

Merton Council Council meeting

5 February 2014

Addendum

Tabled amendments

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MPWIR amendment to item 9a to be moved by Councillor Peter Southgate and seconded by Councillor Karin Forbes

In the final paragraph, delete “asks the Cabinet” and replace with:

“requests the Overview and Scrutiny Commission’s Financial Management Task Group to continue the task of reviewing the capital programme each year in order to ensure it reflects the Council’s capacity to deliver the programme, and”

Motion now to read:

This Council notes that; “the organisation (Merton Council) does not seem to have the capacity to deliver spending of much above £40 million per annum” (Cabinet Report, 10th June 2013, p20), and that the Capital budget exceeds this sum by circa £11million a year.

This Council believes in the importance of continuing to invest in the borough’s infrastructure.

This Council therefore requests the Overview and Scrutiny Commission’s Financial Management Task Group to continue the task of reviewing the capital programme each year in order to ensure it reflects the Council’s capacity to deliver the programme, and to review the barriers to officers being able to spend the full capital programme each year, as the failure to do so delays key investment in our community and the local economy.

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ITEM 9 (b)

Labour Amendment to Strategic Theme Motion 2

In paragraph 1, after “relate to” insert “allegations about” and after “at rates” insert “alleged to be”.

In paragraph 2 delete “promised” and insert “final” and at end of paragraph insert “However an interim report has been sent to all Group Leaders and the full report will be published shortly and will be considered by the General Purposes Committee on 12 March.”

In paragraph 3 delete “refusal” and insert “delay”.

In paragraph 4, before “outcome” insert “final”; after “5 February 2014” insert “,whilst accepting that an interim report has been shared with all Group Leaders,”; and delete “unacceptable” and insert “regrettable”.

Motion now to read:

This Council remains very concerned at the serious nature of the whistleblowing allegations, which were circulated to all Members on 14 November 2013 and which relate to allegations about management of the council’s finances, and in particular the hiring practices and use of long term consultants to fill vacant posts at rates alleged to be significantly above the salaries associated with the posts.

Whilst welcoming the independent review into this matter being conducted by external auditors, this Council is extremely disappointed that these important investigations have still not been concluded some two and a half months later – particularly considering the initial commitment made in November 2013 to investigate the matters raised as quickly as possible – and that the final report has yet to be presented to Members. This means that the matter can not now be considered by Full Council on 5 February 2014 as part of its discussions on financial management. However an interim report has been sent to all group leaders and the full report will be published shortly and will be considered by the General Purposes Committee on 12 March.

This Council further regrets that Councillor David Williams had to wait until 28 January 2014 to receive any response from the Cabinet Member for Finance to the Urgent Question that was submitted under Section 4 (A) Para 12.4 (b) of the Council’s Constitution at the last Full Council meeting on 20 November 2013 regarding this administration’s expenditure on consultants and agency staff and the procedures in place to ensure it is properly audited. The delay by the Cabinet Member to answer an Urgent Question within the allotted timescales is in clear contravention of Section 4 (A) Para 12.7 of the Council’s Constitution as well as of his own words and commitment when he stated on 20 November last year that his “intention is to reply in full later in the week, in line with the deadline for non-priority

questions”.

This Council believes that residents and council taxpayers in Merton rightly expect the local authority to:

- a) be a responsible guardian of the money which it manages on their behalf; and
- b) operate in a fully open and transparent manner;

and therefore reiterates its clear regret both at not being able to consider the final outcome of these whistleblowing investigations at its meeting on 5 February 2014, whilst accepting that an interim report has been shared with all Group Leaders, and at the regrettable delay in providing a response to an Urgent Question on this matter.

Agenda Item 22

AMENDMENT TO MOTION AGENDA ITEM 9c COUNCIL MEETING 5 FEBRUARY 2014

Councillor Linda Taylor will move and Councillor Suzanne Grocott will second that the words underlined in the amended Motion below be inserted.

Agenda Item 9c – Strategic Theme Motions

Motion 3

Council takes all allegations of corruption or wilful abuse or misuse of Council Tax Payers' money very seriously.

In light of the recent concerns and allegations about the use of Consultants, Council now requires officers to notify all group leaders before they hire any Consultant/s to cover vacant staff posts and requests the relevant Cabinet Member to sign off the filling of all vacant positions, as was previously the case prior to May 2010. Council further requires group leaders are given details of the current salary paid for the vacant or interim position together with the cost of the consultant; the heads of terms of the contract with the consultant; and details of the expected duration of their engagement, and that, in order to improve transparency for Merton's residents, individuals hired to cover vacant posts and earning the equivalent of the £58,200 per annum threshold or above are treated in the same way as permanent employees by having their salary range published on the Council's website. Specific overspends to the budget resulting from the hiring of Consultants to cover vacant staff posts should also be reported in the Financial Monitoring reports to Cabinet.

The amended Motion would then read:

Agenda Item 9c – Strategic Theme Motions

Motion 3

Council takes all allegations of corruption or wilful abuse or misuse of Council Tax Payers' money very seriously.

In light of the recent concerns and allegations about the use of Consultants, Council now requires officers to notify all group leaders before they hire any Consultant/s to cover vacant staff posts and requests the relevant Cabinet Member to sign off the filling of all vacant positions, as was previously the case prior to May 2010. Council further requires group leaders are given details of the current salary paid for the vacant or interim position together with the cost of the consultant; the heads of terms of the contract with the consultant; and details of the expected duration of their engagement, and that, in order to improve transparency for Merton's residents, individuals hired to cover vacant posts and earning the equivalent of the £58,200 per annum threshold or above are treated in the same way as permanent employees by having their salary range published on the Council's website. Specific overspends to the budget resulting from the hiring of Consultants to cover vacant staff posts should also be reported in the Financial Monitoring reports to Cabinet.

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ITEM 12

Labour Amendment to Motion 1

After paragraph 1 insert new second paragraph as follows:

“Council notes its resolution on 12 September 2012 to “vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital’s accident and emergency, maternity services and other related services open.””

In existing paragraph 2 delete “is unanimously delighted” and insert “therefore cautiously welcomes”; delete “any current” and insert “the preferred BSBV”; and delete “considered” and insert “consulted on as part of the BSBV programme”.

At the end of existing paragraph 3 insert:

“The South West London CCGs continue to believe the current configuration of hospitals is neither clinically nor financially viable, and therefore reconfiguration of local health services still remains as a threat.

Council is appalled that the Chief Executive of the Merton CCG responded to a letter from Siobhain McDonagh MP on 24 January 2014 confirming that the £219m redevelopment of St Helier hospital no longer features in their plans.

Council is further concerned that NHS England wrote to all South West London CCGs on 23 December last stating that their refusal to allow hospitals to take on foundation status “could be interpreted as commissioners planning for clinical and financial failure in some of its providers [hospitals].” Council would be extremely concerned if it was planned that any of our local hospitals would fail.

In light of the above, council recognises that this is no time for complacency and there is still a very real threat to services at St Helier hospital.”

In existing paragraph 4, before “Chairman” insert:

“Leader of the Council write to the Secretary of State, Jeremy Hunt (who on 7 November 2012 confirmed in his reply to a letter from the Leader of the Council that he makes the final decision on the future of St Helier hospital), to ask that the £219m development of St Helier hospital be reinstated and that he confirm that St Helier’s A&E , maternity and associated services are safe and that there is no plan to allow local hospitals to fail, either clinically or financially, due to the withholding of foundation trust status; and that the”.

In existing paragraph 5 delete “staff and” and insert “staff,” and insert at the end “, and the council’s agreed policy of vigorously opposing any downgrading of services at St Helier hospital”.

Motion now to read:

This Council notes the statement issued on 6th January 2014 by the Clinical

Commissioning Groups (CCGs) of Merton, Kingston, Sutton, Richmond, Wandsworth and Croydon:

“The six south west London CCGs are actively discussing the next steps for local health services following the withdrawal of Surrey Downs CCG from the BSBV programme. As we have made clear in the past, the BSBV business case is now invalid and the options put forward through the programme are no longer on the table for consultation. It follows that all six CCGs are in the process of dissolving the committees to which they had delegated decisionmaking on BSBV.

“However, the challenges outlined in the BSBV case for change remain. If we do not address these challenges, we know that local services will decline in quality and that we will not be able to meet the required quality and safety standards. We are discussing with each other and with our boards how we address these challenges and we hope to make a further announcement in February.”

Council notes its resolution on 12 September 2012 to “vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital’s accident and emergency, maternity services and other related services open.”

This Council therefore cautiously welcomes that the preferred BSBV options posing a threat to services provided at St Helier hospital are now no longer viable and are therefore not now being consulted on as part of the BSBV programme.

However, this Council recognises that under NHS Call to Action the long term viability of healthcare across the south west London region is still an issue for consideration by the CCGs. The South West London CCGs continue to believe the current configuration of hospitals is neither clinically nor financially viable, and therefore reconfiguration of local health services still remains as a threat.

Council is appalled that the Chief Executive of the Merton CCG responded to a letter from Siobhain McDonagh MP on 24 January 2014 confirming that the £219m redevelopment of St Helier hospital no longer features in their plans.

Council is further concerned that NHS England wrote to all South West London CCGs on 23 December last stating that their refusal to allow hospitals to take on foundation status “could be interpreted as commissioners planning for clinical and financial failure in some of its providers [hospitals].” Council would be extremely concerned if it was planned that any of our local hospitals would fail.

In light of the above, council recognises that this is no time for complacency and there is still a very real threat to services at St Helier hospital.

Therefore this Council resolves to request that the Leader of the Council write to the Secretary of State, Jeremy Hunt (who on 7 November 2012 confirmed in his reply to

a letter from the Leader of the Council that he makes the final decision on the future of St Helier hospital), to ask that the £219m development of St Helier hospital be reinstated and that he confirm that St Helier's A&E , maternity and associated services are safe and that there is no plan to allow local hospitals to fail, either clinically or financially, due to the withholding of foundation trust status; and that the Chairman of Merton's Healthier Communities and Older People Overview and Scrutiny Panel asks the Chairman of our local CCG, Dr Howard Freeman, to attend the next Healthier Communities and Older People scrutiny panel meeting in order to update Members on the current position with regard to our local health services and the next steps being considered going forward.

This Council also requests that the panel members ensure that Dr Freeman is fully aware of the high regard felt by Merton residents for the professionalism and sympathetic care provided at St Helier Hospital by its staff, the strong desire of the borough's residents to preserve A&E and Maternity Services at St Helier for the future, and the council's agreed policy of vigorously opposing any downgrading of services at St Helier hospital.

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Amendment to item 13

To be moved by Councillors Iain Dysart and Mary-Jane Jeanes

Insert a full-stop after “behaviour” in 3rd paragraph, and delete all remaining text, replacing with the following;

“In the light of these issues, and the understandable concerns of local residents and other town centre users, this Council;

- a) Requests officers , working and engaging with partners and other relevant individuals and organisations, to pursue initiatives which tackle the causes, as well as the symptoms, of crime and alcohol-related disorder affecting the town centre, in a proactive rather than merely reactive manner. Such an approach to be focussed upon mitigating against such disorder and include, for example, such considerations as licensing and education;
- b) As part of this approach, asks officers to draw up for discussion a funded scheme based upon the buy one-get one free programme.”

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Amendment to item 13

To be moved by Councillors Richard Hilton and Suzanen Evans

This Council welcomes the achievements of our local police together with the Safer Merton partnership team in ensuring that overall crime levels in Merton remain low and that the borough retains its position as one of the safest in London. Improved satisfaction rates and falling crime rates, both in Merton and across London, have been achieved by relentlessly focusing resources on front line policing and by cutting bureaucracy and unnecessary targets wherever possible, in line with Government policy, so that Merton’s police officers can concentrate all their efforts on the primary objective of cutting crime.

However, this Council recognises that:

In October 2010, the Government announced central funding provided to the police service would reduce by 20% between March 2011 and 2015 and that according to Her Majesty’s Inspectorate of Constabulary the Metropolitan Police will cut 3,280 posts, 1,410 of which will be police officer posts, as well as cut 136 front counters across London. Cuts to the police budget mean Merton has already had to start sharing custody provision with Sutton and all our Safer Neighbourhood Team bases will be closed as leases expire. Furthermore, either Wimbledon or Mitcham police station are still earmarked for closure.

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This despite the fact that, fear of crime remains a major concern for many of Merton’s residents and that, the Borough Commander, speaking at November’s meeting of the Overview and Scrutiny Commission, raised the issue of the need for an additional policing unit in Wimbledon Town Centre. In a December meeting with UKIP Councillors, he also said he would welcome proposals for additional policing in Raynes Park and Mitcham and Morden. Attracting many visitors as a

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major transport hub and the centre of Merton’s night time economy, Wimbledon Town Centre is the borough’s crime hotspot and the main centre for drunken disorder in the borough, with Abbey and Trinity wards consistently having the highest percentage of alcohol related call outs to the police and London Ambulance Service. 45% of all thefts from the person last year took place in Wimbledon whilst figures suggest that around a fifth of the total number of crimes in Merton were committed in Abbey, Trinity and Dundonald wards with some 7% of overall crime in the borough taking place within just 200 metres on or around Wimbledon Broadway.

Council further notes that in December 2013 crime in Colliers Wood was even higher than in Abbey and Trinity, with 68 crimes reported in just that month, and that Figges Marsh was the fourth highest crime spot. For burglary, Graveney, St Helier, Colliers Wood, Ravensbury and Lavender Fields were the worst affected wards. The top three wards for personal robbery were Figges Marsh, Ravensbury and Raynes Park.

This Council understands that the local authority has an important responsibility to help protect all of Merton’s residents and businesses against crime and anti-social

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behaviour, and notes that:

- **Although** Several councils, such as **Conservative-led** Hammersmith and Fulham and **Labour-led Ealing**, have entered into successful arrangements with their local police to fund extra bobbies on the beat; **in December 2010 when the then Chairman of the Met Police Authority write to all Council Leaders, Merton Council failed to take up the same offer made under Section 92 of the Police Act 1996**.
- Merton **now has the opportunity** to enter into **a similar** agreement for 2014-15 as part of the new MetPatrol Plus 'buy one get one free' scheme, **which means the cost of** buying in a police constable with full powers of arrest would be reduced from £58,000 to £29,000, with **the Mayor's Office for Policing (MOPAC)** picking up the shortfall.

This Council believes that **dedicated Safer Town Centre patrol units are needed across the Wimbledon and Mitcham and Morden Constituencies** in order to reduce levels of crime and anti-social behaviour. This Council supports the use of a cost sharing agreement with MOPAC to part fund **these** new policing units, which **for Wimbledon is likely to** comprise a sergeant and 6 police constables with full powers of arrest, **d a further team or Mitcham and Morden to be decided in consultation with the Borough Commander.**

Council therefore:

Calls on Cabinet to enter into the necessary negotiations with MOPAC with immediate effect and to make the relevant financial provision as part of the ongoing 2014-15 budget setting process.

Ask local business to contribute on a voluntary basis to the annual cost of this initiative and

To fund any shortfall and/or the whole amount from the existing Safer Merton budget

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ITEM 13

Labour Amendment to Motion 2

In paragraph 1 delete “and that the borough retains its position as one of the safest in London” and insert “, although the borough is no longer one of the top three safest in London. Council recognises that there remain significant pockets of high crime in some areas of the borough which can blight the lives of some of our residents. According to the Mayor of London,”.

Insert new paragraph 2 as follows:

“However, council notes as of Sept 2013, Merton had 20.1 fewer Sergeants, that is, 1.4 fewer Sergeants on SNT duties and 18.7 fewer on other duties, than in March 2010. Merton also had 25.6 fewer PCs, that is, 37.7 more PCs on SNT duties offset by 63.3 fewer PCs on other duties, and 33.9 fewer PCSOs, that is, 24 fewer PCSOs on SNT duties and 9.9 fewer PCSOs on other duties. From a total of 390.8, more than one in five police staff have gone. Furthermore, the following local police offices in the borough have been shut:

- Pincott Road in Abbey ward
- Green Lane in St Helier ward
- London Road, Mitcham
- Wilson Avenue in Lavender ward
- Crown Parade, Morden.

The remaining police “contact points” in the borough are each open for just three hours a week.”

In existing paragraph 2, delete “However,” in first sentence; delete “about the need for an additional policing” and insert “where he said it would be helpful if local businesses were to sponsor an additional police”; and at end of paragraph insert “, which makes it even more regrettable that the police office in Pincott Road has been closed, despite widespread opposition from local residents, including a petition from local people. In terms of overall crime levels Figges Marsh and Cricket Green have the second and third highest rates of crime in the borough and there are particular pockets of crime and anti social behaviour in other areas.”

In existing paragraph 3 after “against crime and anti-social behaviour” insert “, but recognises that local people expect the police, the first line of defence against crime and disorder, to be properly funded by the Mayor of London”. In the first bullet point delete “successful” and insert at end “However the Deputy Mayor for Policing and Crime wrote to all London Leaders in January to confirm that the cost of this arrangement would be increasing for future years”. In the third bullet point delete all after “scheme,” and insert “the Deputy Mayor for Policing and Crime has confirmed in his letter of 16 January 2014 that the cost to Merton of an extra unit of a sergeant and 6 police constables would be £244,000 in 2014, rising to £271,000 in 2015”. Add three further bullet points as follows:

- Cllr David Simpson, Conservative Spokesperson for Community Safety, has publicly stated that he has “not got a clue where that money will come from”.

- This would equate to an additional £271,000 cost to local council taxpayers for a service the Mayor of London has already reduced, and that residents believe he should be providing as it is a service they are paying him to provide as part of their council tax.
- The additional cost to Merton would need to be offset by £271,000 of cuts to other services or a rise in Council Tax, or a combination of both.”

In existing paragraph 4 delete “a dedicated Safer Town Centre patrol unit is needed for Wimbledon” and insert “the Mayor of London has a duty to provide an adequate dedicated safer neighbourhood policing service across the whole borough, including our highest crime areas and asks the Leader of the Council to write to the Mayor of London to:

- point out the detrimental impact on community safety of the reduction in police officer numbers across the borough;
- request the re-opening of the local safer neighbourhood police office in Pincott Road, as a means of improving reassurance in the Wimbledon area; and
- ask the Mayor to ensure there are sufficient resources available for Merton Police”.

Delete all after “in order to reduce levels of anti-social behaviour in the town centre” an insert “and other areas”.

Motion now to read:

This Council welcomes the achievements of our local police together with the Safer Merton partnership team in ensuring that overall crime levels in Merton remain low, although the borough is no longer one of the top three safest in London. Council recognises that there remain significant pockets of high crime in some areas of the borough which can blight the lives of some of our residents. According to the Mayor of London, improved satisfaction rates and falling crime rates, both in Merton and across London, have been achieved by relentlessly focusing resources on front line policing and by cutting bureaucracy and unnecessary targets wherever possible, in line with Government policy, so that Merton’s police officers can concentrate all their efforts on the primary objective of cutting crime.

However, council notes as of Sept 2013, Merton had 20.1 fewer Sergeants, that is, 1.4 fewer Sergeants on SNT duties and 18.7 fewer on other duties, than in March 2010. Merton also had 25.6 fewer PCs, that is, 37.7 more PCs on SNT duties offset by 63.3 fewer PCs on other duties, and 33.9 fewer PCSOs, that is, 24 fewer PCSOs on SNT duties and 9.9 fewer PCSOs on other duties. From a total of 390.8, more than one in five police staff have gone. Furthermore, the following local police offices in the borough have been shut:

- Pincott Road in Abbey ward
- Green Lane in St Helier ward
- London Road, Mitcham
- Wilson Avenue in Lavender ward

- Crown Parade, Morden.

The remaining police “contact points” in the borough are each open for just three hours a week.

This Council recognises that the fear of crime remains a major concern for many of Merton’s residents and notes the comments of the Borough Commander at November’s meeting of the Overview and Scrutiny Commission where he said it would be helpful if local businesses were to sponsor an additional police unit in Wimbledon Town Centre. Attracting many visitors as a major transport hub and the centre of Merton’s night time economy, Wimbledon Town Centre is the borough’s crime hotspot and the main centre for drunken disorder in the borough, with Abbey and Trinity wards consistently having the highest percentage of alcohol related call outs to the police and London Ambulance Service. 45% of all thefts from the person last year took place in Wimbledon whilst figures suggest that around a fifth of the total number of crimes in Merton were committed in Abbey, Trinity and Dundonald wards with some 7% of overall crime in the borough taking place within just 200 metres on or around Wimbledon Broadway, which makes it even more regrettable that the police office in Pincott Road has been closed, despite widespread opposition from local residents, including a petition from local people. In terms of overall crime levels Figges Marsh and Cricket Green have the second and third highest rates of crime in the borough and there are particular pockets of crime and anti social behaviour in other areas.

This Council understands that the local authority has an important role to play in helping protect Merton’s residents and businesses against crime and anti-social behaviour, but recognises that local people expect the police, the first line of defence against crime and disorder, to be properly funded by the Mayor of London and notes that:

- Several councils, such as Hammersmith and Fulham, have entered into arrangements with their local police to fund extra bobbies on the beat. However the Deputy Mayor for Policing and Crime wrote to all London Leaders in January to confirm that the cost of this arrangement would be increasing for future years;
- Section 92 of the Police Act 1996 allows local authorities to make grants for police purposes to the Mayor’s Office for Policing and Crime which would be used to buy in police inspectors, sergeants and constables on a 2 year contract at a reduced ‘buy one get one free’ rate as part of a cost sharing agreement;
- Were Merton to enter into such an agreement for 2014-15 as part of the new MetPatrol Plus ‘buy one get one free’ scheme, the Deputy Mayor for Policing and Crime has confirmed in his letter of 16 January 2014 that the cost to Merton of an extra unit of a sergeant and 6 police constables would be £244,000 in 2014, rising to £271,000 in 2015.
- Cllr David Simpson, Conservative Spokesperson for Community Safety, has publicly stated that he has “not got a clue where that money will come from”.
- This would equate to an additional £271,000 cost to local council taxpayers for a service the Mayor of London has already reduced, and that residents believe he should be providing as it is a service they are paying him to provide as part of their council tax.

- The additional cost to Merton would need to be offset by £271,000 of cuts to other services or a rise in Council Tax, or a combination of both.

This Council believes that the Mayor of London has a duty to provide an adequate dedicated safer neighbourhood policing service across the whole borough, including our highest crime areas and asks the Leader of the Council to write to the Mayor of London to:

- point out the detrimental impact on community safety of the reduction in police officer numbers across the borough;
- request the re-opening of the local safer neighbourhood police office in Pincott Road, as a means of improving reassurance in the Wimbledon area; and
- ask the Mayor to ensure there are sufficient resources available for Merton Police in order to reduce levels of crime and anti-social behaviour in the town centre and other areas.