

Merton Council

Council

15 April 2015

Supplementary agenda

21	Tabled - Proposed Labour amendments to item 11	1 - 4
22	Tabled - Proposed Labour amendments to item 12	5 - 8
23	Tabled - Proposed Labour amendments to item 13	9 - 10

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COUNCIL MEETING – WEDNESDAY 15 APRIL 2015 ITEM 11 - NOTICE OF MOTION

LABOUR AMENDMENT

Amend the motion as per the tracked changes below, with words underlined inserted and words struck through deleted:

Following pressure from residents, the Wimbledon Guardian and from local Councillors who called for an independent audit, this Council welcomes Circle Housing Merton Priory's (CHMP) admission that their repairs contractor KeepMoat has been overcharging for works.

Council further welcomes CHMPs announcement that they will now undertake a wider investigation to assess the scale of overcharging and to identify ways of improving the system to stop contractors from overcharging.

Council is disappointed with CHMPs continued inability to manage repairs and strongly believes that it is now important to identify a way forward as residents have had to put up with inadequate repairs for too long.

~~This Council notes with concern that it is now more than 6 months since an independent investigation was commissioned into the whistle blowing allegations of corruption and mismanagement within Circle Housing Merton Priory's (CHMP) repairs and maintenance service. Yet, despite the severity of the allegations and the number of people potentially affected, the audit report is still to be released and no firm timetable for publication has been forthcoming.~~

This Council takes seriously its legal responsibilities in relation to CHMP. Under the terms of the agreement entered into under the previous Conservative administration in Merton, CHMP is formally accountable to the council solely in the specific area of whether they deliver on the promises in the offer document at the time of the transfer and whether they keep to their side of the transfer agreement. The council takes seriously its specific and duties to monitor those promises made to hold CHMP to account on behalf of all tenants, leaseholders and freeholders and has therefore:

- Introduced regular liaison meetings with the Cabinet Member for Community and Culture, the Director of Community and Housing, CHMP Managing Director, Circle Regional Director of Property Services and the council's Housing Relationship manager;
- Required CHMP to attend meetings of the council's Sustainable Communities Scrutiny panel for an update from CHMP on the stock transfer commitments;
- Required CHMP to produce a separate quarterly performance report to be available to the Sustainable Communities panel;
- Ensured, as part of their regeneration proposals, that CHMP signed up to a set of 10 Commitments which included continuing to offer a high quality responsive repairs service during the regeneration process.

However despite the above, the council has been clear with CHMP that their repairs service continues to underperform and let residents down. Council therefore:

- a) Calls on CHMP to take urgent steps to ensure the repair service is radically overhauled so that residents get the service they deserve and that they already pay for; and
- b) Calls on CHMP's senior officers to attend the Sustainable Communities Scrutiny panel in June, to answer questions from members and residents on the issue of repairs; and
- a) c) Demands the immediate publication by CHMP of the independent audit report on alleged fraud and repeated overcharging of residents by its repairs contractor, Keepmoat Property Services;
- b) d) Requests that any other such investigations conducted in the future in relation to CHMP or any of its contractors, including by the Homes and Communities Agency (HCA), are published in a timely fashion to ensure full transparency and accountability; and
- c) e) Notwithstanding the lack of legal powers available to the Council under the terms of the housing stock transfer agreement entered into by the previous Conservative administration, reiterates its commitment to safeguard the needs of residents on Merton's housing estates and hold CHMP to account on the quality of its repairs and maintenance service, particularly in light of the HCA Regulatory Notice served on Circle Anglia Limited in February 2015, and to continue to hold CHMP to account in relation to the promises they made to residents as part of the transfer agreement and the 10 Commitments they signed as part of the regeneration proposals and asks Cabinet to look at the limited legal powers available to us as a local authority if CHMP fail to make changes and demonstrate real impact.

Motion now to read:

Following pressure from residents, the Wimbledon Guardian and from local Councillors who called for an independent audit, this Council welcomes Circle Housing Merton Priory's (CHMP) admission that their repairs contractor KeepMoat has been overcharging for works.

Council further welcomes CHMPs announcement that they will now undertake a wider investigation to assess the scale of overcharging and to identify ways of improving the system to stop contractors from overcharging.

Council is disappointed with CHMPs continued inability to manage repairs and strongly believes that it is now important to identify a way forward as residents have had to put up with inadequate repairs for too long.

This Council takes seriously its legal responsibilities in relation to CHMP. Under the terms of the agreement entered into under the previous Conservative administration in Merton, CHMP is formally accountable to the council solely in the specific area of whether they deliver on the promises in the offer document at the time of the transfer and whether they keep to their side of the transfer agreement. The council takes

seriously its specific duty to monitor those promises made to tenants, leaseholders and freeholders and has therefore:

- Introduced regular liaison meetings with the Cabinet Member for Community and Culture, the Director of Community and Housing, CHMP Managing Director, Circle Regional Director of Property Services and the council's Housing Relationship manager;
- Required CHMP to attend meetings of the council's Sustainable Communities Scrutiny panel for an update from CHMP on the stock transfer commitments;
- Required CHMP to produce a separate quarterly performance report to be available to the Sustainable Communities panel;
- Ensured, as part of their regeneration proposals, that CHMP signed up to a set of 10 Commitments which included continuing to offer a high quality responsive repairs service during the regeneration process.

However despite the above, the council has been clear with CHMP that their repairs service continues to underperform and let residents down. Council therefore:

- a) Calls on CHMP to take urgent steps to ensure the repair service is radically overhauled so that residents get the service they deserve and that they already pay for; and
- b) Calls on CHMP's senior officers to attend the Sustainable Communities Scrutiny panel in June, to answer questions from members and residents on the issue of repairs; and
- c) Demands the immediate publication by CHMP of the independent audit report on alleged fraud and repeated overcharging of residents by its repairs contractor, Keepmoat Property Services;
- d) Requests that any other such investigations conducted in the future in relation to CHMP or any of its contractors, including by the Homes and Communities Agency (HCA), are published in a timely fashion to ensure full transparency and accountability; and
- e) Notwithstanding the lack of legal powers available to the Council under the terms of the housing stock transfer agreement entered into by the previous Conservative administration, reiterates its commitment to safeguard the needs of residents on Merton's housing estates and hold CHMP to account on the quality of its repairs and maintenance service, particularly in light of the HCA Regulatory Notice served on Circle Anglia Limited in February 2015, and to continue to hold CHMP to account in relation to the promises they made to residents as part of the transfer agreement and the 10 Commitments they signed as part of the regeneration proposals and asks Cabinet to look at the limited legal powers available to us as a local authority if CHMP fail to make changes and demonstrate real impact.

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COUNCIL MEETING – WEDNESDAY 15 APRIL 2015 ITEM 12 - NOTICE OF MOTION

LABOUR AMENDMENT

Amend the motion as per the tracked changes below, with words underlined inserted and words struck through deleted:

Council notes that under the previous Conservative administration official government data showed that Merton was the dirtiest borough in London. Since 2010 however, the government's figures show that litter and detritus on Merton's streets has reduced significantly due to a more targeted approach.

This ~~However, this~~ Council recognises that whilst satisfaction with street cleaning is consistently high, cleanliness of people littering the borough's streets is clearly the a top concern for some people across Merton, according to the latest Annual Residents' Survey. ~~Over~~ With council tax now receding as a concern due to the council's five year council tax freeze, over a third of residents asked to pick a top concern now cite litter and dirt in the streets as their primary concern, which is a 10% increase over the last 2 years and the highest level for a decade when council tax and crime were the biggest concerns.

This Council therefore welcomes the council's zero tolerance approach to litter and the Love Your Street campaign which is a comprehensive programme of initiatives which also includes a programme of clean up events arranged in the borough, including as part of the recent Community Clear Up Day 2015, and pays tribute to the on going efforts of local campaigning groups, including Sustainable Merton and Merton Matters, ~~which who~~ - together with many other local residents – ~~is~~ are working in partnership with the council to address the problem of people dropping litter in the borough.

This Council is ~~however concerned~~ notes that:

- The council's zero tolerance approach to litter has included using specialist environmental enforcement officers to fine people who drop litter and cigarette butts in our town centres. Whilst in 2009/10 just 139 fixed penalty notices for littering were issued by the council this has risen to over 4,000 fixed penalty notices issued in 2014/15 to people who drop litter in our streets, with plans to extend the new service to parks and green spaces during the busy summer months;
- The council has invested in more productive and efficient street cleaning equipment including the new Glutton machines being operated across the borough and is introducing an improved approach to mechanical sweeping across the borough, particularly in cleansing hot spot areas;
- ~~Since October last year, there have been reductions made to the~~ The budget for a Sunday street cleaning service in Merton's town centres ~~has not been reduced despite the significant cuts to the council's funding from central government;~~

- a) Look in detail at the results of the pilot and Scrutiny's deliberations into the potential benefits and/or disbenefits of a wheeled bin service, bearing in mind the need for any changes to offer value for money and cleaner streets;
- b) Continue to strenuously enforce fixed penalty notices for the minority of people who litter our streets;
- a)c) ~~Reverse its previous decision and reintroduce street sweeping immediately after refuse collections~~Continue to sweep the borough's streets according to the agreed policy in line with the resources allocated as part of successive Business Plans agreed by full council;
- b)d) ~~Reverse its previous decision and reintroduce a full~~Continue with the same level of -Sunday street cleaning service in Merton's town centres as has been part of the agreed budget for a number of years;
- e)e) ~~Seek to identify replacement~~additional efficiency savings over the coming months in order to achieve the total £32m of cuts required across the council as a result of the reduction in our funding from central government and where possible and in line with the July principles that would to protect Merton's street cleaning service from the further cuts planned for 2016-17 e.g. by encouraging greater use of the 'Love Clean Streets' smartphone App by achieving economies of scale by working with our neighbouring boroughs via the South London Waste Partnership environmental services procurement;
- d)f) ~~Continue to regularly conduct a full review of the training and monitoring systems in place for frontline street cleaning staff to ensure that the Council's stated policies and agreed service levels are~~continue to be delivered on the ground; and
- e)g) ~~Agree to join a~~Continue to work as part of the borough-wide, cross party anti-litter campaign Love Your Street as proposed by the council and the Merton Matters campaign group in order to discourage people from littering our streets.

Motion now to read:

Council notes that under the previous Conservative administration official government data showed that Merton was the dirtiest borough in London. Since 2010 however, the government's figures show that litter and detritus on Merton's streets has reduced significantly due to a more targeted approach.

However, this Council recognises that whilst satisfaction with street cleaning is consistently high, people littering the borough's streets is clearly a top concern for some people across Merton, according to the latest Annual Residents' Survey. With council tax now receding as a concern due to the council's five year council tax freeze, over a third of residents asked to pick a top concern now cite litter and dirt in the streets as their primary concern, which is a 10% increase over the last 2 years and the highest level for a decade when council tax and crime were the biggest concerns.

This Council therefore welcomes the council's zero tolerance approach to litter and the Love Your Street campaign which is a comprehensive programme of initiatives which also includes a programme of clean up events arranged in the borough, including as part of the recent Community Clear Up Day 2015, and pays tribute to

increase in littering across the country as a whole which we need to respond to without any increase in funding and indeed with the opposite, a significant cut in our funding from central government. Nonetheless, whilst average levels of satisfaction with street cleaning for London have reduced, Merton's have increased.

Furthermore, this Council notes that the number of missed waste collections continues to stand at just 0.05%, but that nonetheless it is accepted that the refuse receptacles currently in use are not fit for purpose, with black sacks being torn apart by foxes and refuse in the recycling receptacles being blown about by the wind. The Tidy Britain Group's analysis of our street litter found that 50% is as a result of our black sack and box collection regimes. Council therefore warmly welcomes the wheeled bin pilot in parts of Lavender ward and looks forward to assessing the results.

This Council therefore resolves to call on Cabinet to:

- a) Look in detail at the results of the pilot and Scrutiny's deliberations into the potential benefits and/or disbenefits of a wheeled bin service, bearing in mind the need for any changes to offer value for money and cleaner streets;
- b) Continue to strenuously enforce fixed penalty notices for the minority of people who litter our streets;
- c) Continue to sweep the borough's streets according to the agreed policy in line with the resources allocated as part of successive Business Plans agreed by full council;
- d) Continue with the same level of Sunday street cleaning service in Merton's town centres as has been part of the agreed budget for a number of years;
- e) Seek to identify additional efficiency savings over the coming months in order to achieve the total £32m of cuts required across the council as a result of the reduction in our funding from central government and where possible and in line with the July principles to protect Merton's street cleaning service by achieving economies of scale by working with our neighbouring boroughs via the South London Waste Partnership environmental services procurement;
- f) Continue to regularly review the training and monitoring systems in place for frontline street cleaning staff to ensure that the Council's stated policies and agreed service levels continue to be delivered on the ground; and
- g) Continue to work as part of the borough-wide, cross party anti-litter campaign Love Your Street as proposed by the council and the Merton Matters campaign group in order to discourage people from littering our streets.

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COUNCIL MEETING – WEDNESDAY 15 APRIL 2015 ITEM 13 - NOTICE OF MOTION

LABOUR AMENDMENT

Amend the motion as per the tracked changes below, with words underlined inserted and words struck through deleted:

This Council shares public concern about travellers illegally occupying public green spaces and other public areas in the Borough.

Council congratulates officers, the police and the courts on the recent speedy work to move on Travellers illegally camping on some of our parks and open spaces.

However, it is often the case that ~~Whenever travellers are evicted by the Council from one site they move on to occupy another available site in the vicinity. This is mostly on public land such as parks where their removal is~~ ~~has been going on for many months~~ at the expense of public funds, ~~although there have also been encroachments on private land where the landowner is responsible and the legal requirements for removal are less exacting.~~

There are legal requirements that the council must abide by and ~~The~~ the process of undertaking travellers' needs assessments, ~~and applying for court orders and injunctions~~ is not only costly and time consuming but also causes a good deal of inconvenience and anxiety to the local residents, ~~although this is not something that can be avoided given the current legal framework.~~

Council congratulates officers on the speed and efficiency with which they have returned affected parks to cleanliness, but notes that ~~Subsequent~~ cleaning up and any cost effective and appropriate additional securing of the sites after the travellers' eviction is achieved by further spending tax payers' money.

The council has a statutory duty to assess the welfare needs of Travellers in its area, and in particular the welfare needs of Traveller children and young people. Evictions cannot be progressed until this process has been undertaken and any welfare needs assessed. However council notes that officers are carrying out a review of the welfare assessment procedure to identify whether there are ways of speeding up this process whilst continuing to abide by the legal requirements.

In addition, by their very nature, our parks and open spaces need to remain open and accessible to residents. Whilst the council uses a number of methods to seek to prevent illegal encampments on our parks and open spaces, this is difficult to achieve without stopping residents from accessing their local parks. The council therefore seeks to achieve a balance between discouraging illegal encampments and maintaining access for residents, in the knowledge that it is not possible to completely secure parks from those who are determined to set up illegal encampments without affecting residents' rights of access to their local parks and open spaces.

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In addition, by their very nature, our parks and open spaces need to remain open and accessible to residents. Whilst the council uses a number of methods to seek to prevent illegal encampments on our parks and open spaces, this is difficult to achieve without stopping residents from accessing their local parks. The council therefore seeks to achieve a balance between discouraging illegal encampments and maintaining access for residents, in the knowledge that it is not possible to completely secure parks from those who are determined to set up illegal encampments without affecting residents' rights of access to their local parks and open spaces.

Council notes the strong partnership approach to illegal encampments on our parks and open spaces between the council and the police service in Merton. This has helped speed up the eviction process and we are dependent on the police service's ability to continue to support us in this way, with reductions in police resources a potential threat to this partnership working.

This Council therefore resolves that it should:

- Continue to take a proactive approach to secure public parks in the borough, bearing in mind the difficulty of fully securing all of our parks and open spaces given that residents must still be able to fully access them;
- Continue to adopt a strong stance in order permanently to prevent travellers from illegally occupying public parks and other public spaces in the future, bearing in mind the legal duties placed on the council to assess the welfare needs of Travellers and in particular Traveller children and young people; and
- Continue to take full advantage of the powers that public bodies, such as Merton, have to help them deal with unauthorised traveller encampments, a summary of which was recently published by the Government, bearing in mind that none of these powers are new and the appropriate powers are already in use by the council.