

Merton Council Council

5 February 2020

Supplementary Agenda 4

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Councillor Non Priority Questions, Council 5 February 2020

Ordinary Council Questions

From Councillor David Williams to the Leader of the Council

Would the Leader please list the meetings and correspondence he has had since the last ordinary meeting of the council on 18th September 2019 to save St Helier Hospital?

Reply

Attended the IHT public consultation on 24th January, and has made a series of statements thorough the council's communications team in support of St Helier hospital.

From Councillor Eloise Bailey to the Cabinet Member for Adult Social Care, Health and the Environment

Please can the cabinet member provide an update on the progress made to support councillors since the members mental health survey of summer 2019, specially in regards to his plans to provide Mental health training to each political group?

Reply

The Councillor Mental Health survey suggested areas for future support including:

- train Members in Mental Health First Aid
- highlight self-care opportunities
- explore a pan-London offer

Since analysing the results of the survey we have been focussing our next steps on the action to deliver the Mental Health First Aid training offer for Members. A paper was taken to the Council's Workforce Strategy Board on Monday 27th January 2020 outlining a delivery plan for this action.

Public Health have allocated funding for this exercise and are leading on the procurement process for the training which is already underway, with a view for this to be delivered from April 2020. We will give priority to making sure at least one Member from each political group receives the training. Public Health will continue to work to address the other actions from the survey results working with colleagues such as HR where appropriate.

From Councillor Oonagh Moulton to the Cabinet Member for Adult Social Care, Health and the Environment:

Following a number of incidents in Wimbledon Park after dark, and an increase in the number of organised events, could the Cabinet Member look at installing lighting on the well-used path between the Revelstoke Road and Wimbledon Park Road gates where currently there is none?

Reply

Wimbledon Park is a secured park which is opened for general access between 07:30 and dusk. The site gates are locked and secured during periods of closure and night-time activity is restricted to specific locations that are controlled by authorised groups or individuals. The access point and pathway to the Athletics Track utilises solar powered lighting for safety purposes. The same style of lighting of is also utilised from the Home Park Road entrance during planned evening activities.

As the current site activities are served with sustainable lighting for evening activities, we have no specific plans at this time to light the Revelstoke Road to Wimbledon Park Road pathway. This route does not routinely serve any specific facility or authorised evening activity within the park. Lighting along that route may also have the potential to encourage more users into the park during the hours of darkness for purposes unrelated to the core site provisions/services.

In addition, lighting on the suggested pathway would negatively impact upon one of the most valuable and sensitive sections of the park, Horse Close Wood, which is an important biodiversity feature that is known to support bats.

On the relatively few occasions where there are outdoor events in the park after nightfall - on fireworks night, for example - portable lighting is deployed in those areas of the park that has no permanent lighting provision.

From Councillor Hina Bokhari to the Cabinet Member for Commerce, Leisure and Culture

How will Merton Council and the Community Advisory Group ensure there is clear transparency (that is easily and openly accessible to our residents) on how the money from the Film Merton award has been spent on projects that will make a lasting and positive change to Merton and its diverse community?

Reply

I'm delighted to have this opportunity to talk about the cultural work that the Advisory Group has been steering. In particular, I'd like to remind members of two upcoming events. On 28 February is the last of the season of films curated by the LGBT Forum. This is the last of the 24 short seasons created by Film Merton. Madam Mayor, I know you have been working on the guest list for the related event to celebrate all the work that's been going on. I encourage all members to try and see at least one of the films in the last seasons, showing through the rest of this month.

The other big event coming up in the Virtual Reality Festival in Mitcham. This will include some amazing work – not least the four short films commissioned by CAG and the new app celebrating our own Mitcham Status Fair. That's on 7 March, all day, at the General Giles Social Club and I urge everyone to come along.

The Council and the Advisory Group have used several routes to promote transparency about the programme.

Within the Council itself, there was a full report to the Overview & Scrutiny Panel Sustainable Communities & Transport in March 2019. The report covered all the resources used by the Advisory Group, which includes the Mayor's Cultural Impact Award, the Council's own investment under the Community Infrastructure Levy Neighbourhood Fund and the match funding achieved by CAG.

The meeting was attended by the then deputy Chair of the CAG, who is now co-Chair. The lead officer and the group's Critical Friend also answered questions. The Panel discussed the paper in detail: the report and the minutes are available on the Council's website. The next meeting of the Panel, on 17 March, will receive a further annual report updating members and the public on the work of the last year and upcoming plans.

In addition, much of the resources have been spent through the Council's own systems and have therefore been through the Council's procurement procedures and budget management. The procurement processes ensure value for money in the contracts awarded. Those decisions and expenditure are part of the Council's general transparency on financial management.

The Cultural Advisory Group receives regular updates both on project delivery and on its budget. The Group meets monthly and the papers are available to anyone on request, including the budget updates. Council will recall that there are two councillors nominated to that group, Cllr Kirby and Cllr Moulton. CAG has also held various events and meetings during the year with cultural and community organisations and with individuals about their work. Given the constraints of work by volunteers and limited resources for support, they have worked hard to respond to enquiries and requests for meetings.

One of the key successes of the Film Merton work has been reaching new audiences and film makers. For instance, CAG commissioned two local young people to make short films which will be premiered at the Virtual Reality Festival. This is a great opportunity for them to get into their chosen career. Over 1000 people have come to films and 26 people have volunteered on the project. Among both the volunteers and the audiences, 80% come from the east of the borough, which has been a key aspiration all along.

CAG created a website called www.mertonculture.org and a specific area for the Film Merton project which is www.filmerton.co.uk. Experience over the last year has given two invaluable lessons. One is the costs of ensuring these remain really up to date. CAG felt that it was important to focus on Film Merton and so that page is kept current with the film seasons and events. However, CAG chose not to spend resources continually updating the rest of the site, so it is a static source of material about the group itself.

The other lesson is about reaching those new audiences and volunteers. We have learnt that it is important that people can go to venues they trust and know. We have learnt that the web is useful but doesn't reach as many of those communities as you might expect. Leaflets, targeted mailings, word of mouth and posters in key places are at least as effective. We know that the community groups curating seasons chose a range of interesting and unusual films – and that their communities responded by coming out to see those films. And we know that most of those people don't want lots of procedural information – they want to choose and see films that reflect their interests, and discuss those films with the people around them.

Film Merton will end in April. The project includes independent evaluation both of individual experiences and the statistics about who did what. Those reports will be studied by CAG, available on request to anyone who wants them, and will be reported to Scrutiny in due course.

I have illustrated the ongoing work of the Council and CAG to be open about the impact of its activities. I hope Councillor Bokhari can see that, in addition to the normal council procedures, CAG has been accountable and transparent about its work and the impact of the Film Merton programme. There will be more material both in the upcoming Scrutiny report and in the evaluations coming in the summer.

From Councillor Hayley Ormrod to the Cabinet Member for Women and Equalities:

Pushing a wheelchair around Merton has been a huge eye opener given cambers, lack of access to cross roads and steep gradients. What process does the Council follow to review pavements for wheelchair users? And how many Merton citizens use wheelchairs, and how many of those are children?

Reply

Road safety and the safety of vulnerable users is a high priority. The council doesn't have access to data on the number of wheelchair users in the borough at any one time. However the census, available on Merton Data (<https://data.merton.gov.uk/>) tells us that around 11,000 people in Merton (5% of the population) have their day to day activities limited a lot by their disability. Pavement maintenance or new roads and pavements is designed and constructed in accordance with up to date highways standards which incorporate requirements for people with impaired mobility including wheelchair users.

We are constantly monitoring pavement condition and arranging essential maintenance and renewal funded through our capital and revenue programmes.

From Councillor Anthony Fairclough to the Cabinet Member for Adult Social Care, Health and the Environment

Please could the Cabinet member provide an update on Cabinet's actions in response to the motion "Managing Engine Idling to Promote Cleaner Air" passed at the September full Council, specifically focusing on action to:

- introduce No Idling Zones across Merton borough, including consideration of deploying our existing enforcement officers for this purpose, and the potential of including anti-idling within the scope of enforceable functions carried out by the Council's enforcement service provider;
- explore potential for supporting volunteers to collect appropriate evidence to enforce anti-idling in key hotspots; and
- work with relevant contractors (e.g. IDVerde, Veolia) and partners such as TfL to ensure their practice supports this action.

Reply

This is a priority for the council and we are developing a strategy to address this across the borough.

The Pollution Team is actively tackling the problem of anti-idling, working in partnership with parking colleagues. This includes providing training for our CEO's to assist in campaigns and raising this with motorists as part of their daily patrols.

We have a number of events throughout the borough and have successfully joined the London wide Mayor of London sponsored anti idling project to help coordinate best practice across the boroughs.

We have also created a webpage for anti-idling, this includes an opportunity for people to join the pledge to stop idling. The Pollution Team do welcome volunteers to join their campaigns to tackle this problem throughout Merton.

We have and will continue to work with TfL to reduce tax idling outside the station at Wimbledon .

The laws on idling are not good enough, and officers are lobbying for stricter laws and will do so with the emerging Environmental Legislation.

Merton has also been granted external funding for an innovative behavioural change project, this is being coordinated by our public health and pollution team. This is a 'first' and will look at how we can best influence behaviours and deliver the best outcomes.

We will work with colleagues and contractors to ensure that they are aware of their responsibilities and tackle those that are reported to us.

From Councillor Hayley Ormrod to the Cabinet Member for Children's Services:

If a youth (under 18 years of age) has an accident abroad and has a discharge letter from the hospital for mobility aids, can the council please tell us what the process would be to get those necessary mobility aids?

Reply

Responsibility for providing mobility aids to children and young people with temporary impairment as a result of an accident rests with the CCG. Merton and Wandsworth CCG have commissioned providers who deliver mobility aids. These services are accessed by a referral from the child's GP. In December 2019, Merton Children's Social Care raised with the CCG the issue of urgent access to mobility aids for children who had not been treated through the standard UK hospital route. The CCG have undertaken to review their existing service pathway document and re-circulate so that GPs are clear about the correct process to follow.

From Councillor Najeeb Latif to the Cabinet Member for Regeneration, Housing and Transport:

Can the Cabinet Member advise what help the council can offer to residents on starting "Neighbourhood Planning Groups" and will the council support localism so that residents can influence the future of the places where they live?

Reply

The council has presented to community forums and individual community groups who want to find out more about neighbourhood planning. Officers have also met different groups and individuals who have expressed an interest in neighbourhood planning to provide advice. We'd encourage all interested parties to keep an eye on the wealth of information available online, from government <https://www.gov.uk/guidance/neighbourhood-planning--2> and from other groups who are further ahead in the process <https://www.neighbourhoodplanners.london/> Officers are happy to engage with any group who is interested in starting a neighbourhood plan for their area.

From Councillor Oonagh Moulton to the Cabinet Member to the Regeneration, Housing and Transport:

Can the Cabinet Member please ensure that objections and representations from local residents are made available in full to ward councillors, and will he listen to the public and commit to publishing the representations online?

Reply

Representations are no longer available on line due to the risk of publishing personal information contrary to GDPR legislation. As part of the investigation about how to proceed going forward, we are working with IT colleagues on a solution to this problem. A new IT system is being introduced in 2020 and we are investigating the possibility of having comments on applications being submitted directly through that system and then posted on line, thereby reducing the risk of personal information being inadvertently released.

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

Since the introduction of the diesel levy has there been any demonstrable improvement in Merton's air quality statistics which could be attributed to the

implementation of the diesel levy, and what steps is the council taking to reduce diesel vehicles in its own fleet?

Reply

Due to the complex variables in measuring and profiling changes in ambient air quality, it is difficult to attribute reductions to any specific policy. The monitoring of air quality is also averaged and adjusted at the end of each year, so patterns only emerge over time

Officers are currently putting together the Councils Annual Status Report on air quality, this will need to be assessed and approved by our governing body in May. It is at this point that will we see any reductions or trends in measured air quality.

The Councils air pollution team and climate change officers are working closely with colleagues that manage our fleet to ensure that we buy the cleanest possible vehicles for the borough.

Also this measure is considered by our procurement board when purchasing vehicles and our parking services have announced that they are moving towards 100% electric vehicles.

A report on the future of the diesel levy and the impact of it will be brought to Scrutiny and Cabinet in the near future.

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

On 2nd December the Emission Limit Value for Carbon Monoxide was exceeded at the Viridor Beddington ERF. What is the administration doing to ensure this does not happen again?

Reply

One-third of the Beddington ERF is dedicated to capturing and cleaning the gases that are produced during the waste combustion process. This ensures that what's released into the atmosphere (via the two flue stacks) is safe and will not harm the local environment or the health of local people.

The emissions from the Beddington ERF flue stacks are sampled every 10 seconds, 7 days a week, 365 days a year. The results are fed back to the ERF Control Room, so any potential issues are known about immediately and appropriate action can be taken.

The emissions are closely monitored by the Environment Agency (the regulator for the facility), who set strict limits (based on 10-minute, 30-minute and daily averages) for different types of emissions. These limits have been set at levels which prevent any significant impact on the environment or to human health. If any of these emissions limits are exceeded, then Viridor must inform the Environment Agency within 24 hours.

Viridor publish detailed Emissions Monitoring Reports twice per month on the Beddington ERF Virtual Visitor Centre (www.beddingtonerf.info) – this represents one of the most open and transparent approaches to the sharing emissions data of any ERF in the country.

The Beddington ERF has been designed to operate at the very highest international standards and, under normal operating conditions, emissions are well below the limits set by the Environment Agency.

Carbon monoxide is formed from incomplete combustion of carbon-containing fuels. The largest source of CO emissions is from road transport. The Beddington ERF introduces oxygen into the energy recovery process to ensure complete combustion occurs and the formation of carbon monoxide is minimised. But non-recyclable waste, by its nature, changes in composition from bag to bag and occasionally changes in material can cause disruption to the combustion process for a short period.

In recent months, there have been a number of temporary exceedances of a half-hourly average for carbon monoxide (CO) at the Beddington ERF. In each circumstance, the level of carbon monoxide increased above the permitted limit temporarily before quickly (usually within a matter of seconds) returning to permitted operating conditions. The Environment Agency was notified on each occasion.

The South London Waste Partnership (of which Merton is a member) formally approached the Environment Agency in July 2019 seeking reassurances that the occasional exceedances of CO that we were seeing at the Beddington ERF were not a cause for concern, and asking what the EA was doing from a regulatory perspective to ensure the exceedances are minimised going forward. The EA provided the following response:

The permit ELVs [Emissions Limit Values] are set primarily on the basis of the standard limits specified in Annex VI of the Industrial Emissions Directive, and exceedances of those limits will not necessarily result in an adverse impact on the environment. In the case of CO, an extremely high level of emissions over a prolonged period of time would be needed in order to have a significant impact on the environment, whereas slightly elevated emissions over a short-duration are not likely to result in any measurable environmental impact.

It should also be noted that the variable nature of the residual municipal waste burned by plants can make it extremely difficult for operators to control their CO emissions to permitted limits all of the time, and occasional exceedances can therefore be expected to occur, even when operators apply all available measures to avoid them.

As part of a wider nationwide review of ERFs, that builds upon increased levels of knowledge of operating ERFs in the UK, the Environment Agency has recommended

that the monitoring period for carbon monoxide at the Beddington ERF should be increased from every 30 minutes to every 10 minutes. This will ensure a greater level of transparency and rigour in the monitoring of the Beddington ERF emissions and will bring the Beddington ERF in-line with industry standard monitoring periods for CO. The EA made a variation to the Permit that took effect on 1 January 2020.

As a result of this more frequent and rigorous monitoring, the Environment Agency has elevated the permitted limit for CO from 100mg/m³ to 150mg/m³. The daily average permitted level (50mg/m³) has not changed. The permit variation states that the Beddington ERF must operate within this new 10-minute average CO limit 95% of the time in any given day (so 95% of the 144 10-minute average recordings taken every day must be below 150mg/m³ in order for the facility to be compliant). The Environment Agency has calculated these values to ensure that there is no negative impact to the local community and surrounding environment.

We will continue to work closely with our SLWP partners, Viridor and the Environment Agency to ensure the Beddington ERF is operating safely and within the conditions of its Permit.

Council questions under the strategic theme – Safer and Stronger Communities with a focus on Community Safety

From Councillor Najeeb Latif to the Cabinet Member for Voluntary Sector, Partnerships and Community Safety

With the rise in cybercrime and its damaging effect on Merton Residents, can the council advise what measures they have in place to provide support and advice to their residents?

Reply

The National Crime Agency (NCA) is the lead agency in the UK for tackling cybercrime including hacking, phishing, malicious software and website attacks. The NCA work closely with the National Cyber Security Centre, Get Safe Online and Cyber Aware to promote ways for the public and businesses to protect themselves online.

The Trading Standards Service is part of The Regulatory Services Partnership serving Merton, Richmond-upon-Thames and Wandsworth Councils and has responsibility for enforcing a range of legislation in relation to e-commerce.

The service operates an Intelligence Led Approach to service delivery that seeks to focus its work on key priorities for stakeholders ensuring that resources are allocated to the most significant areas of work that affect residents, businesses and the community as a whole. Current priorities include Fair Trading and Business Advice and Support.

The service enforces a range of legislation in relation to e-commerce including the information that must be provided to potential buyers online before a contract is made. This is to ensure that residents can make an 'informed choice' before concluding a contract and to prevent disputes over the sale process and the nature of the items sold. Businesses should declare certain information including their legal entity, telephone number, geographical address, distance selling, cancellation rights etc.

In the current year (to 31 January) the service has undertaken 22 inspections of websites in Merton to assess compliance and has provided advice and support to businesses to help them comply with their legal obligations. Additionally, 113 enquiries have been received from Merton residents in relation to goods and services purchased online. These enquiries have been in relation to counterfeit goods, unsafe products, holidays and travel, household products, non-receipt of goods as well as contractual breaches. These enquiries are often in relation to the goods/services themselves as opposed to the online purchase process or cybercrime.

The service works in partnership with the Citizens Advice Consumer Helpline who provide first point of contact advice to residents and then refer any matters requiring further investigation to Trading Standards.

One of the services Principal Trading Standards Officers has received national recognition for his expertise and represents the profession as Lead Officer for E-commerce for the Chartered Trading Standards Institute.

The service has also provided a number of training webinars to Trading Standards Officers across the UK to improve their capability to audit websites and ensure compliance with legislative requirements. This training was well received increasing levels of online compliance for residents and businesses alike whilst also generating income to the service.

With the increase of e-commerce the service will continue to monitor and review enquiries, providing support and guidance to local residents and businesses.

From Councillor Simon McGrath to the Cabinet Member for Schools and Adult Education

Would the Cabinet member please commit to urgently undertake a root and branch review of the various alternative education providers in Merton, with a view to adopting best practice that can be found in neighbouring boroughs' schools?

Reply

Merton schools have agreed that they will only use providers of Alternative Education that are on an approved list. To be added to this list, providers are subject to a quality assurance programme carried out by Merton, Wandsworth and Croydon officers, and implemented by Ofsted trained inspectors and health and safety qualified staff. If the Alternative Education inspection outcome is judged at satisfactory or above in all the criteria, the provider will be placed or retained on an approved list, which will be reviewed approximately every two years, subject to a successful annual visit to review the health and safety procedures at the provision. If the provision is judged as inadequate, a further visit will be arranged. If the outcome of this does not improve, the provider will be removed from the approved list for a minimum of 12 months. Once approved, if safeguarding concerns arise at any time, the provider will be subject to an immediate inspection by the commissioning authority. If it is judged that pupils are at risk, authorities have the right to withdraw pupils immediately.

The list of quality assured providers is then circulated to schools and other bodies that may wish to commission provision. In addition all providers of full time places in Alternative Education provision in Merton are registered as independent schools, and so are also inspected directly by Ofsted.

There are currently 20 approved providers across Merton, Wandsworth and Croydon.

From Councillor Adam Bush to the Cabinet Member for Voluntary Sector, Partnerships and Community Safety:

Neighbourhood Watch schemes provide an important defence against burglary and other forms of crime in Merton. What has the council done to support and expand neighbourhood watch schemes, and what steps will she take to increase youth involvement in the neighbourhood watch?

Reply

Merton, and the Community Safety service, invest heavily in Neighbourhood Watch with an officer allocated to this scheme from within the Safer Merton service. The borough has 535 operational and active watches covering approximately a third of the borough. Working with the Neighbourhood Watch committee an action plan has been created to increase NW awareness and engagement across the borough. A new website has recently been launched, MOPAC are now allocating £3000 to each boroughs NW committee to support work and we discuss NW matters at the Safer Neighbourhood Board (SNB) with the Police Borough Commander. In 2019/20 the SNB funded a scheme with the Police cadets to undertake focused engagement in the borough to increase watches. This work was focused based on "hotspot" roads and areas of least coverage. This scheme has worked well and we are expecting a further bid from the cadets to continue this work in 2020/21.

Safer Merton, with the NW committee and the Police also run Junior Neighbourhood Watch programmes. This programme has been running for several years working with one primary school per half term (depending on school availability) and this sees 6 sessions ran looking at a range of NW related matters around crime prevention, stranger danger, CCTV etc.

Safer Merton, the Police and NW committee work collaborate on a range of schemes and we are keen to expand watches further. Where members are approached about NW we request that residents are signposted to the Merton NW website www.mertonnhw.co.uk where they can find more information, request to join a watch and/or request to create a watch