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# Merton Council

## Council

**17 November 2021**

### **Supplementary Agenda 3 - Amendments**

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## Labour Amendment to Conservative Strategic Theme Motion – Item 7c

17<sup>th</sup> November council meeting

Strategic theme motion – planning enforcement

Council recognises the importance of good town planning and understands that local residents want planning applications that are approved to be adhered to and properly enforced.

Council notes that the building development control function has had an improvement programme underway since 2020, but while many of the improvements have been implemented, some have been delayed due to recruitment issues which the trade magazine UK Construction Excellence describes as a “long-predicted shortfall” in the building control sector across the UK. This in turn has had an impact on the capacity for ~~for a quite a long time struggled to properly undertake~~ planning enforcement with the latest statistics showing that the number of planning enforcement cases closed each month are at 46% of their target.

Residents demand and expect that all development in Merton is in accordance with sound planning principles and planning law, and Council notes that the government has failed to prepare for this long-predicted shortfall in the sector, or to fund councils so that they can provide services to the level that residents and councillors would want.

Therefore, council requests that the Cabinet Member for Housing, Regeneration and the Climate emergency in conjunction with the Director of Environment and Regeneration lobby the government to put in place measures to improve planning enforcement, to prioritise the rolling out of the improvement programme, and seek to tackle the backlog in cases, and report on progress to council in 6 months' time, and to ~~each one~~ meeting of the Sustainable Communities Overview and Scrutiny Panel in 3 months' time.

Council expects the following aspects to be included:

- ~~Online~~ The cost and viability of an online portal for planning enforcement cases which councillors and residents can see;
- ~~Easier~~ Ways to improve reporting of planning breaches on the council website;
- Action plan to tackle the backlog in planning enforcement cases;
- Analysis of how well planning enforcement measures result in appropriate outcomes;
- ~~Better communication between the Planning Dept and the public and councillors;~~
- ~~Clearer outcomes on planning enforcement with stronger measures taken;~~
- ~~Stronger~~ Continued enforcement of existing planning laws against individuals and developers who break planning rules;
- ~~Council to use~~ Using public communications to highlight enforcement breaches (~~with an~~ including a continued emphasis on those who fell trees in contravention of planning rules);

- ~~Senior Planning officers~~Continuing to review the outcome of development following completion to ensure that greening measures have been implemented, ~~especially including~~ tree planting (in line with the council's Tree Strategy);
- ~~S~~Continued stronger protection of existing trees via ~~greater use of powers under~~ Tree Protection Orders.
- ~~Better~~The importance of good communication between the Planning Dept and the public and councillors;
- A full costing of all the above measures and an outline of the cuts that would have to be made to other services, and the impact of these, if the cost has to be borne in whole by the council rather than from direct additional grant.

Cllr Daniel Holden

Cllr David Dean

Cllr Ed Gretton

AMENDED MOTION READS:

Council recognises the importance of good town planning and understands that local residents want planning applications that are approved to be adhered to and properly enforced.

Council notes that the building development control function has had an improvement programme underway since 2020, but while many of the improvements have been implemented, some have been delayed due to recruitment issues which the trade magazine UK Construction Excellence describes as a "long-predicted shortfall" in the building control sector across the UK. This in turn has had an impact on the capacity for planning enforcement with the latest statistics showing that the number of planning enforcement cases closed each month are at 46% of their target.

Residents demand and expect that all development in Merton is in accordance with sound planning principles and planning law, and Council notes that the government has failed to prepare for this long-predicted shortfall in the sector, or to fund councils so that they can provide services to the level that residents and councillors would want.

Therefore, council requests that the Cabinet Member for Housing, Regeneration and the Climate emergency in conjunction with the Director of Environment and Regeneration lobby the government to put in place measures to improve planning enforcement, to prioritise the rolling out of the improvement programme, and seek to tackle the backlog in cases, and report on progress to council in 6 months' time, and to one meeting of the Sustainable Communities Overview and Scrutiny Panel in 3 months' time.

Council expects the following aspects to be included:

- The cost and viability of an online portal for planning enforcement cases which councillors and residents can see;

- Ways to improve reporting of planning breaches on the council website;
- Action plan to tackle the backlog in planning enforcement cases;
- Analysis of how well planning enforcement measures result in appropriate outcomes;
- Continued enforcement of existing planning laws against individuals and developers who break planning rules;
- Using public communications to highlight enforcement breaches (including a continued emphasis on those who fell trees in contravention of planning rules);
- Continuing to review the outcome of development following completion to ensure that greening measures have been implemented, including tree planting (in line with the council's Tree Strategy);
- Continued strong protection of existing trees via powers under Tree Protection Orders.
- The importance of good communication between the Planning Dept and the public and councillors;
- A full costing of all the above measures and an outline of the cuts that would have to be made to other services, and the impact of these, if the cost has to be borne in whole by the council rather than from direct additional grant.

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## Labour Amendment to Conservative Motion – Item 14

### 17<sup>th</sup> November Council meeting

#### Conservative non-strategic theme motion

#### Clarion Housing ‘ten commitments’

Council notes that in September 2014 the Labour administration and Circle Housing Merton Priory (the predecessor of Clarion Housing) agreed the ‘ten commitments’ that would guide the future regeneration work. The ‘ten commitments’ are:

1. Circle Housing Merton Priory will consult with residents, consider their interests at all times, and address concerns fairly;
2. Current home owners will be entitled to at least the market value of their homes should they wish to take up the option to sell their homes to Circle Housing Merton Priory;
3. Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household;
4. Existing Circle Housing Merton Priory tenants will keep all their rights and have the same tenancy agreement, including rent levels, in the new neighbourhood as they do now;
5. All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents’ fuel bills;
6. Circle Housing Merton Priory will keep disruption to a minimum, and will do all it can to ensure that residents only move once if it is necessary to house residents temporarily while their new home is being built;
7. Circle Housing Merton Priory will offer extra help and support for older people and/or disabled residents throughout the renovation works;
8. Circle Housing Merton Priory will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service;
9. Any growth in the number of homes will be in accordance with the council’s own Development Plan so that it is considered, responsible and suitable for the area;
10. As a not for profit organization, Circle Housing Merton Priory will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods.

Council commends the Labour administration for signing up to these commitments and for ensuring that the pledges have been predominantly implemented, notes the recent concerns about Clarion’s repair service and the administration’s determination for Clarion to maintain homes effectively as well as undertaking regeneration. It calls upon the cabinet to ~~reaffirm~~ declare its commitment to these 10 principles in working with what is now Clarion Housing, alongside continuing engagement with residents of the estates to develop policies that local people can have confidence in.

Council also supports the determination of the administration and Clarion to regenerate the three estates despite the scheme being in deficit due to economic factors, and welcomes the proposal to use up to £72million by reinvesting money which would be due to the Council from private sales which will enable the estates to be rebuilt, provide additional social homes, and help deal with overcrowding issues.

Cllr Nick McLean

Cllr Nigel Benbow

Cllr Hayley Ormrod

AMENDED MOTION READS:

Council notes that in September 2014 the Labour administration and Circle Housing Merton Priory (the predecessor of Clarion Housing) agreed the ‘ten commitments’ that would guide the future regeneration work. The ‘ten commitments’ are:

1. Circle Housing Merton Priory will consult with residents, consider their interests at all times, and address concerns fairly;
2. Current home owners will be entitled to at least the market value of their homes should they wish to take up the option to sell their homes to Circle Housing Merton Priory;
3. Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household;
4. Existing Circle Housing Merton Priory tenants will keep all their rights and have the same tenancy agreement, including rent levels, in the new neighbourhood as they do now;
5. All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents’ fuel bills;
6. Circle Housing Merton Priory will keep disruption to a minimum, and will do all it can to ensure that residents only move once if it is necessary to house residents temporarily while their new home is being built;
7. Circle Housing Merton Priory will offer extra help and support for older people and/or disabled residents throughout the renovation works;
8. Circle Housing Merton Priory will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service;
9. Any growth in the number of homes will be in accordance with the council’s own Development Plan so that it is considered, responsible and suitable for the area;
10. As a not for profit organization, Circle Housing Merton Priory will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods.

Council commends the Labour administration for signing up to these commitments and for ensuring that the pledges have been predominantly implemented, notes the recent concerns about Clarion’s repair service and the administration’s determination for Clarion to maintain homes effectively as well as undertaking regeneration. It calls upon the cabinet to declare its commitment to these 10

principles in working with what is now Clarion Housing, alongside continuing engagement with residents of the estates to develop policies that local people can have confidence in.

Council also supports the determination of the administration and Clarion to regenerate the three estates despite the scheme being in deficit due to economic factors, and welcomes the proposal to use up to £72million by reinvesting money which would be due to the Council from private sales which will enable the estates to be rebuilt, provide additional social homes, and help deal with overcrowding issues.

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## Item 15 - Liberal Democrat Amendment to the Labour Motion

Full Council – Wednesday 17<sup>th</sup> November 2021

Council notes that:

- Approximately 230 councils have declared a Climate Emergency, including Merton Council in July 2019. As part of our Climate Emergency declaration, we pledged to support Merton to become a carbon neutral council by 2030.
- Local government is an indispensable partner in achieving net zero, because of our insight into our communities and local circumstances, our service delivery and regulatory functions, and our ability to join up emissions reductions with other pressing priorities, from public health, to inequality to economic development.
- Without direct financial support from the Government and an acknowledgement of the pivotal role they play in tackling climate change, local authorities will struggle to achieve these vital targets
- [That at the Council meeting on 15 September 2021 a Liberal Democrat Motion on ending the holding of shares in fossil fuel companies within 3 years was defeated](#)
- [That at the COP26 Summit the agreement on phasing out Coal was watered down at the last moment](#)
- [That the Council continues to own shares in at least one Coal company](#)

Council welcomes:

The actions Merton Council has already taken to tackle the climate and biodiversity crisis including, by way of example:

- approving Merton's Climate Strategy and Action Plan, including the key actions required to become a carbon neutral council by 2030.
- setting up and supporting the volunteers in the Climate Action Group to develop community-led projects to reduce everyone's emissions, recognising that joint efforts are more effective than individuals' or the Council's alone.
- putting £2 million of reserves towards actions in the Climate Strategy and Action Plan so far
- supporting Merton Garden Streets, a volunteer-led initiative to make our streets greener, and holding Car Free Day events.
- installing 68 innovative Breathe London air quality and traffic sensors – more than any other London borough.
- installing low-energy LED lighting in our buildings and investing £2m in LED streetlights.
- putting in place over 50 PV panel systems on 44 Council buildings, generating 1,000,000 kWh every year, and 100% of the council's energy supply now coming from renewable sources.
- introducing more School Streets than any other London borough per capita, to lower pollution outside schools
- having over 200 electric vehicle charging points, 20 cycle hangars, 10 parklets, and 11 Sustainable Urban Drainage Systems.
- Drafting a Local Plan that sets ambitious targets for new development so that new development is net-zero by 2050.

Council resolves:

- To continue to support Merton's communities including the Climate Action Group in their lead and delivery of projects across the borough, recognising that 97% of carbon emissions in Merton are outside Merton Council's control.
- To continue to work with employers in the borough, including businesses, the third sector, charities and the public sector to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they have already put in place.
- To work with the third sector, charities, businesses, and residents across the borough to continue to meet targets set in the Climate Action Plan.
- That the Leader will write to Secretary of State for Levelling Up, Housing and Communities Michael Gove MP to make the case for:
  - Acknowledging local government's pivotal role in tackling climate change, and to share examples of the work already done by Merton Council.
  - To call on the government to agree to a national framework and strategy with local government and business, that provides certainty of funding to enable local government to leverage its unique role and influence and maximize its potential in tackling climate change in the UK.
- To request the Pensions Committee to consider disposing of all shares in Coal companies by the end of 2022 and not to acquire any further holdings
- To request officers to provide a report every 6 months to the Pensions Committee of holdings in fossil fuel companies highlighting any new holdings since the last report

Cllr Simon McGrath

## Item 15 - Conservative Amendment to the Labour Motion

### Full Council – Wednesday 17th November 2021

Council notes that:

- Approximately 230 councils have declared a Climate Emergency, including Merton Council in July 2019. As part of our Climate Emergency declaration, we pledged to support Merton to become a carbon neutral council by 2030.
- Local government is an indispensable partner in achieving net zero, because of our insight into our communities and local circumstances, our service delivery and regulatory functions, and our ability to join up emissions reductions with other pressing priorities, from public health, to inequality to economic development.
- ~~Without direct financial support from the Government and an acknowledgement of the pivotal role they play in tackling climate change, local authorities will struggle to achieve these vital targets~~

Council welcomes:

The actions Merton Council has already taken to tackle the climate and biodiversity crisis including, by way of example:

- approving Merton's Climate Strategy and Action Plan, including the key actions required to become a carbon neutral council by 2030.
- setting up and supporting the volunteers in the Climate Action Group to develop community led projects to reduce everyone's emissions, recognising that joint efforts are more effective than individuals' or the Council's alone.
- putting £2 million of reserves towards actions in the Climate Strategy and Action Plan so far
- supporting Merton Garden Streets, a volunteer-led initiative to make our streets greener, and holding Car Free Day events.
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- installing low-energy LED lighting in our buildings and investing £2m in LED streetlights.
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- introducing more School Streets than any other London borough per capita, to lower pollution outside schools
- having over 200 electric vehicle charging points, 20 cycle hangars, 10 parklets, and 11 Sustainable Urban Drainage Systems.
- Drafting a Local Plan that sets ambitious targets for new development so that new development is net-zero by 2050.

Whilst these measures are welcome, council regrets that no meaningful progress towards introducing low emission bus zones has occurred since the motion was passed in February 2019. In addition, Merton is falling behind other authorities regarding tree planting and the use of technology based solutions to reduce pollution and the impact of climate change.

Council further notes that greater effort needs to be made to prevent the loss of established trees as was the case at Ravensbury estate, High Path, Wyke Road, St Helier Avenue, Dundonald Rec, Plough Lane Ford, Mitcham Bridge and in many recent planning applications given consent.

Council resolves:

- To continue to support Merton's communities including the Climate Action Group in their lead and delivery of projects across the borough, recognising that 97% of carbon emissions in Merton are outside Merton Council's control.
- To continue to work with employers in the borough, including businesses, the third sector, charities and the public sector to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they have already put in place.
- To work with the third sector, charities, businesses, and residents across the borough to continue to meet targets set in the Climate Action Plan.
- To redouble its efforts to introduce low emissions bus zones in the town centres, recognising that recent efforts by the cabinet member have not been good enough.
- To study the use of technology based solutions to reduce pollution that have been successful in other boroughs, with a view to rapidly introduce this technology to Merton.
- To avoid removing mature trees where possible and accepts that the recent felling of many established trees was unnecessary and unacceptable.
- —
- That the Leader will write to Mayor of London Sadiq Khan Secretary of State for Levelling Up, Housing and Communities Michael Gove MP to make the case for:
  - o Acknowledging the role City Hall has to play local government's pivotal role in tackling climate change, ~~and~~ to share examples of the work already done by Merton Council and additionally to call for:
    - The Mayor to meet his pledge to plant 2 million trees, which he promised would be achieved by the end of his first term, and to recognise that the 280,000 trees delivered so far is simply not good enough;
    - The Mayor to redouble his efforts to introduce electric busses, recognising that the current figure of 4.4% is woefully insufficient;
    - The Mayor and TfL to expedite their work on low emission bus zones in Merton's town centres;
    - An increased role out of rapid electric vehicle charging points, acknowledging that the current figure of 8% is nowhere near the level required in London. -

~~o To call on the government to agree to a national framework and strategy with local government and business, that provides certainty of funding to enable local government to leverage its unique role and influence and maximize its potential in tackling climate change in the UK.~~

[Cllr Daniel Holden](#)      [Cllr David Dean](#)      [Cllr Nigel Benbow](#)

Motion now to read:

Council notes that:

- Approximately 230 councils have declared a Climate Emergency, including Merton Council in July 2019. As part of our Climate Emergency declaration, we pledged to support Merton to become a carbon neutral council by 2030.
- Local government is an indispensable partner in achieving net zero, because of our insight into our communities and local circumstances, our service delivery and regulatory functions, and our ability to join up emissions reductions with other pressing priorities, from public health, to inequality to economic development.

Council welcomes:

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- putting in place over 50 PV panel systems on 44 Council buildings, generating 1,000,000 kWh every year, and 100% of the council’s energy supply now coming from renewable sources.
- introducing more School Streets than any other London borough per capita, to lower pollution outside schools
- having over 200 electric vehicle charging points, 20 cycle hangars, 10 parklets, and 11 Sustainable Urban Drainage Systems.
- Drafting a Local Plan that sets ambitious targets for new development so that new development is net-zero by 2050.

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Council resolves:

- To continue to support Merton's communities including the Climate Action Group in their lead and delivery of projects across the borough, recognising that 97% of carbon emissions in Merton are outside Merton Council's control.
- To continue to work with employers in the borough, including businesses, the third sector, charities and the public sector to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they have already put in place.
- To work with the third sector, charities, businesses, and residents across the borough to continue to meet targets set in the Climate Action Plan.
- To redouble its efforts to introduce low emissions bus zones in the town centres, recognising that recent efforts by the cabinet member have not been good enough.
- To study the use of technology based solutions to reduce pollution that have been successful in other boroughs, with a view to rapidly introduce this technology to Merton.
- To avoid removing mature trees where possible and accepts that the recent felling of many established trees was unnecessary and unacceptable.
- That the Leader will write to Mayor of London Sadiq Khan to make the case for:
  - o Acknowledging the role City Hall has to play in tackling climate change, to share examples of the work already done by Merton Council and additionally to call for:
    - The Mayor to meet his pledge to plant 2 million trees, which he promised would be achieved by the end of his first term, and to recognise that the 280,000 trees delivered so far is simply not good enough;
    - The Mayor to redouble his efforts to introduce electric busses, recognising that the current figure of 4.4% is woefully insufficient;
    - The Mayor and TfL to expedite their work on low emission bus zones in Merton's town centres;
    - An increased role out of rapid electric vehicle charging points, acknowledging that the current figure of 8% is nowhere near the level required in London.

Cllr Daniel Holden

Cllr David Dean

Cllr Nigel Benbow