainability team is continuing to look at ways to further decarbonise the councils energy within the next round of utility supply contracts (to commence 2022) including actively investigating the purchase of 'Green Gas', and looking at direct Power Purchase Agreements (PPAs) with renewable generators.

The council has for a number of years also been proactive in installing on-site renewable energy via its extensive Photovoltaic (PV) programme. The council now has over 2mWp of PV generation installed across its buildings, and is investigating ways to both increase this renewable generation and to maximise the benefit from these assets.

3. From: MJ Lewsey To the Cabinet Member for Regeneration Housing and Transport

What new business or investment in Merton has resulted from the councillors' jolly visit to the south of France earlier this year?

Reply

Merton Council attended MIPIM to raise the profile of the borough and to attract the attention of developers, investors and promote development opportunities that will meet our regeneration ambitions.

There have been subsequent follow-up meetings since MIPIM where a dialogue with many developers has now been established to encourage new development and investment in Merton; aligned to the ambitions in our local plan.

A key task was to promote the regeneration of Morden town centre and subsequent follow up meetings with a number of prospective development partners has shown a strong interest from the development industry to partner with Merton and TfL to realise the opportunity and regenerate Morden town centre.

4. From: Tom Killick To the Deputy Leader and Cabinet Member for Finance and the Cabinet Member for Adult Social Care, Health and the Environment

How much money, if any, has the Council withheld from Veolia UK for unsatisfactory performance under the terms of the contract for waste and recycling services which began on 1 April 2017?

Reply

The financial amounts withheld are currently commercially sensitive, however it is the intention to publish the annual performance deductions when agreed between the two parties. In terms of performance information, which is a matter of legitimate public interest, this information is publicly available with the latest performance of the service provider reported to the Sustainable Communities Overview and Scrutiny Panel on the 3rd September 2019.

Supplementary

I thank the Cabinet Member for his reply. I was at the Sustainability Panel which he quotes in his answer and I heard the gentleman from Veolia, Scott Edgell I think his name is, say that, a quote “there have been fines deducted from the contract”. That being the case, I’m not clear why the Council believes it’s still commercially sensitive to reveal whatever fines have been paid or payments withheld?

Reply from the Cabinet Member for Finance

I’d like to thank him for coming tonight and also for his supplementary. As is explained in the answer, whilst nobody denies that the service has not been acceptable from our point of view and nobody denies that we have been enforcing the contract and we are seeking to achieve the best outcome financially for the Council, as well as in terms of the street cleanliness, so therefore it is true to say that fines have been made; because of commercial considerations it is not possible for us under the law to at this point, go into detail about what the actual figures were. So we can confirm they’ve taken place, which I think is what you’ve asked in that supplementary, but what you asked in the original question about the amount unfortunately I’m not able to give you at the present time.

5. From: Kevin Clarke To the Cabinet Member for Regeneration Housing and Transport

The Raynes Park to New Malden cycle route is fantastic for younger riders. The one way system is not cycle friendly and Kingston Road cycle path periodically suffers excessive private parking near the manuplastics site. What plans are in place to improve cycle links onward to Wimbledon?

Reply

The Council has made a commitment to encourage active transport such as cycling by improving cycle facilities (cycle routes and cycle parking). Given the limited available funding, in recent years the Council has concentrated in improving cycle and pedestrian facilities along hostile routes in other parts of the borough.

Raynes Park

As part of Quietways which is a TfL funded programme, there are some proposals for cycle improvements within the Raynes Park town centre; however, due to site constraints and the detrimental impact on the local businesses TfL and the Council are seeking alternative improvements.

Kingston Road

Although the Council actively promotes cycling, we are obliged to be mindful of the impact on other road users, the local community, the business community and the competing needs of the available public space. There is an advisory cycle lane and the carriageway is subject to waiting restrictions Mon-Sat 8.30am-6.30pm. To ensure that the cycle lane is kept clear, there would be a need to double yellow lines along the entire length which is likely to attract objections from the residents and the local businesses. Should substantial funding be made available, the Council could seek to introduce a segregated or a mandatory cycle lane but this would involve a comprehensive consultation and considerable funding that is currently unavailable.

Notwithstanding the above, the Council will continue to invest in cycle infrastructure within despite the various constraints and challenges.

6. From: Tamara Kohler To the Deputy Leader and Cabinet Member for Finance

What is Merton doing to ensure that residents, particularly the vulnerable, do not suffer hardship as a result of a no deal Brexit?

Reply

The council has committed to supporting residents that are EU nationals to achieve settled status and to ensure they remain able to access the services that they are entitled to. Merton is one of the local authorities that has provided an ID document scanning service, that can be accessed at Merton Registry Office and information highlighting whom the Settled Status Scheme affects and information that EU national residents will need to register has been featured in the spring and winter editions of My Merton. The council's communications team also continues to regularly put out information via social media relating to the scheme and linking to government guidance. Discussions have taken place with the Faith and Belief Forum about the scheme and further outreach to promote the Settlement Scheme is planned with local community organisations who have regular contact with EU nationals living in the borough.

Recognising the risks that some of those eligible, particularly those that are vulnerable, could fail to take up their right to settled status or struggle to get their application approved, funding was allocated to Citizens Advice Merton and Lambeth (CAML) in April 2019 to deliver a Merton-wide EU Settlement Scheme Service with a dedicated paid specialist Adviser. The service, which has been open since July 2019 is to support Merton residents prepare and apply for the Settlement Scheme. Officers in CSF have attended a Home Office briefing relating to Looked after Children that are EU nationals and are developing an action plan to ensure the local

authority fulfils its statutory obligations as corporate parent to children on full care orders. More widely, CSF are maintaining awareness of our vulnerable families and to respond with any appropriate support that may be required as a result of rising costs and shortages that may result as a consequence of a no deal Brexit.

While local authorities do not manage or control food supplies, they are well placed to provide intelligence on any developing issues that could assist relevant departments to support communities. Locally Community and Housing and Public Health are collecting information on food banks and voluntary groups that serve food and looking at actions to support them.

**7. From: Stephanie Biden
To the Cabinet Member for Adult Social Care, Health and the Environment**

What is Merton council doing to help those living in fuel poverty across the borough?

Reply

1) Warm and Well Scheme (Adult Social Care)

- As part of Adult Social Care's winter pressures initiatives, we have commissioned Wimbledon Guild and Age UK Merton to deliver the Warm and Well in Winter Campaign. Part of this campaign is to support Merton residents who are in fuel poverty. The campaign raises awareness through giving talks to local organisations and provide individualised advice and information to residents-some of this support is to assist people to maximise their benefits entitlements and achieve savings with their fuel provision.
- We have also given additional funds to Wimbledon Guild to allocate small grants to residents most in need to stay warm and well, which includes giving small one off grants to help people with their fuel bills.
- The Council also works in partnership with Age UK Merton, who run a limited number of home energy checks for older people each year.

2) Merton's Housing Enforcement Team (Environmental Health)

- Excess Cold and Damp & Mould are hazards under HHSRS (Housing Health and Safety Rating System). Officers address these issues in rented homes by enforcement work with landlords on:
 - boiler repair or replacement with new energy efficient boilers;
 - Ensuring compliant loft insulation
 - Interventions include advice on passive ventilation, repositioning of radiators, installation of humidistats and insulation

3) Housing Services – referral to 'Thinking Works' and DFG's

- Front line Housing Enforcement Team staff also refer residents to 'Thinking Works' advisors (Thinking Works is a pan London not for profit organisation providing energy efficiency advice and can supports residents to apply for Greater London Authority energy efficiency Grants). They will visit any vulnerable client for free and give advice on keeping warm as well as installing free devices to help cut heating bills and water costs (e.g. radiator reflector panels, 4k grants for new efficient boilers and thermal insulation works).
- Housing services provides Disabled Facilities Grants (DFG's) to vulnerable households. These provide aids and adaptations to households in Merton such as accessible showers. Work does include new central heating where this is recommended by an Occupational Therapist.

4) SLEEP

- Merton makes up one of the twelve South London boroughs that form the South London Energy Efficiency Partnership project board (SLEEP).
- SLEEP is a fuel poverty advice and referral network aiming to identify and support vulnerable households in South London helping them heat their home and improve health and wellbeing outcomes.
- The GLA's funding across the partnership was confirmed as total grant: £184,000 with a 60:40 split, year 1 and year 2.
- Support includes home visits and referrals to the GLA Fuel Poverty scheme. It also includes support to switch energy suppliers, benefit entitlement checks and fuel debt casework.

5) Income maximisation and welfare advice

- One element of fuel poverty is not having the income to pay fuel bills. The Council supports a number of work-streams that support resident's financial position including:
 - The Council commissions Merton CAB who provide both welfare/benefit advice (income maximisation) and debt advice to residents (including support for utility bill debt).
 - Merton's Welfare Support Scheme can assist vulnerable households with energy bills if non-payment is due to an unexpected event, for example a boiler breakdown. Details are available at <https://www.merton.gov.uk/council-tax-benefits-and-housing/benefits/money-advice/local-welfare-support-scheme>

- The Council promotes energy switching such as the London wide 'The Big London Energy Switch' at <https://www.merton.gov.uk/business-and-consumers/save-money-on-your-energy-bill> .

8. From: Barry Smith
To the Cabinet Members for Adult Social Care, Health and the Environment and Regeneration Housing and Transport

What has Merton council done in response to the Parliamentary Business, Energy and Industrial Strategy Committee published report: 'Energy Efficiency: Building towards net zero'?

Reply

The 'Energy Efficiency: Building towards net zero' report makes recommendations to the Government but does not represent regulatory change which Merton is required to implement. Nonetheless, we strongly agree that improving the energy efficiency of our building stock is a crucial step towards achieving net zero carbon.

Merton Council currently promotes increased energy efficiency in new developments, through our planning policies, as well as improvements in the existing building stock, through retrofit schemes. Over the coming months, we will also be identifying further opportunities to improve the energy efficiency of Merton's building stock as part of Merton's Climate Action Plan, following the Council's recent declaration of a Climate Emergency.

Energy efficiency in new developments

As per Merton's Core Planning Strategy (2011), the Council currently requires all planning applications for new residential and non-residential developments to consider carbon savings through energy efficiency in line with the GLA's energy hierarchy. Minor domestic developments are required to achieve a 19% reduction in regulated carbon dioxide emissions (beyond Buildings Regulations Part L 2013) on-site. Major domestic developments are required to achieve no less than a 35% reduction in regulated carbon dioxide emissions (beyond Buildings Regulations Part L 2013) on-site, and to offset the remaining regulated carbon dioxide emissions (up to 100% improvement on Part L 2013) through cash in lieu contribution. Major non-domestic schemes are required to achieve a 35% reduction in regulated carbon dioxide emissions (over Buildings Regulations Part L 2013) on-site. As per the GLA's guidance on preparing energy assessments (2018), Merton is also encouraging applicants for major domestic and non-domestic developments to achieve at least a 10% and 15% improvement respectively against Building Regulations from energy efficiency, in line with the New London Plan.

Merton Council is also currently in the process of updating the Local Plan and will consider the viability of implementing more stringent energy efficiency requirements for new developments.

Energy efficiency in existing buildings

Merton Council has also promoted a number of schemes focussing on improving the energy efficiency of the existing building stock in the borough. In 2012, the Council ran a scheme to improve the energy performance of buildings across the boroughs schools' portfolio, by investing in insulation measures for schools, partially funded through Salix Finance. From 2015-2017, the Council also offered local businesses in Merton the chance to access expert energy efficiency advice and support to help reduce their running costs and environmental impact through the Brighter Business scheme. The Council is also currently involved in a pan-London scheme which will encourage residents to retrofit their homes and will include measures to improve energy efficiency.

Merton's Climate Action Plan

Following the Council's declaration of a Climate Emergency in July, Merton Council is developing a Climate Action Plan to identify what needs to happen in order to decarbonise the borough of Merton by 2050 and to decarbonise the Council's own buildings and services by 2030. Energy use in Merton's buildings and potential carbon savings through improved energy efficiency will be key themes considered in the Action Plan and the relevant decarbonisation pathways.

We strongly support the parliamentary report's recommendations that the Government should, amongst other things:

- Develop clear policies regarding improving the energy efficiency of the UK's existing and future building stock;
- Properly resource and fund local authorities to enable the significant work required; and
- Address the performance gap between 'as-designed' and 'as-built' developments.

9. From: Luke Taylor

To the Deputy Leader and Cabinet Member for Finance

Who is the nominated Brexit Lead at Merton council?

Reply

Councillor Allison is the Cabinet lead for Brexit.

As Chair of the Brexit Task Group, Caroline Holland, Director of Corporate Services is the council's lead officer for Brexit.

**10. From: Klaartje Dresselaers
To the Cabinet Members for Commerce, Leisure and Culture and Voluntary Sector, Partnerships and Community Safety**

Given the recent attack on a woman in Wandle Park, what measures are Merton council taking to ensure the safety of our residents and visitors wanting to use our beautiful green spaces in peace and safety?

Reply

The Council was appalled by this incident and our thoughts go out to the victim. This type of event is very concerning, but thankfully also rare. The parks and green spaces in the borough remain very safe places and Merton remains the fourth safest borough in London. From a crime prevention perspective we urge all residents to consider their own personal safety, not taking shortcuts through unlit areas when dark and considering their safe movement to and from destinations. We will continue to review security matters in all of our parks and work with Safer Merton, safety colleagues and relevant agencies, including the police, to consider what additional safety and security measures may be prudent and proportionate.

Where residents wish to receive crime prevention advice, the local Safer Neighbourhood teams and Safer Merton can also provide further advice and guidance.

**11. From: John Braithwaite
To the Cabinet Member for Commerce, Leisure and Culture**

How much reduction in use of each of the tennis courts at Joseph Hood, Dundonald Rec and John Innes Park by season is anticipated as a result of the new charges for usage?

Reply

There are no new charges for usage of the courts at these three venues. What is proposed is a new and more efficient technological mechanism by which the courts are booked and paid for by users remotely. These courts have always been pay-to-play-courts but in recent years the collection of court fees has been challenging as none of these parks is permanently staffed. The new ClubSpark booking system, developed by the Lawn Tennis Association, will enable us to improve the booking of tennis courts, which will improve the management of court usage and better understand demands and its customers without incurring excessive cost.

**12. From: Somayeh Aghnianejad
To the Cabinet Member for Commerce, Leisure and Culture**

How was the hourly rate of charges for tennis court usage calculated?

Reply

The current fees and charges for tennis court hire have been established for many years, being based on projected annual income and the longer term investments required to sustain tennis court facilities, and have only increased in line with inflationary pressures in recent times. Our fees are benchmarked from time to time with comparable tennis operations in the region to ensure that they continue to represent good value for money.

13. From: Samantha MacArthur To the Cabinet Member for Schools and Adult Education

What is the Council doing to ensure that each and every child in the borough receives the education they are entitled to?

Reply

Both in the work it does in facilitating good and outstanding school places, and the work in school improvement, the council undertakes extensive work to ensure every child receives the education they are entitled to.

The council expanded a considerable number of primary schools when needed over the past 10 years, and has done the same for secondary education, including facilitating the new Harris Academy Wimbledon by putting together the land assembly and working closely with central government colleagues. It has also expanded its outstanding special schools and is now working to ensure further places are added to ensure children have a good quality local school to attend.

In relation to existing provision, Merton continues to support and challenge schools to remain good or outstanding, or to improve from an Ofsted 'requires improvement' judgement as soon as possible. Merton also supports schools in responding to national policy changes and government initiatives. The Merton School Improvement (MSI) team works with schools, providing the support and challenge required. The team comprises inspectors (known as Merton Education Partners, MEPs) and advisors who work with schools, providing both in school support and challenge, and universal, central support, (mostly through continuing professional development opportunities). The MSI team works closely with a range of other LA teams and services which contribute to the wider school improvement agenda in Merton.

All schools are linked to a MEP, and receive at least two visits a year. During these visits, MEPs seek to work as closely as possible with school leaders in the individual context of each school. Leaders and governors are challenged and supported, particularly with reference to the areas covered by the Ofsted framework, including safeguarding. Advisory support is also available for all schools from the MSI team. Where schools are evaluating themselves to be less than good, or where there are concerns about performance, support from the MEP increases. Advisors offer

targeted support for identified schools, focusing on raising standards and improving the quality of teaching with regard to English, mathematics, equalities (including for those pupils eligible for the Pupil Premium), assessment, the curriculum and Early Years. Schools where concerns are identified are also asked to work with the LA through Support and Challenge Groups.

For children in the early years who are entitled to funded early years education there is a programme of activity that support and facilitates take up including:

- Assertive outreach and targeted promotional events for children aged 2 who are entitled to 15 hours of funded education a week over 38 weeks
- Partnership working with the maintained, private, voluntary and independent sector (including childminders) to secure sufficient places of funded early years education for the targeted 2 year offer, the universal offer of 15 hours a week and the 30 hours a week over 38 weeks for children aged 3 and 4
- Distribution of early years funding, including the Special Education Needs Inclusion Fund and provision of the SEND Inclusion Service/Advisory team
- Ease of eligibility checking for families and providers via relevant portals

Detailed information can be found in the annual Childcare Sufficiency Assessment and Action Plan <https://www.merton.gov.uk/communities-and-neighbourhoods/childcare/mertons-childcare-sufficiency-assessment>

14. From: Hugo Forshaw

To the Cabinet Member for Adult Social Care, Health and the Environment

What is Merton council doing to ensure that elderly residents who are living in poverty are receiving any unclaimed pension credit money that they are entitled to?

Reply

The Welfare Benefits team receives referrals regarding elderly residents not receiving pension credit, the majority of which come from the Financial Assessment team. Welfare Benefit officers contact the residents and advise them how to claim pension credit. Where the resident is unable to manage this process themselves the Council will arrange for a home visit by the Department for Work and Pensions' local partnership visiting team, who will visit the resident and help them to apply for pension credit.

15. From: Shipra Gupta

To the Cabinet Member for Regeneration, Housing and Transport

Further to the work the Council has done with Source London and TfL, what has been done to access DfT's residential chargepoints scheme and where will the new chargepoints be located, especially in light of July's cross-party motion declaring a climate emergency and an agreement to take rapid action?

Reply

The Council is working with TfL to deliver two rapid charge stations in Wimbledon using Office for Low Emission Vehicles (OLEV) grant funding. It has also made an expression of interest to London Councils for matched funding from Go Ultra Low Cities Scheme (GULCS) to install up to thirty lamp column chargers. The chosen locations will be based on requests from residents and the availability of suitable lamp columns. Typically three to four socket chargers will be installed per street. Spaces would be on a first come first served basis, rather than using dedicated bays so no traffic regulation orders will be needed. Users would pay the operators a charge to use the equipment.

Further info on available charge points is online at:

<https://www.merton.gov.uk/streets-parking-transport/electric-vehicle-charging-points>

**16. From: Richard Poole
To the Cabinet Member for Schools and Adult Education**

How many children in the borough are currently without a school place for the 2019-20 academic year?

Reply

The Council has provided a school place for every child that has applied on-time in this admissions round. (On any given date during the school year there will be a small number of children who will be without a place while arrangements are being made).

**17. From: Emlyn Williams
To the Deputy Leader and Cabinet Member for Finance**

I as a Council Tax payer in Wimbledon, am wondering how much of the £20 million funding to prepare councils for a no deal Brexit does Merton expect to receive? A rough estimate would be enough.

Reply

In January 2019, MHCLG announced funding to local authorities to prepare for a no deal Brexit. At that point Merton was allocated £210,000 over the two years of the planned transition period.

In August 2019 MHCLG announced a further £20 million of funding for all local authorities. £10 million of new funding from the Treasury, while £10 million is money held over from the Brexit funding announced earlier this year. Under this second round of funding, Merton has received an additional £105,000 as part of Brexit preparations.

In my view, this funding will nowhere near mitigate in full the impact that Brexit will have on the borough and those who live and work in it. Should there be a No Deal Brexit, this funding would be woefully inadequate.

**18. From: Christine Denwood
To the Cabinet Member for Commerce, Leisure and Culture**

On 4.7.19, the London Assembly unanimously backed the setting up of an action plan and timetable to eliminate glyphosate use by councils, except in very limited circumstances - see <https://www.london.gov.uk/press-releases/assembly/stop-using-harmful-herbicides-in-london>. Will Merton Council accept the recommendations of this plan?

Reply

In the Council's opinion there are, as the question suggests, circumstances under which glyphosate is very effective, as for example in the control of Japanese Knotweed. The Council will examine the details of the published action plan with considerable interest and determine at that stage the degree to which it is content to support its recommendations and timetable, but in principle it would be minded to support alternative methods of weed control provided that those are demonstrably and reliably cost-effective.

**19. From: Chris Stanton
To the Cabinet Member for Commerce, Leisure and Culture**

Pollinators are essential to the stability of our ecosystem but their numbers are much depleted. What are idverde and the council doing to help them?

Reply

Merton Council's contribution to the biodiversity interests of the borough takes a number of forms including the management and development of the local authority's own portfolio of parks, gardens and nature reserves that provide year-round opportunities for insects and other fauna, and working with developers to protect and enhance other natural assets, Morley Park being a good example of partnership working between the Council and the private sector in this regard.

The Council has, furthermore, introduced a number of "pictorial meadows" in its parks that offer colour and a food source for a range of insects, including bees, beetles and butterflies from the spring time until the first frosts of winter. These have been especially welcomed by human visitors too in such key locations as Wimbledon Park, at Dundonald Rec, in Morden Park and on Three Kings Piece in the centre of Mitcham, amongst other locations, where they are managed and refreshed annually by idverde.

Both idverde and the Council continue to work with local volunteers in developing community garden features within the borough's open spaces portfolio and on tree and bulb-planting initiatives in parks.

We host local beekeepers and bee hives in some suitable parks and allotment gardens too and have done so for many year.

20. From: Pippa Maslin

To the Cabinet Member for Commerce, Leisure and Culture

Is it true that the £90,000 earned by the council from the controversial Eastern Electrics Festival held in Morden Park this year is to be invested in the borough's parks more widely? If yes, please provide the details. If no, where is the money going?

Reply

All income received by the Council from outdoor events hosted in the borough's parks, including the income from the Eastern Electrics Festival, remains within the service. As a non-statutory service area, parks have been the subject of significant savings pressures in recent years and so event income streams form an essential element of the core annual budget for the parks service and ensures that our current parks services and the quality of our parks is maintained and preserved.

Supplementary

Ok, in the absence of the detail that I was hoping for; where exactly is the £90,000 going? Which parks and which projects in those parks?

Reply

Thank you very much to Ms Maslin for her supplementary question. I don't think we could be clearer. Parks and open spaces are not statutory requirements and so therefore the funds that we raise from there go to what we do to keep the parks and open spaces in shape for everyone to enjoy. Thank you.

21. From: Sara Sharp

To the Cabinet Member for Regeneration, Housing and Transport

What steps are the Council taking to ensure that democracy and transparency prevail after suddenly deciding last month for GDPR reasons to stop uploading residents' planning representations onto the Council's website, and what aspect of GDPR is it?

Reply

Residents are able to comment on planning applications as part of the statutory consultation process. Comments received are fully considered and summarised in the relevant reports, which are then uploaded onto the website and are available for viewing. Such correspondence (redacted) is also available on request and requests can be made to the development control team (planning.representations@merton.gov.uk). There is no statutory duty to display such representations on the website.

The decision was made due to the risk of personal information being uploaded contrary to Article 5 (1) (f) of the GDPR which "requires that personal data shall be: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against

accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')." This is in line with a number of other London councils. However, the council is currently investigating other ways to make representation easily available in the public domain.

Supplementary

Thank you for the response which really doesn't respond to my question. Since the Council does redact the personal data of public representations to put on the public file, why isn't it uploading it on to the website or to the Portal and given that you say that you will inform the public of amendments to planning processes, that is actually not happening at the moment. So can you please tell us what timescale you are working towards making sure that the representation is available in the public domain to ensure transparency? Thank you.

Reply

I'd like to thank Sara Sharp for her supplementary question Madam Mayor. All our planning representations can be accessed at the Civic Centre on inspection. We are an open and accessible Council. This was taken after advice in relation to the Information Commissioner and I believe it was the right decision to have actually taken as a Council. Thank you.

22. From: Daniel Beglin To the Cabinet Member for Women and Equalities

As Merton is an inclusive borough, would the Council permit the relocation of the rainbow crossing in Wimbledon to another site in the borough?

Reply

Merton Council installed the UK's first permanent Rainbow Crossing on 5th June. Located in Wimbledon Broadway by the recently opened CMYK bar. The multi-coloured crossing had been created in the design of the Rainbow Flag – which has been adopted, across the globe, as a symbol to celebrate the LGBT+ community and its diversity. The crossing joins many other rainbow crossings in London; celebrating 50 years of Pride.

The crossing was funded using developer contributions and has greater relevance being located adjacent to CMKY bar; the borough's only LGBTQ+ venue.

The council is open to other patterned crossings elsewhere in Merton subject to funding and local relevance of the designs.

23. From: Nicola Thompson To the Cabinet Member for Adult Social Care, Health and the Environment

When will the Air Quality Annual Status Report for 2018 be published? Are there Terms of Reference for the new Merton Air Quality Action Group, and will minutes be published on an ongoing basis?

Reply

Merton's Annual Status Report 2018/19 was approved by our governing body at the end of August and has now been published on the Council's website.

The Council had its initial meeting of the new air quality group with key organisations in August. We hope that this group will develop over the coming years to play an active role in tackling air quality in the borough. Draft Terms of Reference were circulated to the group and will be finalised by the representatives.

It will be up to the group to decide on the publication of the minutes. That said any groups that are interested in air quality can apply to be included in the meetings.

**24. From: Ingrid Dickenson
To the Deputy Leader and Cabinet Member for Finance**

Will Cllr. Mark Allison retract his veiled threats towards electromagnetic pollution 'experts' speaking out against future 5G installations in Merton? Whilst there is worldwide outrage and legal action looming in the US against 5G he is trying to shut down the debate here. Is this acceptable?

Reply

I am afraid I do not understand the premise of this question. No threats have been made towards experts in 5G technology. Experts in 5G technology have concluded that it is being rolled out safely and I call on all local residents and elected representatives to avoid scaremongering about this issue.

**25. From: Eve Cohen
To the Cabinet Member for Regeneration, Housing and Transport**

Why have detailed instructions on how to contact the planning team to view representations from the public (regarding planning applications) still not been put on the Council website, instead of the vague instruction to 'contact the planning team'?

Reply

Under the web page 'comment on a planning application' there are instructions on how to comment on a planning application by contacting the planning team via an email address which is provided on the same page just above the statement. However, for avoidance of doubt the message has been amended.

Supplementary

Thank you. I thank the Cabinet Member for the response to my initial question. The reason for that initial question was that on the 21st of August I emailed the Planning department to ask if any representations had been received for a particular planning application. I received a standard response stating in order to formally record, process and acknowledge my comments they first required provision of my full postal address and they couldn't process my communication further until such a time as this was received. This response was clearly inappropriate and wasted more of my time having to email again and the planning team's time having to reply again. Whilst I welcome the recent change to the instructions on how to request to view representations by directing to the planning representations email address, would you not agree that there is a need to have some differentiation between requests to view planning representations and submissions of planning representations perhaps by use of a different email address or using a standard subject line so that the process could operate more efficiently and I also point out a minor amendment is needed to the new statement on the website as it puts the planning team twice in the same sentence one after the other.

Reply

I'd like to thank Eve Cohen for her supplementary answer. In terms of the suggestions she has actually made it's certainly something we can look into further. In relation to the instructions they have actually as you are aware now been changed in terms of the website so it is more clearer in terms of accessing those representations. Thank you.

26. From: Emma Maddison To the Cabinet Member for Education

Congratulations to students attending Merton schools for their impressive hard work in achieving A level success this year. Could the Cabinet Member for Education update us on how students of Harris Academies in the Borough also fared this year?

Reply

Harris have a federated sixth form based in Croydon. We have not received disaggregated results for Harris schools in Merton.

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From Councillor Peter McCabe to the Cabinet Member for Regeneration, Housing and Transport

Could the Cabinet member please provide a progress report following the collapse of Bishopsford Road Bridge?

Reply

Since the partial collapse of one of the three arches on Bishopsford Road bridge in June, the council has been working with FM Conway, the Environment Agency, Thames Water and others to stabilise the bridge and to improve pedestrian safety for people crossing the bridge and using the surrounding footpaths. This includes installing CCTV, signage and ANPR cameras to deter motorcyclists from using the pedestrian and cyclists' footbridge. Transport for London have arranged for the 280 bus route to serve Bishopsford Road, Wandle Road and Morden Road and have added a temporary bus stop on London Road at the junction of Mitcham Park. There was a drop in coffee morning on Saturday 14th September between 10am and 1pm on the Tooting and Mitcham Hub side of the bridge where council officers and local councillors were available to update residents and answer questions. For updates, please see the council's webpage:

<https://www.merton.gov.uk/streets-parking-transport/roadworks/bishopsford-bridge>

Supplementary

Thank you Madam Mayor and I'd like to thank the Cabinet Member for his response. The residents of Ravensbury ward need to get to work, they need to take their children to school and they need to go about their everyday business. Will the Cabinet Member give me and the residents of Ravensbury ward an undertaking that he will introduce a much needed sense of urgency into allowing people to go to work, to take their children to school and to go about their everyday business?

Reply

I'd like to thank Councillor McCabe for his supplementary answer and I would also like to put on record my thanks to both Councillor Peter McCabe, Councillor Natasha Irons and Stephen Alambritis for the work they have done with local residents following the bridge collapse in June of this year. Of course we are trying to expedite things as quickly as possible in terms of the repairs that will be needed in terms of the bridge but also whether it would need a partial rebuild or a full rebuild. We hope to have that report ready within the next month, as soon as that report is available, it will obviously be open to Councillors to scrutinise that report as we make a decision. But please rest assured this is a high priority for myself and I share the frustrations like many motorists in this Borough that I have to make a detour but hopefully we will obviously have a bridge back in order as soon as is feasible. Thank you.

From Councillor Edward Gretton to the Cabinet Member for Finance:

Could the Cabinet Member kindly confirm with regard to the end of year 2018/2019 financial accounts, what surplus was shown at year-end when the Council closed its books?

Reply

In the face of years of damaging cuts to council funding, officers have taken a businesslike approach to finances in order to protect services for the most vulnerable. This meticulous approach to budgeting is commendable and vital in these continuing years of government austerity.

In the financial statements for the year ended 31 March 2019 the Comprehensive Income and Expenditure statement (page 11) shows a deficit of £7,187k which is the accounting cost of providing services in accordance with accounting practices.

As reported to Cabinet, Financial Monitoring Task Group (FMTG) and Standards and General Purpose Committee(SGPC) the underspend on the general fund was £7,656k. In addition to this there was a surplus on business rates of £3,852k.

Our analysis of the underspend shows that the circumstances surrounding it may not arise again. It follows several years of overspends, and comes in spite of overspends in several departments. After more than nine years of austerity, coinciding with an increase in demands on our services, the financial pressures on the council continue to be very great, and regrettably it will be necessary to make considerable further budget savings in future years.

Supplementary

Thank you Madam Mayor. Madam Mayor will the Deputy Leader and the Cabinet Member for Finance apologise to the residents of Merton and to all Councillors particularly his own Councillors Madam Mayor, for not telling them about the £11 million sitting there in the budget surplus as the Council closed its' books at the end of the financial year and for allowing all these Councillors and all the committees throughout the entire year to make their decisions not realising that he had £11 million sitting more in his bank account than he actually told them about, and will he apologise to the Merton Music Foundation as well for cutting their funds for £20,000 when he actually had a surplus of £11 million? Disgraceful, thank you Madam Mayor.

Reply

I'd like to thank him for his rather over-the-top response but remind him that the disgrace of Council financing at the moment lies absolutely 100% squarely on the Government's plate. If the Government would fund Councils properly, we wouldn't be making cuts. Year after year after year we are placed into an invidious position where we have to plan for cuts. There are some years where we are able to get through our budget well and there are some years, most years recently, where we've had to make additional cuts because we've overspent. A good prudent Council

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works through year by year, the good years and the bad years and evens them out and that's what we have been doing and is in stark contrast to the Tory government that has cut and cut and cut and he should be the one apologising and so should they.

From Councillor Stan Anderson to the Cabinet Member for Finance

Does the Cabinet member for finance believe that the government should fully fund the trades unions' latest pay claim?

Reply

Between 2010 and 2020, councils have lost 60p out of every £1 they have received from government. The 2019 LGA survey of council finances found that 1 in 3 councils fear they will run out of funding to provide even their statutory, legal duties by 2022/23, and the LGA estimates councils will face a funding gap of £8 billion by 2025.

The local government workforce has endured years of pay restraint with the majority of pay points losing 22% of their value.

In this light, the National Joint Council local government unions have submitted a pay claim for a £10 per hour minimum wage and a 10% uplift across all other paypoints in 2020/21.

I support the trade unions' campaign for a proper pay rise for local government workers. I believe the government needs to take responsibility and fully fund increases in pay for our hardworking staff, those who are working tirelessly to protect our residents from the worst excesses in Tory funding cuts chipping away at services.

Supplementary

Thank you Madam Mayor and thank you to the Cabinet Member for his response. Will he join me in paying tribute to the Council staff who do such a great job delivering services in Lower Morden and the rest of the Borough and what message would he give to the Government to support our staff?

Reply

Again I thank him for his follow-up. It's very important that we use opportunities like this Madam Mayor to highlight and to draw attention to the fantastic work that the staff of Merton Council do and have done over many years and to highlight the pressures and stresses that are on them as a result of austerity that's been continuing since 2010. It is a disgrace as I said earlier, that they have cut the funding to such an extent that our staff have had very small pay rises since 2010. It is time now after nearly 10 years of austerity for the Government to drawback from that and

to properly reward the people in our community who do so much to make Merton a great place for families, a great place for all of us to live in. Thank you.

From Councillor Paul Kohler to the Cabinet Member for Finance

The Council currently has a tender out for Cleaning Services. What conditions are there in the Contract for potential suppliers to have to meet in respect of a) adherence to the London Living Wage b) Other conditions of employment such as sick pay, holiday and the use of zero hours contracts?

Reply

The council pays all its staff and agency workers the London Living Wage despite cuts in government funding and the absence of financial support in meeting this commitment to our staff and to those who provide services to the borough. That is why we are calling on the Government to end austerity in more than just name, and ensure our staff's trades unions' pay claim is met, and that funding is provided for all our services. If we do not receive this funding then we are put in the invidious position of having to cut services if we want to increase salaries.

With regards to the payment of London Living Wage (LLW), London Borough of Merton treats each contract on a case-by-case basis. In the instance of the Cleaning Services contract, it is not a requirement of the contract for the provider to pay LLW, however bidders may chose to submit a price which does include LLW. It is nonetheless a requirement of the contract for bidders to comply with statutory government requirements (i.e.) National Living Wage; for which bidders must ensure that they incorporate any future projected NLW rises within their tender price.

Beyond the requirement for suppliers to comply with all current relevant legislation, the Council does not specify conditions of employment for the resources that are deployed on its commercial contracts.

Again, we would call on the government to provide sufficient funding to ensure at least the LLW was paid by all providers, and regret that it does not.

Supplementary

Thank you Madam Mayor and I'd like to thank Councillor Allison for his answer. What advice would Councillor Allison give to any responsible contractor who wants to pay the London Living Wage but are concerned that they will then be undercut by less scrupulous competitors who don't and can he also explain why it's acceptable to not insist upon any terms concerning sick pay, holiday pay or use of zero hour contracts?

Reply

I thank him for his follow-up. As I've said in my response, we do like it when contractors and people who we're procuring from offer the London Living Wage and

good terms and conditions, that's something that we obviously like to see but also we have to be responsible for the Council's finances. That is a sad reality that if our costs go up in one area, it means that we have to make cuts in others and it's a very difficult position that we put ourselves in. The way that we ensure that we have the best contracts is not by price alone there's also quality requirements too and what I would like to say is that in terms of quality the work that our staff do and our contractors do on the whole is very very good and the people who work so hard in our communities really they do need to be respected, the Government does need to provide the funding that is required in order to properly reward them and I'm sure that he will agree with that and should he be successful in the next few weeks in going up to Parliament and negotiating what the amount should be for Local Government he'll make sure that Merton gets the amount that we need to provide good services here because it isn't happening at the moment.

From Councillor Agatha Akyigyina to the Cabinet Member for Schools and Adult Education

How is the funding crisis in Special Educational Needs and Disabilities (SEND) services affecting schools in Merton and what is being done to mitigate it?

Reply

At this stage the funding crisis in SEND is not directly affecting schools as the overspend is contained in the 'High Needs' block of the Dedicated School Grant, rather than the general 'School Block' that funds mainstream schools. At the end of June the council submitted to the DfE a 'Deficit Recovery Plan' with regard to the 'High Needs' block that set out the issues in Merton and we expect a dialogue with the DfE in the coming months on how the funding deficit can be resolved. Like many councils, SEND costs are outstripping any increase in funding from government, and we are waiting to understand how extra money announced in the Spending Review will assist Merton.

Supplementary

Thank you Madam Mayor. I'd like to thank the Cabinet Member for her response. What are the numbers of children in the Borough with Special Educational Needs and disabilities?

Reply

Thank you Councillor. Like many in fact all other Boroughs, we've experienced an increase in children with Special Educational Needs and disabilities so the numbers of pupils who have an Education Care and Health Plan which outlines the additional support they need to deal with their needs and disabilities has risen from around 1500 two years ago to nearly 1900 this year as well as extending their age range so we now support children down to zero and up to 25 and this along with other

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pressures as well as leading to the overspend on the high needs block we're witnessing and that other councils up and down the country are witnessing.

From Councillor Nick McLean to the Cabinet Member for Regeneration, Housing and Transport:

Can the Cabinet Member give an update on the progress of Morden regeneration talks, in light of the comments made by the Leader of the Council at the 4th July Overview and Scrutiny Meeting that the search for a development partner will likely be completed by Christmas?

Reply

The council is working in partnership with Transport for London and Mayor of London in bringing forward the regeneration plans. We will shortly be launching the procurement to select a development partner to work alongside us in working up the detailed plans for the town centre which will include decisions by cabinet and full council at its November meeting. Over the past year, a number of engagement meetings have taken place with potential development partners which has demonstrated that there is strong demand from the market for the regeneration opportunity in Morden town centre.

Supplementary

Thank you Madam Mayor and I'd like to thank the Cabinet Member for his response. Thank you for confirming the Council will meet the Christmas deadline, Morden regeneration is of great interest to our residents. Would he be willing to meet with me to go over the proposals to ensure that this regeneration project finally does move forward?

Reply

I'd like to thank Councillor McLean for his supplementary and my door is always open to Councillors of all parties, I think it's important that all parties work together in terms of delivering Morden regeneration because it has a lot of positive benefits for the Town Centre in terms of Housing, Retail but also as well improving the look and feel of the area. So my door is open and I'm more than willing to meet and discuss with Councillors of all parties in the Morden area. Thank you.

From Councillor Owen Pritchard to Cabinet member for Regeneration, Housing and Transport

Can the Cabinet Member provide an update on progress of the new AFC Wimbledon stadium?

Reply

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Work continues on the construction of the new stadium and over 600 new residential units including close to 30% affordable which is currently the largest redevelopment site in Merton. A monthly construction co-ordination meeting is hosted at the site to help co-ordinate issues within and adjacent the site.

The developers are making +£10million in contributions to support local infrastructure including for Transport for London's bus services, provision of local parking controls and towards streetscene and highways improvements along Plough Lane and Haydon's Road. More information, including update photos, can be found online via:

<https://www.ploughlanestadium.co.uk/>

Supplementary

Thank you Madam Mayor and thank you to the Cabinet Member for the response. Can the Cabinet Member please give me further details on what the department is doing to ensure that the stadium will open on time?

Reply

I'd like to thank Councillor Pritchard for his supplementary. Clearly we are liaising very closely with both Galliard, who's the developer around the stadium, but also as well in terms of the club in delivering the stadium for September 2020. So we do have regular liaison with both and I'm pleased to announce that it is on track to be finished in September 2020 which will be a great bonus for Wimbledon because Wimbledon FC is finally coming home Madam Mayor. Thank you.

From Councillor Anthony Fairclough to the Cabinet Member for Women and Equalities

Can you outline the training officers and cabinet members receive in the Public Sector Equality Duty and (the Council's) Equality Impact Assessment process?

Reply

The Equality and Community Cohesion Officer regularly briefs the Senior Leadership team on the Public Sector Equality Duty (PSED) and supports managers by briefing them on the EA process and the importance of conducting EAs to consider the equalities implications of proposed changes to policy and service delivery. The officer also regularly attends the Department Management Team meetings to discuss the EA process.

As part of the New Manager's Induction the Equality and Community Cohesion Officer will be briefing the managers on the (PSED) and the EA process on a quarterly basis.

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Additionally comprehensive guidance is available to managers on the intranet and the Equality and Community Cohesion Officer also provides one to one support on equality issues including EAs.

Managers have the tools to robustly conduct EAs for policy changes and service reviews. A framework is in place that ensures that the basket of saving proposals put up to Cabinet are accompanied by EAs that have considered the effect that the proposed changes will have on the Protected Characteristics.

In the past Equality training has been provided for Members. This training included the awareness of the PSED and the importance of EAs supporting the decision-making process. However, it is recognised that since the last training was delivered, members who have since joined may not have received this. A full Members Training Plan is currently being developed. Equality training for Members has been incorporated into this plan, and enquires are underway for this training to be commissioned and delivered later in the 2019/20 financial year.

Supplementary

Thank you Madam Mayor and I'd like to thank the Cabinet Member for her detailed answer. I wonder Madam Mayor if the Cabinet Member could tell me whether she thinks the unfortunate situation where the equality impact assessment process wasn't followed which led to the successful call-in of the parking strategy was a one-off or if she thinks it's indicative of a wider issue? Thank you.

Reply

I'd like to thank Councillor Fairclough for his supplementary and I think this just demonstrates how well scrutiny works and that everyone was given a fair opportunity to scrutinize the policy and have a call-in and we've got a successful end to that. Thanks.

From Councillor Brenda Fraser to the Cabinet Member for Schools and Adult Education

Can the Cabinet Member update Council on progress of the Harris Wimbledon school build?

Reply

The council put in extensive work to enable the clear site for the permanent building for Harris Academy Wimbledon, and so to allow the building to be completed for September 2020. The responsibility for managing the build and associated risks now rest with the government's ESFA (Education and Skills Funding Agency) but we understand the build has progressed well and is currently scheduled to be completed on time. Visitors to the area can see the progress with the building's steel frame visible.

Supplementary

Thank you Madam Mayor. I'd like to thank the Cabinet Member for her response but could she now answer this question; how does the number of secondary school places this year compare to last year highlighting the needs in the Borough?

Reply

Thank you. Madam Mayor we've seen an increase of children applying for secondary schools within the Borough so this year there were nearly 1500 Merton children who had offers made in secondary schools compared to 1200 and a little bit more than that two years ago so we really have seen a significant increase which demonstrates the need for the additional school places that we have been providing and I'd like to thank the previous cabinet member for her work on delivering on that expansion.

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From Councillor Sally Kenny to the Cabinet Member for Regeneration, Housing and Transport

Can the Cabinet Member please update on any prosecutions against landlords operating unlicensed HMOs.

Reply

The council successfully prosecuted a landlord for failure to apply for an HMO licence on 6th August 2019. The landlord was found guilty of operating an HMO without a licence and was fined £1,965 plus £1,750 costs and £196 victim surcharge. A total of £3,911.

A second case had its first hearing on 10th September 2019, and was adjourned until 1st October 2019 due to the landlord's absence.

A third case is due to be heard on 5th November 2019.

In the meantime the council's officers continue to carry out proactive inspections of potentially unlicensed HMOs and will consider prosecutions in line with the new Enforcement Policy.

Supplementary

Thank you Madam Mayor. I'd like to thank the Cabinet Member for his response and ask him what can the cabinet member tell us about further efforts by the department to clamp down on rogue landlords?

Reply

I'd like to thank Councillor Kenny for her supplementary. Cracking down on rogue landlords is one of my top priorities; we brought an enforcement policy to Cabinet in June, which introduces penalties, we also had a successful prosecution back in August and we also have another two that are pending in Court at the moment. We are also looking at introducing a selective landlord licensing scheme to improve conditions further in the Borough. Let me place on record it is a priority of mine to ensure that we do have high standards and we will take all necessary action to crackdown on rogue landlords within Merton, thank you.

From Councillor Daniel Holden to the Cabinet Member for Adult Social Care, Health and the Environment:

What enforcement measures have been introduced by the Cabinet Member to improve air quality in the borough?

Reply

Anti-idling measures formed part of the Air Quality Action Plan, adopted by the Council in 2018. The Council has erected several hundred signs across the borough at key

locations, telling motorists not to leave their engines idling. Our expectation is that these signs will encourage behaviour change and will to an extent be 'self-enforcing', as motorists start switching their engines off automatically when stationary in these locations.

The next stage is to reinforce this with some more proactive enforcement action, using support from Parking Services. This will include training CEOs and focusing on our areas of poor air quality such as schools and other priority locations.

We will also shortly be hosting a training event for councillors to enable them to run anti-idling events in their own wards. Whilst the focus of these events will predominantly be on educating and informing rather than enforcement, they should help to bring about the behaviour change in motorists that we are seeking to achieve.

The Council was successful in its bid to a London wide anti idling scheme funded by the Mayor of London to provide additional resources to tackle this problem, which will enable us to focus our officer time on particular hotspots. I know that Councillor Holden has concerns about the taxi rank in Wimbledon Town Centre which he has expressed on several occasions and I'm keen to focus some of that resource there.

Merton officers are also delivering the World's first Low Emission Zone across London to tackle the contribution that the Construction Industry makes to poor air quality. This work is sponsored by all London boroughs and the Mayor of London.

Supplementary

Thank you to the Cabinet Member for his answer. I'm grateful he acknowledges me in his answer and the problem that I've been talking about in this place for years. Will he commit to meeting with me, taxi groups, Wimbledon Station, TfL and local residents to resolve this problem of air pollution at Wimbledon Station once and for all?

Reply

Well Madam Mayor can I thank him for his question and his supplementary and in the interests of brevity yes I can commit to that.

From Councillor Natasha Irons to the Cabinet Member for Adult Social Care, Health and the Environment

What are the Cabinet Member's plans to improve enforcement against flytipping?

Reply

As Councillor Irons will be aware from recent discussions at Sustainable Communities Overview and Scrutiny Panel, fly-tipping incidents have increased significantly in

recent years not only in Merton but nationally. Since April 2018, we have received over 10,000 fly tipping incidents.

This sustained increase in the volume of fly-tipping in recent years in the borough is blighting our communities. Unfortunately, fly-tipping has become a common form of anti-social behaviour which, even though a criminal offence, is seen as acceptable by the few who do it whilst impacting everyone who lives and works in the borough.

In order to help address this we have published a draft fly-tipping strategy which was presented to the Sustainable Communities Overview and Scrutiny Panel on the 3rd September 2019.

The draft strategy will be refined following workshops with councillors in October and measures will be tailored as far as possible to tackle particular hot spots in different areas.

The main strands of focus within the strategy to enable the delivery of improvements are:

- Early intervention – education, communication and engagement
- Preventing reoccurrence – operational service and target hardening
- Targeted enforcement – FPNs, prosecutions & vehicle stops

In regard to enforcement specifically, we are seeking to increase our capacity to investigate a greater number of fly-tips, working closely with partners.

Work has already commenced and our Enforcement team have started undertaking targeted inspections and sifting through bags of discarded fly-tipped waste, while also planning to undertake an imminent roving vehicle stop and search operation across the borough with partner authorities to tackle illegal transferring of waste.

Supplementary

Thank you Madam Mayor and I'd like to thank the Cabinet Member for his response. Just to follow up though could you give us some details for the timeline of the flytipping strategy and the action plan please?

Reply

Madam Mayor can I thank her for her question and her supplementary question and for the work that she's done as Chair of the Sustainable Communities Scrutiny Panel. I think it's important to say that we are already implementing the actions within the flytipping strategy and action plan we have simply labelled it as draft because we are very keen to receive feedback from Councillors from across the Chamber. I will be writing to all Councillors in the next week to invite them to a further workshop following

those held last year based on collection days and part of the discussion I hope to have in those workshops will be to discuss the flytipping strategy, any feedback and any particular interventions people think might be needed in their own wards, so the measures are being implemented but we are keen to receive any feedback any colleagues have.

From Councillor Omar Bush to the Cabinet Member for Adult Social Care, Health and the Environment:

What action has been taken following the passing of the Climate Emergency motion at July Council?

Reply

In the two months since the July cross-party motion was passed we have been working hard towards preparing an action plan, which is due in early 2020.

The application process for membership of the working group was extended from mid-August to the beginning of September, following several requests. We are in the process of finalising the membership and organising the first meeting of that group, which is due to take place shortly.

We are securing additional funding towards initiatives to both establish Merton's greenhouse gas emissions and towards investigating specific actions we can take.

We have also been developing the engagement plan that will enable everyone in the borough to contribute their thoughts and suggestions. In the next few weeks we will be asking people in Merton what actions they think we can take and what actions they are taking to tackle climate change. This will include presentations at the autumn community forums and a consultation hosted on the Council's website.

Work is on schedule for the delivery of the action plan in early 2020.

Supplementary

Can I thank the Cabinet Member for his response. Can the Cabinet Member update the Council on what concrete steps such as a low-emission bus zone which was passed by a motion in February will be included in the Climate Change Action Plan and will the Cabinet Member ensure that the working group included representations from all parties?

Reply

Can I thank him for his question and for his supplementary question. I think we need to be clear what the action plan is being used to do because the action plan will contain

the areas in which the Council will need to look at in order to decarbonise the Borough by 2050 and the Council services by 2030. But that's quite separate from a number of other measures that we might already be looking at including low emission zones and other things that were in the Air Quality Action Plan and there's nothing to prevent those coming forward in advance of the action plan to tackle climate change. In respect of the working group, the application process has been running over the summer; any councillor was able to apply to it and indeed one did apply to it, so if there is any further interest in sitting on it I would encourage members to contact me very quickly because we are in the process of finalising that in the next few days.

From Councillor Dennis Pearce to the Cabinet Member for Commerce, Leisure and Culture

Following the prosecution of a rogue trader in August of this year, what further work is being done to tackle instances of rogue trading and financial scamming?

Reply

Tackling rogue traders and financial scams are priority areas of work for Trading Standards.

From 1st April to the end of August this year we have investigated and intervened where necessary in 50 cases where Merton residents have been targeted by financial scams providing advice and support to affected residents. We have a referral protocol in place with Adult Safeguarding to help protect vulnerable residents and work in partnership with the National Scams Hub.

We have investigated 44 cases of residents being targeted by rogue traders and doorstep crime providing advice and support.

We have delivered 12 presentations on the work of Trading Standards to community groups to promote awareness of scams and rogue traders.

We work in partnership with Police and carry out regular patrols. We have spoken to 84 builders and residents who had ongoing building work to provide advice and support.

Supplementary

Thank you Madam Mayor. I'd like to thank the Cabinet Member for her reply. How does she feel following through with the prosecutions help with the enforcement?

Reply

Madam Mayor I'd like to thank Councillor Pearce for his supplementary question and I'd like to use the rogue trader Joseph Horner to highlight the good work that our officers are doing regarding this. Basically he was a rogue trader that scammed Merton residents and he was brought to justice. People like him ruin lives and I'd just like to

urge anyone who have any suspicions of such behaviour to report it to our Trading Standards department here because we are willing to take on those cases and fight to make sure that they bring those people to justice. Thank you very much.

From Councillor Simon McGrath to the Cabinet Member for Regeneration, Housing and Transport

What consultations were there and with whom, about the decision not to put residents comments on planning applications on the Council's website and was an Equality Impact Assessment of this decision carried out?

Reply

The council considered that as personal information could be inadvertently released due to the difficulty of accurately redacting so many documents alongside guidance from the information commissioner office, the risk was great and action was required which was approved by myself as cabinet member and the chair of planning application following advice from senior officers.

The decision was made due to the risk of personal information being uploaded contrary to Article 5 (1) (f) of the GDPR which “requires that personal data shall be: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (‘integrity and confidentiality’).” This is in line with a number of other London councils.

Residents are able to comment on planning applications as part of the statutory consultation process. Comments received are fully considered and summarised in the relevant reports, which are then uploaded onto the website and are available for viewing. Such correspondence (redacted) is also available on request and requests can be made to the development control team (planning.representations@merton.gov.uk). There is no statutory duty to display such representations on the website.

Currently we are looking at the most appropriate way to display residents comments and looking into software that mitigates that risk.

Supplementary

Thank you Madam Mayor and thank you to the Cabinet Member for their reply. I've heard a lot of concern from residents who find it really helpful to be able to look at the comments from other residents on the planning website and we've very kindly been quoted an article from the GDPR rules but article 32 also says that you can have a look at the risks and weigh up the risks of a GDPR breach and I wonder if the Cabinet Member would be willing to take legal advice on whether we really have to carry on like this and then publish the legal advice? Thank you.

Reply

I'd like to thank Councillor McGrath for his supplementary question. In relation to obviously the legal advice, the legal advice is the information that's been given by the ICO, the Information Commissioner's Officer, everything we do is legal and above board. In terms of many other Councils they've also taken them off their website following advice. Clearly in terms of the representations, they are readily accessible to people who come to the Civic Centre, they are accessible to people who come to the Civic Centre and I have to say we are a very open and transparent Council and all statutory representations are still published on the website. Thank you.

From Councillor Thomas Barlow to the Cabinet Member for Adult Social Care, Health and the Environment:

Over the last year since the Council & Veolia introduced the fortnightly wheelie-bin scheme, can the Cabinet Member give a numerical figure for the total number of missed refuse collections including recycling, kitchen waste and garden waste, and the total figure for the same period in 2017-18, 2016-17 and 2015-16?

Reply

The table below summarises the level of total missed collections each year per identified waste stream as requested.

	2015/16	2016/17	2017/18	2018/19	2019 YTD
All waste streams	6,320	6,185	11,457	15,241	5,171
Refuse	2,554	2,821	5,807	6,467	2,251
Recycling	1,720	1,770	2784	4,527	1,253
Food	2,046	1,594	2866	4,247	1,667

The information needs to be tempered with the changes with the service and the participation of residents in actively using each of these services. For example, in 2015/16 we offered a universal service for food waste recycling, but the participation rate was operating at 52%. Through the changes of the service, we have observed a 70% increase in the amount of food waste recycling and this is anecdotally driven through greater participation. The increase in residential use of our range of services also increases the opportunity where the service may fail, either directly through the actions of the service provider or resident.

Following the service change in October 2018, the trend for the number of missed collections /100K have fallen steadily on all collection streams. Veolia acknowledges that this improvement is not fast enough and the local management teams at Veolia are continuously working on solutions to improve the service in line with our agreed performance targets.

Supplementary

Thank you Madam Mayor and thank you to the Cabinet Member for his answer. The Cabinet Member is the third to oversee the Veolia contract in two and a half years. What does he expect to happen first; performance will reach the same levels as when the service was delivered in-house or a fourth cabinet member will take over his role?

Reply

Madam Mayor can I thank him for his question and his very witty supplementary. In respect of the kerbside collection I think it is important to say that actually the performance has stabilised considerably from the initial rollout of the wheeled bins and whilst we are still experiencing too many missed collections, we are experiencing a similar number to that which we were experiencing prior to the service change so the numbers have begun to stabilise, they are still too high, I hope I will still be around to sort them out further. Thank you.

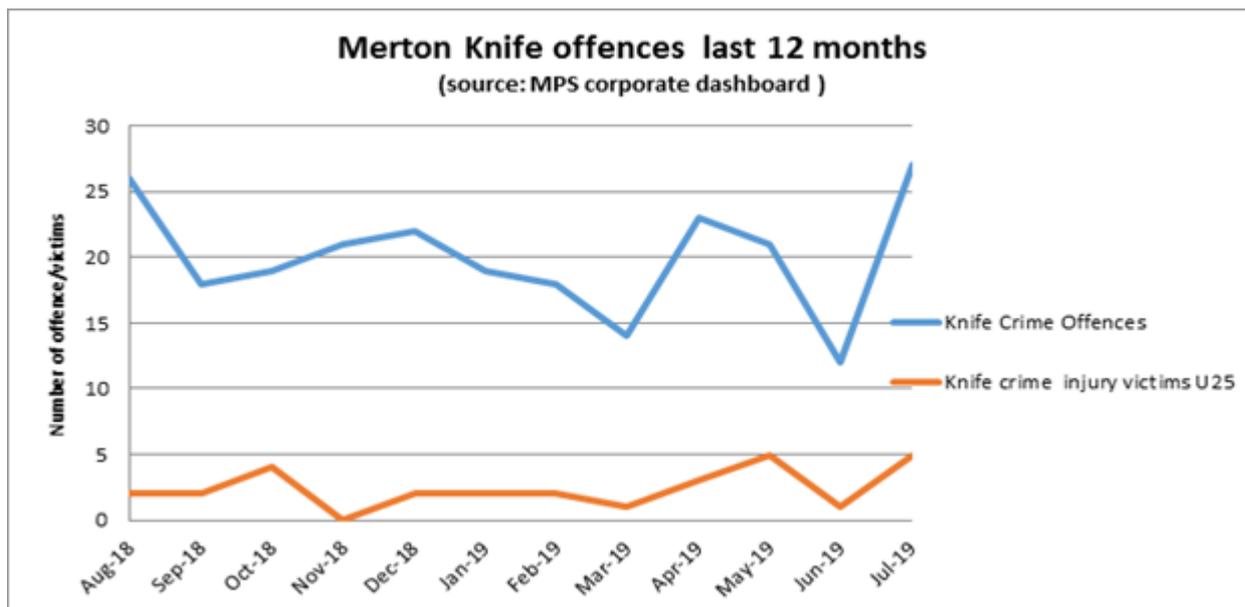
From Councillor Billy Christie to the Cabinet Member for Voluntary Sector, Partnerships and Community Safety

Following the Eastern Electrics incidents, can the Cabinet member please update us on work being done around knife crime in Merton?

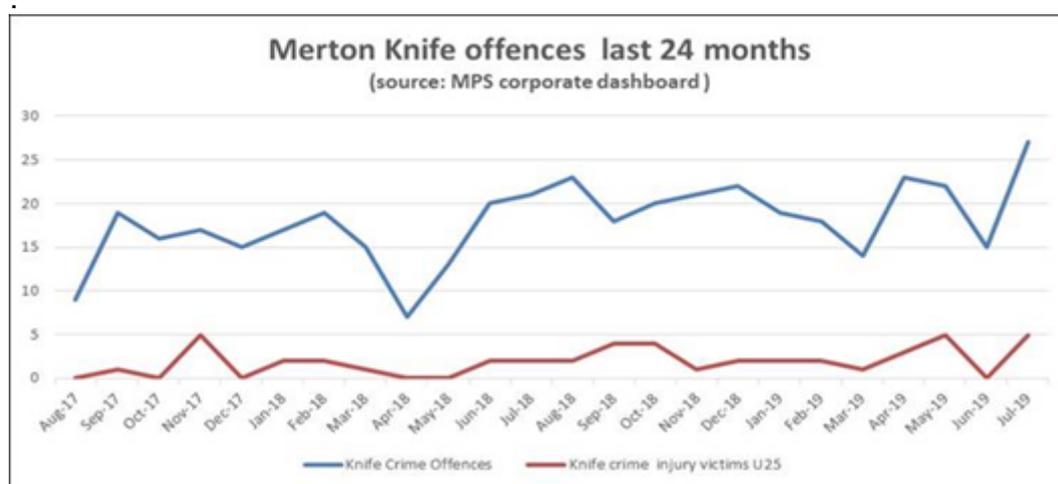
Reply

The 12 month totals (July 2018 - July 2019) for knife crime incidents in Merton are split into knife crime (KC) and knife crime with injury (KCI). The 12-month knife crime total is 245, and the knife crime injury totals 64. These figures equate to roughly one in four knife crimes resulting in injury in Merton.

The chart below illustrates the split:



The longer-term pattern, for the previous 24 months is below. Looking at 24 months data there are no discernible patterns with peak months for either knife crime offences or knife crime with injury



Work on knife crime is dynamic and as such when incidents of knife crime occur, they are responded to and acted upon in the most appropriate manner.

Work undertaken to address knife crime

- The Knife Crime and Serious Youth Violence Plan was initially drafted and approved in September 2018. The existence of the plan, and the overall engagement of partners in its delivery, is an essential tool to ensuring that each organisation engages and supports the CSP in tackling this issue.
- The plan has been brought to the O&S panel previously as it sets out a range of interventions ranging from engagement and education to enforcement.

- Safer Merton has been working with partners to deliver the plan ensuring it remains a live and accurate document. As a partnership, we have delivered outcomes such as:
- The 'Towards Employment' programme – delivered from colleagues within CSF the council has supported a number of young people who are ex-offenders, or vulnerable to becoming involved in crime, into employment, work experience and apprenticeships. This programme has recently secured further funding so that it can continue to deliver its valuable services.
- The Responsive Community Engagement Team (ReCET), run from the Contextual Safeguarding and Participation team within CSF, and externally funded by the Home Office Early Intervention Youth Fund, carries out detached youth work with young people across the borough. Intelligence lead tasking's see them engage young people whom are concerned about crime and ASB in the areas where they live. The team are also working with local business owners and other community members to develop a group of 'Community Guardians'. These people, residents, community leaders, business owners, will be trained to engage in a more positive way with young people whom are vulnerable to serious youth violence, by offering them diversion opportunities and/or offering them a safe space in their business.
- A Weapons sweep offer is also being developed in conjunction with the Metropolitan Police (MPS). There have been a number of community members and groups who have registered interest in being part of this offer to help maintain safety within the borough.
- Residents will undertake training, delivered by the MPS and Safer Merton, which will then allow them to support co-ordinated community sweeps across the borough.
- Saturday 18 May saw Safer Merton host the borough's first Knife Crime Event in Morden Baptist Church. The event, designed to raise awareness of work being done to tackle knife crime in Merton, provided information and reassurance to our residents and attendees mobilising members of the public who want to get involved as a community approach to this challenge. The event received 122 attendees, had positive feedback, and good engagement from a number of different organisations that engage in youth work, crime prevention and enforcement, and victim support. These included Crimestoppers, Catch 22, and Unique Talent.
- Merton's Stop and Search group now also has a small group of community members on the reviewing panel. This group, which meets regularly, reviews some Stop and Search cases assisting the wider community, and police, to better understand some of the issues which stop and search can cause between police and community. The panel also receives feedback from the MPS as they respond to the panel's challenges and queries, and are forthcoming with providing body worn camera footage when requested.
- The Youth Justice Service within the council provide a range of interventions for under 18s involved in knife crime. These include trauma informed support, a mentor offer through to breaching of orders where necessary.

The MARVE panel, which takes place every month, continues to facilitate effective multi agency working, and interventions.

- Bespoke care plans are put together for Looked-after Children and Care Leavers vulnerable to knife crime.
- Knife test purchase operations carried out by the Trading Standards team in LBM continue to have positive outcomes, with only one retailer failing the test purchase operation, which is now under investigation. Over the last 12 months all knife retailers in Merton have been visited.
- Training on knife crime, and recovery of knives have also been delivered to contractors ID Verde and Veolia on “what to do if you find a knife”. This training is attached as an appendix.

Knife crime next steps

- Safer Merton will work with public health colleagues to ensure that all relevant partners are aware of the CAMHS referral pathway in place for young people involved in violent crime. This is particularly important as the links between mental health and knife crime become clearer.
- Safer Merton will work with MOPAC and LBM’s communications team, and residents to develop and embed a new critical incident response process. Particularly important for matters such as any fatal stabbings which may occur. This work will, once delivered, minimise risk of misunderstanding of incident details being known within the community and provide reassurance to those affected residents.
- Safer Merton and the wider CSP are awaiting MOPACs own post incident response toolkit which will contain guidance on how to co-ordinate a response, and provide the appropriate support to those impacted.

(i) The ‘Public Health’ approach to tackling serious violence is advocated by the Home Office, MOPAC and the World Health Organisation. Merton’s Community Safety Partnership, as represented at the Safer Stronger Executive board will approach the new Violence Reduction Unit to seek guidance on how this approach can be best delivered, alongside the existing Knife Crime Plan and the current successful working that is already taking place. By utilising and working to the public health approach, we would seek to see, over time a constant decline in the number of knife crime incidents within Merton, and for figures to remain consistently low.

To deliver co-ordinated community weapons sweeps, or guidance on what to do if you find a knife. Councillors are asked to consider if they are interested in being involved, or otherwise asked to publicise this offer to community members.

Supplementary

Thank you Madam Mayor and thank you to the Cabinet Member for her response. Could I ask her how the Cabinet Member is working with representatives in City Hall in order to improve the safety for our Borough?

Reply

Thank you Madam Mayor and thank you to Councillor Christie for his supplementary question. We are working very closely with City Hall and MOPAC in fact I attended a conference last week on trading standards for underage sale of knives. We are working very closely to ensure that teenagers don't have the use of knives and one of the things that was interesting at the conference from the Deputy Mayor of London Sophie Linden she said that what we have to do is to prevent these youngsters from getting themselves associated with knives and Safer Merton is doing all its' best to ensure that we work with the local magistrates court in Wimbledon to implement section 60 to ensure that stop and search is carried out throughout the Borough so that we keep our residents safe.

From Councillor Nigel Benbow to the Cabinet Member for Adult Social Care, Health and the Environment:

Street cleanliness is still a huge concern to residents, when will the council publish a street cleaning rota or timetable?

Reply

The SLWP contract with Veolia is an output based specification that requires our streets to be maintained to the required acceptable standard. In areas in which our roads are below the established standard, the service provider is required to attend to these areas and ensure that the road is brought back up to standard in the agreed time scale. As such the contract is not based on a prescribed frequency of sweeping or litter picking.

However, there are schedules that our service provider, Veolia, operates to and distinct operational areas they cover where a street cleaner needs to attend and clean if below standard. I have asked for these to be made available on several occasions and at the September Sustainable Communities Overview and Scrutiny meeting the General Manager confirmed he would publish them. I will continue to chase for this until they have been made available.

In regard to Councillor Benbow's wider point about the standard of street cleanliness, I share his disappointment and fully accept that the level of performance in some parts of the borough is currently below the standard we would expect. Following a half day tour of the borough with the General Manager in August to inspect the streets, I am pleased that he has committed to the publication of an Improvement Plan to address these issues, which we are expecting to see in the next few weeks.

Supplementary

Thank you Madam Mayor. Would you please explain what is the difference between a rota and a schedule and when does the Cabinet Member expect to improve the services? Thank you.

Reply

Madam Mayor can I thank him for his question and his supplementary and also for the advance notice of the supplementary. On the first question of what is the difference between a rota and a schedule I think we are getting into a question of semantics because we are talking about one document; Veolia will work to a schedule, a rota, whatever you want to call it and it is that that I am asking them to make publicly available so that residents will be able to monitor when their streets should be being swept and that will help align our monitoring and enforcement activity. On his second question about how quickly I think Veolia's performance in respect of street cleansing will improve; I think we do need to recognise that there are several factors that are impacting the refuse currently on our streets and that's not all related to Veolia so that is the prevalence of flytipping, it's some of our resident behaviour, it's the side waste policy we still have in the east of the borough, it's the challenges we have with flats above shops and work is taking place to address all of those which is independent from the work that's taking place with Veolia principally through the flytipping strategy and our broader cleaner Merton strategy, but it is important to say that none of that excuses Veolia's performance when it comes to street cleansing. I spent half a day with officers and Scott Edgell from Veolia last month touring the borough and looking at particular hotspots for poor street cleansing and on the back of that Scott Edgell promised to publish an improvement plan that would set out how Veolia would look to address some of these challenges. I hope that improvement plan will be published in the next few weeks and when it is along with the other measures I've already announced, I hope that we will start to see the improvements. Thank you.

From Councillor David Dean to the Cabinet Member for Adult Social Care, Health and the Environment:

Could the Cabinet Member provide an update on the implementation of the new parking charges and the timing for their introduction?

Reply

Officers in the Parking Team are currently reviewing the statutory Traffic Management Order Process in relation to the implementation of the new parking charges. The proposed timetable will be published in due course.

Supplementary

Thank you very much Madam Mayor and I'd like to thank the Cabinet Member for his, I use the word reply, because there's no answer. We have the famous socialist the proposed timetable will be published in due course. The question I would love answering is how many people responded to the consultation and how many of those were against, was it more than 51.8% for example. I know that the fellows over there like a People's Vote, and I was just wondering if he would let the people of Wimbledon get that opportunity to vote for this parking tax yes or no? Thank you Madam Mayor.

Reply from the Cabinet Member for Regeneration Housing and Transport

I think obviously Councillor Dean needs to get the right Cabinet Members sorted out for his next questions he asks at Council. In relation to his point, we believe that this is the right strategy going forward to improve air quality and emissions here in Merton. We believe that they are fair and proportionate in terms of this implementation. If Councillor Dean is so keen on votes, he should support a second referendum on our membership of the EU, thank you.

From Councillor Aidan Mundy to the Cabinet member for Regeneration, Housing and Transport

Can the cabinet member briefly outline the priorities for planning enforcement between 2021-2035, the next borough plan period?

Reply

Enforcement is a key component of the Council's Planning policies. Following a period of difficulties with recruitment, additional temporary resources have been provided to ensure the team deals with the backlog and place it in a position to be efficient and effective during the next plan period. At the same time, it has to be recognised that resources are limited so a conversation about what are the highest priorities will be needed for the future. It is acknowledged that residents are concerned about the speed of investigation and actions taken. Key priorities for the plan period will be:

- Finalise the enforcement policies identifying the types of priority investigations, the length of time taken to investigate and potential actions resulting.
- Ensure the upgrade of the database (2020) to allow mobile working solutions to enable more efficient investigations.
- Review of the team structure to see if there are better methods for delivering the service
- Use of on line forms for residents to raise complaints more easily
- Continue individual actions to raise the profile of the team in the public domain, such as further 'enforcement days' when the entire Development Control team 'blitz' the Borough for a day with numerous investigations in the field.

Supplementary

Thank you Madam Mayor and I thank the Cabinet Member for his written answer. Could I press him for further details, given the fact that year after year Governments of both the Liberal Democrats and Conservatives have cut Merton Council's ability to invest in services such as our enforcement operations; can he outline any plans to work with partners for example housing associations to support our enforcement operations?

Reply

I'd like to thank Councillor Mundy for his supplementary, we do work with a wide range of partners as he is well aware from Pollards Hill we work closely with Moat Housing on a number of enforcement issues including on waste but also housing enforcement issues likewise with Clarion on many estates across the borough in terms of ongoing enforcement issues that exist. Working with partners is integral to our work in terms of enforcement and I look forward to that relationship continuing as we move forward. Thank you.

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