

# **Merton Council Council**

**11 September 2013**

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# Agenda Item 5

COUNCIL 11 SEPTEMBER 2013

## PUBLIC QUESTIONS

### **Procedure at the meeting:**

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

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### **Questions:**

1. From Hayley Humphreys (not attending)

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

Question

“What is happening with the old Mitcham McDonalds site?”

Reply

The site is privately owned and is currently being marketed by the owners. The Council have made several attempt to contact the owners to determine the future prospects and to offer support, but so far this has been unsuccessful.

2. From Neil Malcolm (in attendance)

Question

“Why has Merton Council breached the guidelines laid out by the Charity Commission in its management of Tamworth Recreation Ground and Allotments and why are three-quarters of Councillors unaware of their responsibilities as Trustees of that organisation, defined both by Charity Law and the Governing Document of the Charity?”

Reply

We do not believe we have breached the guidelines of the Charity Commission, however Council Officers are investigating specific issues relating to the management of the Tamworth Recreation Ground and Allotments which have been raised by Mr Malcolm. Once these matters have been investigated Mr Malcolm will receive a full written response.

The individual councillors are not themselves trustees of the organisation; the London Borough of Merton is the sole trustee and day to day management of the trust is undertaken by council officers. Any decision making on behalf of the Trust would be in accordance with the Council's decision making processes.

3. From Gregory Capper (not attending)

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

“Surely the volume of fast, heavy traffic on Worple Road is a safety concern, i.e. during the school ‘rush’, there are a lot of pupils on pavements, crossing the road. If access for Emergency vehicles means traffic calming cannot be installed, other action is required to slow traffic (speed cameras)?”

Reply

Worple Road is a Principal Emergency Route, Local Distributor Road and a bus route. Given the status of this road it is not possible to introduce the most effective speed reducing feature which is a road hump. One possible physical feature that could be installed is speed cushions. However in areas where these features have been introduced the council routinely receives complaints regarding noise and vibration associated with these features; and there have also been an increase in insurance claims regarding damage to properties.

Because of vehicles' ability to straddle these features, vehicles are often uncompelled to reduce speed of travel. The introduction of such features would be subject to an informal and statutory consultation. Such proposals are often met with strong objections from residents because of the associated

noise and vibration and fear of damage to property. In this case any such proposal will most definitely receive strong objections from the bus operators and emergency services and the council is unlikely to be able to overrule such objections.

The council does take safety very seriously and as part of our annual local safety programme we monitor all personal injury accidents across the borough. However, in many cases an engineering solution cannot be applied as many accidents are due to driver error.

Due to limited available resource and funding and the high level of demand for similar approaches, it has become essential to prioritise by giving first consideration to those areas with recorded personal injury accidents. According to personal injury collision records over the past three years there have not been any speed related personal injury accidents along Worple Road; it would, therefore, be difficult justifying any action/expenditure at this time. In an ideal world the council would prefer to deal with all possible schemes to reduce danger simultaneously, but due to tight budgets it is essential to utilise the evidence on accidents to prioritise action.

With regards to speed camera there are a number of criteria that must be met. These include:

- There must be at least four fatal and serious collisions per km in the recent period
- There must be eight personal injury collisions per km in last three years
- Collisions causation factors must be speed related
- Collisions are clustered close together around a single stretch of road or junction

Worple Road does not meet any of these criteria and therefore speed cameras cannot be considered.

4. From Sandra Vogel (advice re attendance awaited)

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

“What will be the impact on (a) traffic levels and (b) congestion in Mitcham town centre from the proposals to (a) route buses around the one way system and through a new bus street across Fair Green and (b) create a new contra-flow bus lane in London Road and a new bus street across Fair Green?”

Reply

A range of proposals to facilitate bus movements into and out of the Fair Green are currently undergoing detailed analysis. This analysis is twofold.

Firstly a ‘macro simulation’ modelling approach known as Transyt is being used to assess network effects through considering the changes to junction

capacity. This analysis suggests that the contra-flow bus lane will not have any significant effect on congestion in the town centre. This is measured through considering the saturation of each junction impacted and in each case the degree of saturation either remains stable or has a nominal increase. This outcome can be explained by a number of reasons including the 'gating' effect of junctions outside the town centre (e.g. Figges Marsh) which hold back traffic, as well as the potential to better calibrate the signals to operate more efficiently. Although intuitively it may be considered that a smaller junction for traffic means more congestion, there are also benefits to traffic such as shorter green time for pedestrians who have less distance to cross.

However a further level of analysis known as micro-simulation using VISSIM software is also being undertaken. This level of analysis is more focused on the actual operation of each junction in real world traffic conditions. This level of analysis is still underway and will be subject to audit by Transport for London. Because Mitcham is on the 'Strategic Road Network' any potential issues in junction operation with congestion impacts may result in changes to the scheme proposals. As soon as the outcome of this analysis is complete it will be made publically available.

#### 5. From Tony Burton (not attending)

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

"What would be the net increase or decrease in (a) employment and (b) economic activity in Mitcham town centre as a result of a new bus lane across Fair Green?"

Reply

The proposal for a bus street within the currently pedestrianised area of Fair Green, in conjunction with wider improvements to the accessibility of the area from surrounding streets as well as a significant upgrade of the public realm, is intended to support regeneration in Mitcham after many years of decline. The core proposal focuses on increasing footfall upon which retail vitality is based. It is estimated that between 5 and 6 thousand additional pedestrian journeys will be generated around the Fair Green every day as a result of the council's proposals. All assessments of retail growth potential focus primarily on footfall and therefore this boost to numbers is the essential 'trigger' factor in town centre regeneration.

Pedestrian trips will offer the greatest opportunity for increasing spend in local shops and market stalls. In conjunction to this the wider Outer London Fund One Mitcham related activities are seeking to create business capacity to exploit these opportunities. This includes business support and high impact events. The business community in Mitcham is strongly skewed toward small independent retailers.

There is no anticipated decrease in employment and economic activity in Mitcham town centre as a result of the scheme; the degree to which there are employment and economic activity benefits will depend on the extent to which existing and new businesses can exploit the increased footfall by developing appropriate and attractive products and services.

6. From Daniel Holden (in attendance)

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

"Can the cabinet member please explain what the criteria is for the non-collection of household recycling by the recycling waste operator. Also, to aid in recycling efforts would the council provide additional recycling boxes to residents if they asked?"

Reply

**THIS QUESTION WILL BE ANSWERED BY THE CABINET MEMBER FOR PERFORMANCE AND IMPLEMENTATION**

On the day of collection recycling boxes must be placed out by 6am at the front edge of properties where they can be easily seen, but not on the pavement. Only recycling materials listed as acceptable on the council's website should be placed in the boxes.

Residents may receive a card if there is an item in the box that we cannot recycle as part of the recycle from home service. If they receive a card, they should check the list of items accepted on our 'how to recycle from home' webpage. The recycling collectors have been given the cards to help residents use the recycling service. If we receive notification of a missed collection of recycling we will return to collect by the end of the following day.

Residents requiring additional boxes can make a request through the council's website.

7. From Barbara Mansfield (in attendance)

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

"How many units for shops and services facing Mitcham Fair Green are currently vacant?"

Reply

Two of the 23 units facing the Fair Green are vacant. However, one of these is the former MacDonald's site which has a significant percentage of floor

space as a whole for the area. The majority of vacant units in Mitcham are located in the pedestrianised section of London Road – due to lack of footfall and visibility which many high street businesses rely on.

8. From Robert Brinkley (advice re attendance awaited)

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

“Has the Committee, and have the Councillors, taken into consideration the financial viability of AFC Wimbledon (the "Club") actually paying for a football stadium to be built on the Plough Lane site (Site 37 - Wimbledon Greyhound Stadium) through careful consideration of any costing or financial plans submitted by the Club, if any have indeed been submitted?”

Reply

At this stage, the council believes that there are a number of potentially viable proposals for the Wimbledon Greyhound Stadium site to deliver sporting intensification. However to date no specific planning application has been submitted by any party. The financial viability of any scheme for sporting intensification will be a key consideration in delivering development, especially at the planning application stage.

9. From Marco Baptista (not attending)

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

“Has the Committee, and have the Councillors, taken into account the effect on the local community of thousands of football fans descending on the Wimbledon Greyhound Stadium site if permission to build a football stadium was granted and the cost of policing matches?”

Reply

To date the council has not received a planning application from any party with regards to Wimbledon Greyhound Stadium. However, as part of the site's designation as a stadium for any sporting use, the council works closely with Transport for London, the Metropolitan Police, Wandsworth Council, the Mayor of London and other organisations to ensure that any site would be designed and operated to ensure safety and security for those taking part in sporting activities and local residents.

10. From Louise Howell (in attendance)

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

“Will Merton Council please support their constituents and maintain the Green Corridor status of the Rookwood Avenue 'wild land' hence preventing development of this land and also designate the route across this land (which has been continuously used for over 45 years) as a public right of way?”

Reply

The council is not only proposing the retention of the Green Corridor planning designation (to help support the migration of animals and plants) across the land at the end of Rookwood Avenue, West Barnes, but is also proposing to designate the land as open space as part of the Sites and Policies Plan and Policies Map. The council provides information on public rights of way on our website [www.merton.gov.uk/publicrightsofway](http://www.merton.gov.uk/publicrightsofway) and we are happy to work with interested parties on new proposals for public rights of way

11. From Melanie Nunzet (in attendance)

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

"To ask what is the total area of (a) soft and (b) hard surfaces for the part of Fair Green currently designated as Town Green before and after implementation of the Rediscover Mitcham proposals?"

Reply

The answers in respect of town green designations are:

Before (a) soft surface (grass) 3178m<sup>2</sup> (b) hard surface (pathways) 596m<sup>2</sup>  
After (a) soft surface (grass) 3062m<sup>2</sup> (b) hard surface (pathways) 1396m<sup>2</sup>

The breakdown of these figures is provided by means of the table below. All figures are in square metres.

	Registered Green	Grass	Paths (paved)	Paths (gravel)	Cycle Path	Total Paths
Existing Fair Green						
East Side	1,251	950	301	0	0	301
West Side	2,523	2,228	295	0	0	295
TOTAL	3,774	3,178	596	0	0	596

Proposed Fair Green						
East Side	1,384	796	533	0	57	590
West Side	3,072	2,266	433	240	133	806
TOTAL	4,456	3,062	966	240	190	1,396

- Overall a 116m<sup>2</sup> loss of grass from 3.178m<sup>2</sup> to 3,062m<sup>2</sup> – an actual 4% loss of registered grassed area.
- Overall an increase in area of protected registered Town Green from 3,774m<sup>2</sup> to 4,456m<sup>2</sup> – an increase of 18% over the existing protected space, e.g through the narrowing and realignment of the south side of Upper Green West opposite Iceland and the narrowing of the current parking area on the north side of Upper Green East near to Ladbrokes.

It should be noted, however that the answers to the questions above do not complete the picture of actual areas of grass lost and gained in and around the Fair Green that are not currently registered, or will not be registered as town green under the proposals.

#### Not currently registered

The original north-south route of London Road across the green was never declassified (or stopped up) as highway. As a result this space does not form part of the Town Green designation. This is a space approximately 12.5m wide across the Fair Green that is not currently designated as Town Green. The majority of this space is currently grassed. The proposed bus route will occupy much of this space, although it will be approximately half the width of the former highway. This space currently grassed and unprotected is 531m<sup>2</sup>. Of this 323m<sup>2</sup> will become part of the proposed bus route. The space between the protected east and west sides of the Fair Green will be narrowed from 12.5m (the original road width) to 6.5m. The remaining 208m<sup>2</sup> will be paved in Yorkstone and form part of the proposed new protected Town Green designation. So this amounts to an increase in protected space with high quality materials, but a reduction in actual grass.

Also the narrowing of the junction on the North side of Upper Green West (near Skippers) will increase the amount of unregistered grassed area by approximately 100m<sup>2</sup>.

12. From Alan Hutchings (not attending)

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

“What evidence the Council has of the level of support for its bus lane proposal across Mitcham Fair Green, specifically from local shops and services, in the light of the Mitcham Society survey that showed 80% of them are opposed to it?”

Reply

The evidence of business support and local residents is via two extensive consultations including the distribution of 50,000 brochures across the CR4 postcode and extensive publicity and engagement including internet based surveys. These surveys have resulted in two endorsements of the bus lane proposal, both in principle in the 2012 consultation (71% in favour) and the specific proposal in the 2013 consultation (62% in favour). In fact in both consultations businesses supported the bus lane proposal more than the general public (with 71% supporting the bus lane in the 2013 consultation). It is also relevant to note that this support has been consistent for at least 10 years, when in 2003 an earlier consultation on a bus lane proposal through London Road demonstrated 63% support.

13. From Zac Toerien (in attendance)

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

“Is the Committee, and are the Councillors, aware of the support for Greyhound racing at Wimbledon Greyhound Stadium?”

Reply

The council is aware of the support for greyhound racing at Wimbledon Greyhound Stadium. Responses to the nine months of public consultation on the Sites and Policies Plan over the past two years has illustrated both support for and objection to greyhound racing, football and the redevelopment of the site in general, as well as many other issues. Responses can be found on the council's website via [www.merton.gov.uk/environment/planning/sites\\_policies\\_plan](http://www.merton.gov.uk/environment/planning/sites_policies_plan) . To date the council has not received a planning application from any party with regards to Wimbledon Greyhound Stadium.

14. From Lucy Hedden (not attending)

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

“Does the Council plan to apply for the Grade 11 listed clock in Mitcham town centre to be de-listed?”

Reply

As part of the Rediscover Mitcham proposals it is intended to relocate the Grade II listed Clock Tower to a location approximately 50m to the south east of its current location. The Clock Tower will be restored and sited in a new garden space with seating. As part of this relocation planning permission is required, and Listed Building Consent is also required from English Heritage. Advice from English Heritage on the appropriate procedure is that the clock will not need to be de-listed. Once the tower has been restored and re-sited, an updated list description will be issued, with accurate details of its new position.

15. Rebecca Richman (advice re attendance awaited)

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

“Has the Committee, and have the Councillors, taken into consideration that the plans of Paschal Taggart for Site 37 - Wimbledon Greyhound Stadium - will not only transform what is an eyesore and embarrassment to the Borough but will also provide a world class greyhound stadium, international standard Squash and Fitness Club and up to 500 subsidised secure parking spaces for staff at St George's NHS Hospital?”

Reply

The council has taken all responses that we have received on the Sites and Policies Plan (which contains Site 37 – Wimbledon Greyhound Stadium) into consideration as part of the nine months of public consultation over past two years, including those submitted by Hume Consulting. Responses can be found on the council’s website via [www.merton.gov.uk/environment/planning/sites\\_policies\\_plan](http://www.merton.gov.uk/environment/planning/sites_policies_plan)

16. Katie Lacey (advice re attendance awaited)

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

"Considering that you have a duty to act in the interests of your constituents, what do the residents of Rookwood Avenue need to do to uphold their public right of way within the development, which has been used for more than 40 years, and what are you going to do to ensure that this happens?"

Reply

Public Rights of Way are either created (by Order) or by dedication by the Land Owner (either expressly or by presumption). In terms of statute, the Highways Act 1980 requires a path to be used continuously for 20 years for a path to be proven as a public right of way. To maintain a public right of way, the Definitive Map and Statement need to be modified to add that path to the Definitive Map. This is done by an application under Section 53(5) of the Wildlife and Countryside Act 1981. This section of the Act enables any person to apply to the Local Authority for an Order to be made to modify a Definitive Map and Statement. The procedure for making and determining applications is set out in Schedule 14 of this Act.

An application must be made in the prescribed form (Regulation 8 of the Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993) and must be accompanied by:

- (a) A map drawn to the prescribed scale and showing the way or ways to which the application relates; and
- (b) Copies of any documentary evidence (including statements of witnesses) which the applicant wishes to add in support of the application.

Notice that an application for an Order has been made must be served by the applicant to every owner and occupier of the land involved. The Local Authority is required to investigate all applications as soon as is reasonably practicable and decide whether to make an Order on the basis of the evidence provided. In the event of an authority refusing to make an Order, the applicant has the right of appeal to the Secretary of state against that decision.

The residents of Rockwood Avenue need follow the procedures describes above and apply for a modification order to add this path to the Public Right of Way Definitive Map and Statement. The Council will provide guidance to residents pursuing this process.

17. From Lucinda Ager (in attendance)

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

“Has the Committee, and have the Councillors, considered the financial benefits, such as higher rates than currently it receives from the site, and the job opportunities for local residents (hundreds of interesting and well-paid jobs) which will benefit the Borough under the proposed multi-sports complex plans of Paschal Taggart (Hume Consulting) for Site 37 (Wimbledon Greyhound Stadium)?”

Reply

To date the council has not received a planning application from any party with regards to Wimbledon Greyhound Stadium. However, as part of the planning process for the future of Site 37 (Wimbledon Greyhound Stadium) and other sites, the council considers the economic benefits that could occur from the redevelopment of the stadium for sports uses, including job creation and retention and support for existing and new businesses. Business rates are not considered as part of the planning process.

18. From David Ryan (in attendance)

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

“Has the Committee, and have the Councillors, taken into consideration that the plans proposed by Paschal Taggart for a world class greyhound stadium will bring thousands of tourists every year from all over the world into the Borough bringing revenue to the Council and local businesses?”

Reply

To date the council has not received a planning application from any party with regards to Wimbledon Greyhound Stadium. However, as part of the planning process for the future of Site 37 (Wimbledon Greyhound Stadium) and other sites, the council considers the economic benefits that could occur from the redevelopment of the stadium for sports uses, including job creation and retention and support for existing and new businesses.

19. From David Massie (in attendance)

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

“I note that over several years the Council has introduced various measures in different parts of the town and the village with a view to reducing the amount of rat running that takes place. Now that it has become clear that those previously introduced traffic controlled measures in other parts of Wimbledon has made it worse in the Belvederes.

What proposals does the Council have to remove those measures in order to elevate the situation and reduce the rat running in the Belvederes back at least the level that was experienced before those measures were introduced?”

Reply

It is not clear whether or to what extent traffic amendments in and around Wimbledon have contributed negatively to the situation in the Belvederes area. However what is clear is that the volume of traffic using the Belvedere Roads remain higher than appropriate in a residential area. The Council is developing proposals to improve this situation and hopes to be able to consult residents in due course.

20. From Bob McCreery (attendance uncertain)

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

“Has the Committee, and have the Councillors, taken into consideration that not only has Greyhound Racing taken place at Site 37 - Wimbledon Greyhound Stadium - since 1928 but that the prestigious William Hill Greyhound Derby has also taken place there since 1985 and that the prize money for the winner of the 2014 Derby has been set at £200,000?”

Reply

To date the council has not received a planning application from any party with regards to Wimbledon Greyhound Stadium. However, the council is aware of the long history of the Wimbledon Greyhound Stadium; we are proud of this association and we are aware of the level of support for greyhound racing on this site, as we are of other potential uses. Responses to the nine months of public consultation on the Sites and Policies Plan over the past two years have illustrated both support for and objection to greyhound racing, football and the redevelopment of the site in general, as well as many other issues. Responses can be found on the council’s website via [www.merton.gov.uk/environment/planning/sites\\_policies\\_plan](http://www.merton.gov.uk/environment/planning/sites_policies_plan)

21. From Dr Phil Hogarth (not attending)

To Councillor Andrew Judge, Cabinet member for Environment and regeneration.

'Will the council undertake to commission a full environmental wildlife survey on the disused playing field (currently classed as green corridor/open space land) at the end of Rookwood Avenue; including publication of results?'

Reply

As part of the council's Sites and Policies Plan and Policies Map, the council has considered whether the land at Rookwood Avenue should be allocated as a site for importance for nature conservation, as well as a green corridor (to help support the movement of animals and plants) and designated open space . An assessment by the council's biodiversity officer illustrated that although the site would not currently qualify to be designated as a Site for Importance for Nature Conservation, if the site were to be allowed to continue to develop and mature, it's wildlife interest may qualify for designation at the next revision of the plan. The council is proposing to continue the planning designation of the site as green corridor (to help support the movement of animals and migration of plants) and proposing a new designation for the site as open space.

22. From R Harris (attendance not certain)

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

"Is it, as rightly should be the case, the intention of Merton Council to preserve, as is, the wild area at Rookwood Avenue and designate the pedestrian route across this land as a "Public Right of Way", thus preventing development of this land, which would further blight this residential area?"

Reply

The council is not only proposing the retention of the Green Corridor planning designation (to help support the movement of animals and plants) across the land at the end of Rookwood Avenue, West Barnes, but is also proposing to designate the land as open space as part of the Sites and Policies Plan and Policies Map. The council provides information on public rights of way on our website [www.merton.gov.uk/publicrightsofway](http://www.merton.gov.uk/publicrightsofway) and we are happy to work with interested parties on new proposals for public rights of way.

23. From Jan Donoghue (attendance not certain)

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

“The mayor has shown his concern over the loss of the greyhound stadium on the site and is keen to retain greyhound racing in the capital. Given Wimbledon Greyhound Stadium is now the last stadium in the capital shouldn't this form part of and be written into the Sites and Policies Development Plan Document?”

Reply

The council takes account of all responses received to the Sites and Policies Plan, including those from the Mayor of London. Responses to the nine months of public consultation on the Sites and Policies Plan over the past two years has illustrated support for and objection to greyhound racing, football and the redevelopment of the site in general, as well as many other issues. Responses can be found on the council's website via [www.merton.gov.uk/environment/planning/sites\\_policies\\_plan](http://www.merton.gov.uk/environment/planning/sites_policies_plan)

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### **1. From Councillor David Simpson to the Leader of the Council**

Now that the Leader has unilaterally instructed that Wimbledon Library should be removed from the Sites and Policies document, does he agree with me that he could and should have saved himself a lot of embarrassment, saved residents a lot of hard work and saved everyone a lot of time if he had just accepted the Conservative amendment put down at the last Council meeting?

#### **Reply (Councillor Stephen Alambritis)**

I was saddened that some members of opposition parties tried to hoodwink residents about Wimbledon Library. This sort of irresponsible scaremongering can worry our residents and cause real damage to the great, award-winning library service that we have fought so hard to deliver in Merton. To ensure there was absolutely no misunderstanding, I took the decision simply to remove this site from the Sites & Policies document. But I will take no lectures on libraries from the Conservative Party when every year for the past three years they have refused to back Labour in protecting library funding. Under Labour we have actually extended library opening hours when libraries up and down the UK are closing, we have brought in free WiFi and we have the best volunteers in the country.

### **2. From Councillor Peter McCabe to the Cabinet Member for Finance**

How much has it cost council tax payers to provide support and assistance for the new group (including all staff time, recruitment costs, additional allowances and any other costs to the council)?

#### **Reply (Councillor Mark Allison)**

All political groups are provided with a group office in which to work as well as administrative and secretarial support. The total amount that will be spent by the council on such support for the Merton Coalition group during the 2013-14 financial year is estimated to be £13,731.

This is comprised of:

- Minority group leader allowance of £6,477pa (including on-costs)
- Group Secretary recruited on scale ME8 to provide administrative and secretarial support, working 7 hours a week, employed on a temporary contract until May 2014. Total cost 27 August 2013 - 30 March 2014 estimated at £3,900 (salary plus on-costs).
- Recruitment advertisement in Wimbledon Guardian cost £1,154
- Cost of partitions, other materials and labour to create a Group Office for councillors to work in was £2,200

This does not include the cost of other council officers who have supported the new group as part of their broader job role - the cost of this cannot be estimated

**3. From Councillor Henry Nelles to the Cabinet Member for Education**

Would the Cabinet Member join with me in lamenting the proposed loss of so many trees at Pelham School if the proposed expansion goes ahead, including the large willow tree which is their school emblem?

**Reply (Councillor Martin Whelton)**

Of course we would prefer that no trees are removed but in developing this expansion scheme officers, working very closely with Pelham Primary School, found that we had to make a choice between providing an appropriate school environment for children's learning or keeping some existing trees. The end result of the scheme is that there will in fact be more trees on the site but they will not be in the way of important children's play space areas such as games courts. The council's planning application includes a letter of support from the Pelham school governors in this respect as they felt very strongly that children's education must come first.

The permanent expansion of Pelham Primary School is an essential element of our school expansion programme to ensure children have a local school place. The school only offered to 500 metres this year with the 30 extra reception places included as a temporary measure, so the idea of the school returning to an admission number of 30 seems incomprehensible.

**4. From Councillor Iain Dysart to the Cabinet Member for Adult Social Care and Health**

Since the launch of the Ageing Well programme, there has been increasing concern from some clients and their carers (e.g. Wimbledon Guild, and the closure of day care centres) that the Council is placing too much emphasis on self-reliance of customers and too little upon engagement. What steps is she taking to rectify the damage to the Council's reputation?

**Reply (Councillor Linda Kirby)**

Whilst there have been some initial concerns, which is to be expected in any change programme, this is now dissipating as the Ageing Well programme services embed themselves successfully. This is demonstrated by the positive responses to the new Wimbledon Guild and Age UK services. The council, with the voluntary sector, made a commitment to ensure that no one is left unsupported as a result of the change and has ensured that this is the case via a comprehensive joint customer engagement, assessment and support plan process. The voluntary sector organisations involved in delivering the Ageing Well services are engaging with the wider community to ensure borough wide access.

**5. From Councillor Oonagh Moulton to the Cabinet Member for Adult Social Care and Health**

The threat of closure to vital services at St Helier hospital is of prime concern to residents. Could the Cabinet Member tell me what action the council has taken to keep residents informed and what action the council has taken to help preserve these services?

**Reply (Councillor Linda Kirby)**

The whole Council declared its opposition to any downgrading of St Helier hospital in March 2012. Since then the council has supported public meetings arranged by the MP for Mitcham and Morden aimed to keep residents informed. It has put a piece into My Merton so that every household is made aware of the issue and the council's position on this. Finally the council has recently engaged expert advisers in order to ensure that its response to any formal consultation is well informed and based on experience of attempted reconfigurations to health services elsewhere.

**6. From Councillor Stan Anderson to the Cabinet Member for Education**

Could the Cabinet member comment on the recent GCSE results?

**Reply (Councillor Martin Whelton)**

Merton schools have continued to perform well at both GCSE and A level this summer. Indeed this year was our best ever set of GCSE results.

Early indications based on provisional returns from all schools, including academies, show that:

- 64% of the students secured five or more GCSEs at grades A\*-C including English and mathematics, an improvement of 5% on last year, when they were in line with the national average;
- the proportion of students securing at least five GCSEs (not necessarily at the highest grades) also improved; on provisional data, 98% of students secured five or more GCSEs at grades A\*-G, compared with 95% last year;
- the pass rate at A level was 97%, down by 1% on last year, but the proportion of students getting the higher grades improved significantly. The percentage of A level results at grades A\*-C (at 76%) represented an improvement on last year and just a little lower than the national average of 77%;
- Half of Merton A level results were at the very highest A\*, A or B grades. On the provisional data from schools this year, 50% of the A level results were at grades A\*-B, and 24% were A\*-A grades.

**7. From Councillor Richard Hilton to the Cabinet Member for Community and Culture**

How many migrants from Romania and Bulgaria is the Cabinet member expecting to enter the borough from 1 January 2014? What preparations is the Council making to deal with the influx?

**Reply (Councillor Nick Draper)**

The Council generally uses the GLA population projections for forecasting purposes. These are based on data supplied by ONS, in particular Census data. These forecasts indicate that overall net migration will continue to remain relatively low in Merton. In the past few years the level of net migration has fallen slightly in Merton.

The Council will, however, monitor carefully the impact of these changes to see whether there is any increase in demand for Council services.

**8. From Councillor Debbie Shears to the Cabinet Member for Education**

With the rise in the age young people are now required to be in full time education or training to 17, could the Cabinet Member tell me how many extra pupils there are now in our secondary schools and how our schools have gone about accommodating these extra pupils?

**Reply (Councillor Martin Whelton)**

Schools are responsible for admissions into 6th forms and at this very early stage in the new term final numbers are not yet available. However with the establishment several years ago of additional 6th forms in Merton's secondary schools we expect our schools to have sufficient capacity to take additional students into Y12 this year. There will be more detailed information available at the end of the month.

**9. From Councillor Russell Makin to the Cabinet Member for Performance and Implementation**

Can the Cabinet Member update us on the work his department is doing to keep our borough clean?

**Reply (Councillor Mark Betteridge)**

Street Cleaning

Merton is a clean borough and we are working hard to maintain and improve on this position.

## Agenda item 6 – Questions from Councillors

Our Street Cleansing Section works closely with colleagues in our Enforcement and Education Section to maintain high standards of cleanliness in Merton.

The street cleaning team provide a scheduled as well as reactive service dealing with the main issues for residents such as litter and fly tipping. We are working closely with businesses including LoveWimbledon to ensure we improve the environmental quality of town centres as well as residential neighbourhoods.

The service monitors performance through reports received via the council's customer management system as well as internal monitoring of the service. Independent monitoring of service standards is undertaken four times a year in accordance with National Indicator 195 (NI195). Visual inspections assist the council in developing action plans to deliver ongoing improvements.

See table below regarding performance compared with previous years

	<b>2008-9 Performance (figures from Audit Commission)</b>	<b>LAPS 2012-13 overall result</b>	<b>LAPS 2013-14 current performance</b>	<b>Improvement</b>
<b>Litter</b>	21%	8%	5.25%	15.75%
<b>Detritus</b>	51%	11%	5.38%	45.62%

The above scores relate to the percentage of areas inspected that were found to be unsatisfactory.

Street cleaning satisfaction levels have increased and now remain consistent. In the most recent Annual Residents' Survey, more residents in Merton are satisfied with street cleansing when compared to other London Boroughs and outer London Boroughs, who have seen a decrease in satisfaction.

Level of concern about litter has continued to drop off over recent years. The majority of residents are satisfied or very satisfied with the way the council deals with litter (62%).

The young people's survey found that we are significantly ahead of pan London satisfaction levels when it comes to street cleaning.

### Education

We work in partnership with others to change behaviours and also to increase capacity to help maintain the quality of our environment. The following are examples of initiatives undertaken by our Education section.

## Agenda item 6 – Questions from Councillors

- roadshows around the borough educating residents about the cost of littering to the council and to the residents, and to those who are caught dropping litter
- poster campaigns across the borough explaining our approach and enforcement activity
- partnering with Keep Britain Tidy to look at how we can keep our streets clean
- partnering with Keep Britain Tidy and the Chewing Gum Action Group for a month-long Bin-it campaign targeting chewing gum litter. This involved installing new lamppost gum and cigarette butt bins, road shows, media relations and poster campaign
- launching a street champions scheme – we now have 80 street champions signed up who help keep the borough clean and tidy and who alert the council to anything that needs attention
- A theatre group visits 43 primary schools each year to deliver a production that covers enviro-crime issues including graffiti and litter. Anti-litter talks were also given throughout the year and we have junior warden groups in schools who raise awareness of local litter, graffiti and recycling issues and arrange community litter picks.

### Enforcement

We regularly patrol and monitor high footfall areas and enforce against those who make our streets dirty. So far this year we have issued 172 Fixed Penalty Notices for fly tipping and littering. Whenever possible we publicise our actions and successful enforcements and we were recently in the news for fining a motorist £400 for littering from her car, achieving significant coverage across London following an article in the Evening Standard:

### Future projects

We are about to commence a time-banding pilot scheme in a specific part of the Wimbledon area to improve the quality of the street scene. This will limit the time that sacks can be left on the pavement for collection.

The pilot started on Monday 9<sup>th</sup> September 2013.

### **10. From Councillor Suzanne Evans to the Cabinet Member for Adult Social Care and Health**

Like me, I know the Cabinet Member is keen to see a reduction in the numbers of people who smoke in the borough. Will she therefore join me in condemning moves by the EU to ban e-cigarettes and sales of cigarettes in packets of just 10, both of which help smokers to cut down and ultimately quit?

## **Reply (Councillor Linda Kirby)**

### About the EU directive<sup>1</sup>

It is now almost twelve years since the EU adopted the current Tobacco Products Directive (TPD).

This Directive introduced a range of tobacco control measures including:

- a prohibition on terms such as “mild” or “light” which could mislead smokers into believing that one product is less harmful than others
- maximum levels for tar, nicotine and carbon monoxide content (TNCO)
- reporting requirements on ingredients
- minimum sized health warnings on all tobacco products except smokeless tobacco products (STP) which must carry a general health warning
- a common set of pictorial warnings which Member States can opt to use on packages.

The current Directive was the subject of legal challenges by tobacco companies, but the courts upheld the validity of the Directive.

Twelve years on, smoking remains the leading cause of preventable death in the EU and kills around 700,000 people per year. Measures taken over the years to cut smoking have had an impact: in the past decade the number of smokers in the EU has fallen from nearly 40% in the EU 15 in 2002 to 28% in the EU 27 in 2012.

However, prevalence rates among young people (15-25) at 29% are higher than for the population as whole. We know that children, not adults, start smoking: 70% of smokers begin before their 18th birthday, many younger still. The European Commission therefore has focussed much of its attention in the new draft TPD at measures which deter young people from smoking, such as tougher health warnings and bans on packages and flavourings which can be particularly attractive to young people.

### Packaging and minimum number per pack

The draft law introduces a requirement for combined picture and text warnings covering 75% front and back on all cigarettes and RYO (Roll Your Own) packets. The proposal also prohibits a range of features which could mislead people about the products: slim cigarettes, descriptors such as natural, organic and misleading colours. *A unit pack of cigarettes would contain a minimum of 20 cigarettes. These measures would ban lipstick/perfume style cigarettes packets.*

### E-cigarettes and other NCPs (Nicotine Containing Products)

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<sup>1</sup> Source: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fTEXT%2bREPORT%2bA7-2013-0276%2b0%2bDOC%2bXML%2bV0%2f%2fEN&language=EN#title2>

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The main development since 2001 has been the introduction onto the market of electronic or “e” cigarettes which have a growing market. There is no common approach at EU level on the regulation of e-cigarettes. In about half of Member States nicotine is considered a medicine by function so technically ***e-cigarettes cannot be sold unless approved as a medicine*** like other smoking cessation products. In other Member States, including the United Kingdom, as of yet there are no specific regulations (although in UK they are due to come into force in 2016), meaning e-cigarettes are covered by the General Products Safety Directive. ***E-cigarettes not authorised as medicines cannot make claims that they help smoking cessation.***

The Commission proposes a twin track approach to the regulation of e-cigarettes and other NCP. ***Products with nicotine content over a certain level – including most e-cigarettes currently on the market - would have to be authorised as medicines.*** Those below the threshold would be allowed on the market with health warnings.

### Expert views on e-cigarettes

Tobacco control experts' views differ about e-cigarettes. There is a general consensus on the need for better regulation but questions arise on whether e-cigarettes are a useful replacement product for existing smokers assisting with harm reduction or simply a way to allow smokers to stay smokers by getting nicotine in smoke free areas and/or are a gateway product to attract new users to nicotine addiction and potentially to tobacco. There are also concerns that e-cigarettes could renormalize smoking. European Parliament's services are looking at the evidence on e-cigarettes and will make proposals in this area once the study is available and after consulting colleagues and experts.

### Merton Public Health position

Supporting Merton residents is an important public health priority and the evidence based stop smoking service, now delivered under the LiveWell banner, helped 441 Merton residents to stop smoking last year.

The latest NICE (National Institute of Health and Care Excellence) guidance (Tobacco - harm-reduction approaches to smoking)<sup>2</sup> published in June 2013 states that there is no evidence on the long term safety of e-cigarettes and that they aren't currently recommended for use in evidence based stop smoking services. The UK Government has decided that the Medicines and Healthcare products Regulatory Agency (MHRA) will regulate all NCPs (including e-cigarettes) as medicines so that people using these products have the confidence that they are safe, are of the right quality and work. MHRA have reported that they will licence/regulate e-cigarettes, but this is not

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<sup>2</sup> <http://guidance.nice.org.uk/PH45>

## Agenda item 6 – Questions from Councillors

expected to be done until 2016<sup>3</sup>. A Regulation Q&A factsheet is available online from MHRA at <http://www.mhra.gov.uk/home/groups/comms-ic/documents/websiteresources/con286835.pdf>. NICE have said that once MHRA start regulating e-cigarettes, they will consider a rapid update of the guidance.

NICE guidance also states that ‘abrupt quitting’ offers the best chance of lasting success and this is the approach being used locally to support Merton residents to stop smoking.

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<sup>3</sup> <http://www.mhra.gov.uk/NewsCentre/Pressreleases/CON286855>



**11. From Councillor Janice Howard to the Cabinet Member for Performance and Implementation**

As part of efforts to support local high streets, Secretary of State, Eric Pickles, has recently proposed grace periods for drivers to allow them to park outside shops. He also advised councils to stop being anti-car and stop using parking as a revenue raiser. Can the Cabinet Member tell me whether Merton council will observe these recommendations from the Government?

**Reply (Councillor Mark Betteridge)**

This administration is not anti-car and does not use parking as a revenue raiser. Our actions have consistently provided support to both motorists and our high streets including -

1. The freezing of resident parking permit prices and, in the case of visitor permits, a reduction in prices.
2. The introduction of free parking at weekends in the majority of Council owned car parks in the 4 weeks leading up to Christmas, with the majority of these car parks being in town centres.
3. Listened to shop keepers and residents to understand their views, leading to concrete actions including:
  - introducing the ability to pay by phone for parking charges
  - commencing discussions with the private sector regarding the introduction of electronic signage indicating the availability of parking spaces
  - reviewing all the parking tariffs aiming to reduce the complexity of the tariff structure to make them more user friendly

As part of any parking management every effort is made to accommodate the needs of local businesses – i.e. the needs of passing trade and loading provisions whilst being mindful of the Council's statutory duty to maintain access and deal with congestion.

**12. From Councillor Caroline Cooper-Marbiah to the Cabinet Member for Environmental Sustainability and Regeneration**

What progress has been made on the extension of the S1 bus service to Victoria Road?

**Reply (Councillor Andrew Judge)**

Officers have been working very closely with Transport for London, Ward Councillors in Lavender Fields, Colliers Wood and Cricket Green and the Lavender Fields Residents' Association regarding the timescales to complete the extension to the S1 bus service. The scheduled implementation date of March 2014 has been influenced by two key factors.

Transport for London made the decision to extend the bus route from 31st July 2014. This was approximately 2 months later than originally planned due to the need to reconsider some of the route options in the Cricket Green area.

Secondly, there are a number of changes that will need to take place on Victoria Road to facilitate the movement of buses. These include changes to parking arrangements, new bus stops, a bus standing area and alterations to traffic calming measures. It is essential that sufficient time is built into the programme to consult with local residents and other key stakeholders, so that there is a full understanding of the proposals and an opportunity to influence the design. The delay with TfL's decision has meant that it has not been possible to undertake the first stage of the consultation until after the summer break, which will mean that the bulk of the consultative work will take place between September – November 2013.

**13. From Councillor David Dean to the Cabinet Member for Environmental Sustainability and Regeneration**

Does this council believe in emission beating electric cars? If so, what is the strategy?

**Reply (Councillor Andrew Judge)**

Yes, the council, as a member of Plugged in Places and Source London, has adopted a two pronged approach to electric vehicles. Through the planning process it will seek to facilitate that 20% of all new parking spaces incorporate electric vehicle charging points and that a further 20% of spaces are EV ready by encouraging developers to build in the necessary infrastructure from the outset, in line with the London Plan.

In addition, the council is exploring opportunities to provide publicly available charge points either in its car parks or on-street. This work has initially focused on Wimbledon town centre, as research has identified this area as having the highest propensity for early adopters of electric vehicles.

**14. From Councillor Iain Dysart to the Cabinet Member for Environmental Sustainability and Regeneration**

Please could he explain why such slow progress has been made following Council's acceptance last autumn of the Lib Dem motion asking officers to open negotiations with the Mayor's office to extend the bike hire scheme to Merton?

**Reply (Councillor Andrew Judge)**

Merton, as part of its Expression of Interest for its "mini-Hollands" submission, has included a request for funding to support the development of a cycle hire and e-bike scheme in the borough. Following confirmation from the Mayor's Cycle Commission that Merton has successfully progressed to short listed

boroughs in the next stage of this process, further work will be undertaken in relation to this aspect.

**15. From Councillor Diane Neil Mills to the Cabinet Member for Environmental Sustainability and Regeneration (ST)**

What is the cost of (a) the acquisition of the Wimbledon Community Association building (b) demolition of the building and (c) provision of car parking facility in its place? What is the expected parking revenue to be generated at this site and is this new revenue or displacement from other parking in Wimbledon? What budget has been used to provide the capital and operating costs of this initiative?

**Reply**

The cost of the acquisition of WCA interest was £816,666.66. The Capital Programme 2013/17 contained provision for the acquisition. This budget was slipped into 2013/14 as part of the June Financial Report to Cabinet.

The cost of demolition was approximately £50,000

In order to minimise revenue running costs and obviate the need to secure the building against squatters a sum of £50,000 was transferred from revenue reserves to fund the demolition costs of the building.

The proposal to use the site as a car park is not being pursued as further investigation showed that it was not feasible and that there is excess capacity in the council owned St George's car park opposite the site. Therefore there will not be revenue or displacement implications.

**16. From Councillor Russell Makin to the Cabinet Member for Environmental Sustainability**

Would the Cabinet Member join me in welcoming TfL's investment in doubling the capacity of the Mitcham to Wimbledon tramlink and does he believe this may bring the council's aspiration for a tramlink extension from Wimbledon to Sutton any closer?

**Reply (Councillor Andrew Judge)**

The planned capacity improvements between Mitcham and Wimbledon represent a huge endorsement of the popularity of the tram. The Council also continues to work closely with TfL in developing the tram; including supporting recent engineering feasibility and funding opportunities review for the Sutton to Wimbledon Tram. This work has helped to improve our understanding as to how the planned capacity improvements fit together with the council's aspiration to deliver further tram extensions to Merton. The proposed second stop at Wimbledon Station will be particularly helpful, by providing much

needed stabling and turnaround capacity. The Council will continue to lobby the Mayor to find the necessary funding.

**17. From Councillor Suzanne Evans to the Cabinet Member for Environmental Sustainability and Regeneration**

How many retail premises in the Borough are lying empty? What is the Cabinet Member doing to support our high streets and shopping parades and help get them back into use?

**Reply (Councillor Andrew Judge)**

Business rates records identify that there are 588 empty properties in our High Streets, shopping parades and elsewhere in Merton. Many of these include office accommodation, industrial units, workshops so not all are retail. We have approximately 5,500 properties in total. The latest Retail and Town Centre Capacity Study was carried out in 2011 which details the individual town centres vacancy rates which can be found here:

[http://www.merton.gov.uk/12465\\_-\\_final\\_report\\_\\_appendices\\_consolidated\\_\\_aug\\_2011\\_.pdf](http://www.merton.gov.uk/12465_-_final_report__appendices_consolidated__aug_2011_.pdf)

In comparison to other boroughs we fair relatively well in terms of retail vacancy rates. The London average is circa 10% and nationally it is 14%. Merton's town centre average vacancy rate, identified in the Annual Monitoring Report (AMR) for 2011 to 2012 was 8% overall, 1% higher than in 2011. (The Council's AMR's can be found here:

[www.merton.gov.uk/planning/planningpolicy/annual\\_monitoring\\_report](http://www.merton.gov.uk/planning/planningpolicy/annual_monitoring_report)

We also carry out quarterly surveys of our town centres and currently the level of empty retail units in the town centres is:

Wimbledon 5.7%

Mitcham 11.2%

Morden 4.5%

Colliers Wood 13.3%

In terms of supporting our High Streets we are implementing a suite of business support activities. Merton is currently offering support to new businesses wanting to locate in Merton and existing businesses through the Merton Business Support Service. This is a service providing practical advice to help small businesses. We offer shop front improvement grants, business rates support, an online commercial property database and will be launching a Merton Business Directory in October 2013 which will market local business products and services. We also have two loan funds available providing micro loans of £500 to £10k, or for more established businesses, loans from £10k to £20k who demonstrate viable business plans. The Council also works in partnership to encourage businesses to save money through reducing their energy bills and this is particularly supportive of retail units such as hairdressers and laundrettes. Merton provides sector support including the

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retail sector through town centre breakfast forums where local businesses can discuss concerns.

We have carried out parking surveys in our town centres (in 2012) and more recently across the 34 neighbourhood shopping parades to request views with regard to sufficiency, parking location and costs. Parking services and Highways are implementing some and considering other options to support the local High Street economy.

Alongside the council wide support there is specific business support for Mitcham Town Centre through the Mayor's Outer London Funding to enhance the market stalls and support the shops in the town centre with initiatives such as point of sales advice, cash flow and product advice. Previously enhancements were carried out in Raynes Park and Wimbledon town centre and plans are being prepared for the regeneration of Morden and Colliers Wood.

The Business Rates team provide hardship relief to some businesses that meet our criteria for assistance.

Details of the council wide business support available can be found here: [www.merton.gov.uk/business/merton\\_business\\_support\\_guide.pdf](http://www.merton.gov.uk/business/merton_business_support_guide.pdf)

### **18. From Councillor Henry Nelles to the Cabinet Member for Environmental Sustainability and Regeneration**

Can the Cabinet Member explain why, in the parking on neighbourhood shopping parades consultation that concluded in April, several neighbourhood parades appear to have been excluded from the consultation altogether including one in his, and my, ward between the Cecil Road to Merton Road junction?

#### **Reply (Councillor Andrew Judge)**

The consultation that took place was on the shopping areas that are currently designated as 'neighbourhood parades' within Merton's Unitary Development Plan Adopted (2003). There were no exclusions, all 34 of the designated neighbourhood parades were included in the survey. While shops are present at the junction mentioned it is not possible to survey parking outside of every retail unit. Nevertheless we aim to reach general and specific conclusions with regard to what needs to be done with regard to parking and its support role in ensuring communities are well served by shopping.

### **19. From Councillor Sam Thomas to the Cabinet Member for Environmental Sustainability**

Could he comment on how the RideLondon event went over the summer?

**Reply (Councillor Andrew Judge)**

The Prudential RideLondon event was a two-day world-class cycling festival which took place over the weekend of 3 and 4 August. It comprised of four separate events: Prudential RideLondon FreeCycle, the Prudential RideLondon Grand Prix, the Prudential RideLondon-Surrey 100 and the Prudential RideLondon-Surrey Classic. Merton was part of the Prudential RideLondon – Surrey 100 for amateur riders and the Prudential Ride London – Surrey Classic for professional riders. On the 4th August 15,883 amateur riders passed through the borough on their way back to the finish line to receive their medals in advance of the elite cyclists coming through in their various pelotons with a cavalcade of support vehicles. For a unique moment the 'Tour Of Merton' came through at high speed. Local people turned out in their thousands to enjoy the festivities and see the event as well as visitors from further afield and Merton people welcomed them with open arms and celebrated together. Also local people were participants in the amateur race including one member of staff who was selected to ride in aid of the Mayor of Merton's Charities and also Cllr Neil Mills:- congratulations to both of them. It was a wonderful day with the business communities in Raynes Park and Wimbledon Town Centre getting fully involved in local celebrations with their communities and visitors to the borough. There were a few people who had problems with the event and in particular the vehicle crossing points, but all these problems have been reported back to the organisers for their consideration and improvements in planning their event for future years.

**20. From Councillor Rod Scott to the Cabinet Member for Environmental Sustainability and Regeneration**

Does the Cabinet Member believe motorists should automatically be held responsible for any accidents involving a cyclist?

**Reply (Councillor Andrew Judge)**

No, my view is that the current law relating to careless and dangerous driving is fit for purpose. Obviously, I am aware that there is a campaign to look at so called 'strict liability' laws. However, the legal situation in other European countries, which are often cited, is complex. Any changes would be a matter for parliament, ideally following detailed consideration by a body like the Law Commission. The police investigate and ultimately the courts determine responsibility for road traffic incidents and this depends upon the facts of each case. The council is not involved in determining this but works hard to ensure that our roads are as safe as possible for all users.

## **Labour amendment to Conservative Strategic Theme Motion1**

Insert new second paragraph

“This council also recognises the importance in difficult financial times of keeping parking affordable, especially for residents living in Controlled Parking Zones, and welcomes this administration’s decision to freeze the cost of resident parking permits for the last three years and to reduce the price of visitor parking permits.”

In existing second paragraph after “This Council notes that” in the first bullet point delete “serious” before “concerns” and at the end of the bullet point insert:

“The council undertook these surveys so that, instead of a “one size fits all” approach, we could ascertain the specific parking issues in all of our designated neighbourhood parking parades so that tailored solutions with the backing of both business and residents could be identified in each case”

In the second bullet point delete “severe” and insert “some” and at the end of the bullet point insert:

“However, there is much variability in parking availability across the borough, with some car parks having high occupancy rates whilst others are less well used, often because residents are simply not aware they are there. Council therefore welcomes the administration’s decision to work with the private sector to invest in electronic car park occupancy signs that will direct motorists to car parks where there are spaces.”

At the end of the third bullet point insert:

“Therefore, this Council recognises the initiatives already taken to assist local businesses such as free parking for all visitors in council owned car parks for weekends and bank holidays in December 2012.”

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## **Labour amendment to Liberal Democrat Strategic Motion 2**

At the end of the first paragraph insert:

“Council further notes that the draft bid submitted to the Mayor, and which has been shortlisted for the funding, already includes a commitment to “review our public rights of way network and allow cycle access where possible”. Clearly such a review must also take into account the needs of other users such as pedestrians, those pushing buggies and using mobility scooters.”

In the final paragraph after “This Council resolves to” insert:

“continue the programme of work in preparation for the mini-Holland bid which includes:“

At the beginning of action point 1 delete “ask Cabinet to initiate”

At the end of action point 1 insert:

“and to ascertain the programme of works to allow access to cyclists in balance with the needs of other users;”

In action point 2 delete “consider allocating funds in the next Budget (2014/5)” and insert “applying for funds as part of the bid”

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## **Labour amendment to Conservative motion 1**

In the second paragraph after “come up against” insert:

“what can sometimes be perceived as”

At the end of the second paragraph insert:

“However Council acknowledges that the current system allows for decisions on applications for listing to be taken by a non-political group of officers, in consultation with the Cabinet member and local ward councillors, and that decisions are taken in line with the requirements of the Localism Act which outline the specific requirements for a nomination to be accepted; Council cannot operate outside of these legal requirements.”

In the third paragraph, first sentence

delete “it would be beneficial to have a comprehensive” and insert “, in line with the clear provisions of the Localism Act, the Council already takes responsibility for holding the”.

after “protected” insert “and that comply with the requirements of the Act”

In the third paragraph, second sentence

delete “believes” and insert “notes”

delete all after “that any” and replace with “unfunded capital projects over £500k that are not already in the approved budget need to be agreed by full Council. Council acknowledges that requiring Council approval of transactions of below this agreed amount would reduce the authority’s financial agility and its ability to get the best value for council taxpayers’ money and assets.”

In the final paragraph action point a)

Replace “a” with “the”

In the final paragraph action point b)

Delete “Cabinet to replace” and insert “Scrutiny to review”

After “the current” insert “decision making process and the”

Delete the rest of the action point after “Strategic Property Asset Group” and insert “to ascertain whether this is the most appropriate approach to considering these proposed sites and to put forward recommendations for change if required. However, Council reiterates the principle that local ward members should continue to be included in any decisions on sites in their wards”

In the final paragraph action point c)

Delete “acquisitions and disposals of council assets proposed by Cabinet, which are” and insert “unfunded capital projects over £500k”

After “each year, should” insert “continue to”

Delete all after “by all members”

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## **Labour amendment to Merton Coalition motion 2**

Delete 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs from “Taking food waste into account” to “less frequent service” and replace with:

“However, it is DEFRA’s view that the commingled collection of recyclables meets the expectations set out in the Framework in that the materials are collected separately from other waste streams. The Campaign for Real Recycling contested this interpretation and successfully applied for a Judicial Review. However, on 6 March 2013, Mr Justice Hickinbottom gave judgment that whether or not source segregated collection is practicable and necessary will depend on the particular local circumstances attributable to any local authority, the technology used and the methodology of collection.

Any local authority which has co-mingled waste collections should consider the particular circumstances of the locality and whether or not that collection is compliant now that the requirements for the Regulations have been clarified.

There is therefore no need to change the current collection methodology and introduce source segregated collections at the kerbside.

As a result there should be no impact on the frequency of waste collections as a result of the new regulations since Merton Council is able to satisfactorily deal with co-mingled recyclable waste.”

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## **Conservative amendment to Labour Motion 3**

### **Add at end**

- d) Working with the borough's schools to deliver improved financial literacy education in line with the Government's recent proposals to make financial literacy a statutory part of the National Curriculum, following the submission of an e-petition signed by more than 118,000 people nationwide.

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