

Merton Council Council

23 November 2016

Supplementary agenda

25 Councillor Non-Priority Questions and Answers

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Councillor non priority questions

From Councillor Greg Udeh to the Cabinet Member for Regeneration, Environment and Housing

The Housing Act 2004 requires landlords to comply with Houses of Multiple Occupation (HMO) management regulations.

However, reports from some aggrieved tenants have revealed that some rogue landlords do not adhere to these regulations, thereby putting people's lives at risk. Many of these houses in our borough may not be licensed for multiple occupation; and appropriate measures are not put in place to raise the standards of health and safety.

I am, therefore, concerned that some of these properties are lacking in basic safety infrastructures; are overcrowded; and are operating illegally.

Can the Cabinet Member liaise with the Environmental Health officers of the Council to investigate the issue of HMOs; take a proactive approach across the Council to tackle this problem; and then brief this Council on their findings?

Reply

Not all houses in multiple occupation need to be licenced. By law an HMO must have a mandatory licence if it is 3 or more storeys high, has 5 or more people in more than one household and that share amenities such as bathroom, toilets and cooking facilities. Where officers are alerted to dwelling that may be an HMO that requires a licence then prompt action is taken which includes a site visit and appropriate enforcement action.

Where residents/tenants are concerned regarding a property, they should contact the Environmental Health (Housing) team directly who will conduct an investigation.

From Councillor Peter Southgate to the Leader of the Council

In a cross party statement issued on 9 September last year, Merton agreed to play its part in meeting the refugee crisis in Syria, and stated :

"We will take our fair allocation of refugees by working with London Councils"

Since that date, how many refugees and asylum seekers (including unaccompanied asylum seeking children) have been accepted and found homes in Merton?

Reply

As the Home Office began the transfer of unaccompanied children from Calais to the UK on 17 October, London boroughs recognised the unprecedented nature of the circumstances and urgent need to provide a coordinated response London offered to provide placements for around 100 children. Since then we estimate that London boroughs have collectively provided at least 100 placements for children in need of care as UASC, including failed Dublin Treaty III reunifications and Dubs amendment children as well as young people making their own way to the UK.

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Our Director of CSF, with the support of the Leader and Chief Executive, has acted as the London Lead Director working with London Councils, the LGA, and the 33 boroughs to ensure a co-ordinated response to Home Office requests for temporary and permanent placements as well as assessing and supporting reunification of young people with their families.

Merton has been offering to take children on a temporary or permanent basis, offering 2-4 placements depending on local foster care vacancies at the time of the requests via the London co-ordinated approach. To date however the Home Office have only taken up the offer of one temporary placement. This child has now been taken into care by a borough who already accommodates an older sibling so that they can be together. We have however supported a local faith organisation in offering to support family reunifications for families travelling from across the country to collect young people and over 30 children have been reunited with family members through this local initiative. Over this period Merton has also continued to take in young asylum seeking children who have made their own way to the UK and numbers doing so have risen significantly over this period. Since September 2015 to November 2016 we have had 18 UASCs who have entered our care and we currently have 17 UASCs and 48 asylum seeking care leavers we are supporting. We will continue to take young people through the rota and this is likely to increase in frequency as all bar 11 boroughs are now in excess of the 0.07% cap (UASCs as a proportion of the child population) put in place by the Home Office before they are meant to redistribute children through the National Dispersal Scheme.

We are also working closely with the Home Office regarding their placing a family group in the borough and are awaiting the outcome of their assessment process.

In common with London boroughs of all political parties we are playing our part, however through the LGA and London Councils we continue to lobby as there remain very significant concerns regarding the financial support package available to local authorities, including the daily rate per child which does not cover the costs, as well as the full costs for care leavers as well as the longer term costs of supporting families going through the asylum process who have no recourse to public funds as well as failed asylum seeking families.

From Councillor Daniel Holden to the Cabinet Member for Street Cleanliness and Parking

Given that the council's own road works contractor, FM Conway, regularly makes a lot of noise undertaking night time works, does the Cabinet Member regard this as acceptable or fair on Merton's residents (such as those living in Bushey Road) and what actions is the council taking to tackle the problem of this and other instances of noise pollution across the borough?

Reply

In general the Environmental Health pollution team regulate the hours of noisy construction, these hours are generally restricted to between 8am and 6pm weekdays and 8am to 1pm Saturdays. Unfortunately there are occasions where out

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of hours working is necessary, predominantly due to the significant impact upon congestion.

The hours of operation for night carriageway resurfacing works carried out by our term contractor FM Conway would vary dependant on the works required, category of road, traffic volumes and its location, the usual start time is between 20.00-21.00 and completion between 03.00-05.00. Where the works take place in residential areas no noisy work are allowed to take place between the hours of 00.00 and 08.00. These works can include works for safety, maintenance or emergency reasons or on traffic sensitive roads.

Where these works are absolutely necessary, the council will need to consider any noise impact to residents. Where there are no alternatives to working out of hours, and these works cannot be restricted to the normal daytime, the council will request that the contractor uses best practice to mitigate the impact to all users of the road network and residents to minimise any noise.

This includes:

- Notification of affected residents.
- Use of best practice, including the right equipment that's fit for purpose.
- Modification of hours of noisy works with quieter work at the more sensitive hours.
- Tool box talks to staff to minimise extraneous noise such as shouting.
- Use of localised noise screens where possible to mitigate noise from breaking or cutting

All works on Principal roads, main traffic routes and traffic sensitive roads within the borough are also subject to restrictions applied by Transport For London, who consider the impact on their road network, and place conditions on how our works are carried out, including specific requirement on traffic management and night working.

From Councillor Daniel Holden to the Cabinet Member for Street Cleanliness and Parking

Can the Cabinet Member tell me a) what progress the council is making in cleaning the streets during this 'leaf fall' season; and b) when precisely he considers the 'leaf fall' season to be? Will he also commit to providing Members with a copy of the normal street cleaning schedule once it resumes so that we can respond to queries on this subject raised by residents?

Reply

We are making good progress in clearing leaves from our streets, normal residential street cleansing is deferred and in some circumstances can be suspended during the leaf fall season.

The leaf fall season is normally between the end of October to the end of December depending on weather conditions.

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As per the manifesto streets are cleaned up to twice a week as required.

From Councillor Daniel Holden to the Cabinet Member for Street Cleanliness and Parking

Will the Cabinet Member please tell me:

- a) What the council is doing to mitigate the visual street scene damage that will be caused by rolling out multiple wheelie bins given that they are larger and occupy more space than the current bins?
- b) When the council will make publicly available the comparison in time and efficiency of the current and proposed bin collection methods?
- c) Whether the new waste collection service will be more time consuming than retaining the current service, given it will involve more walking by staff and more dragging/pulling of large, heavy bins?

Reply

One of the advantages of wheelie bins as a method of waste storage compared to sacks is they will improve the cleanliness of the local environment with less spillage and ripped sacks on the street scene. The new waste service is not 'one size fits all' Where possible residents will be able to store their wheelie bins at the rear of their property and will only be required to present the bin on the day of collection.

For properties, such as terraced housing where there are no front gardens in which to present the wheelie bin the Blue and Purple recycling sack collection will be retained with the revised frequency of collection.

Maisonettes will need to be reviewed on a case by case bases as many maisonettes have side access and front gardens suitable to store the wheelie bins. Where this is not the case then different arrangements will need to be agreed.

It is acknowledged that the use of wheelie bins is a slower operation than that of black sacks. This is due to crew members being required to return the bin back to the point of collection. However, it is safer and cleaner and encourages more recycling.

The efficiency is achieved by providing sufficient capacity to enable alternate weekly collections for general waste and using split bodied vehicles for the weekly collection of food waste and recycling waste streams. This results in a reduction in the number of collection vehicles required. Moving towards a wheelie bin service allows us to reduce the individual crew size from 4 down to 3 operatives, including the driver, delivering additional efficiencies.

The phase C procurement has evaluated bidders proposals which seek to deliver optimal efficiency savings. This has shown that the proposed method is the optimal when compared with current and other methods. The public documents relating to the evaluation of bids has been included in cabinet reports earlier this year.

From Councillor Daniel Holden to the Cabinet Member for Regeneration, Environment and Housing

Given the large number of basements being excavated and expanded across the borough in recent years, what assessment has the council made of the overall impact that the sum total of these is having on rainwater drainage and flooding of residents' properties? Is the council looking to review and update its Basement Impact Policy as a result?

Reply

Planning applications are assessed on their own merit in accordance with Local Plan policies. In accordance with the council's Sites and Policies Plan 2014 which has a specific policy section on basements developments we require a site-specific basement impact assessment and a technical assessment of flood risk to be submitted for all planning applications involving basements. In applying the council's policy, we consider both the individual flood risk and cumulative impacts of the development and we seek Sustainable Drainage Systems (SuDS) to ensure that there is no increase to rainwater runoff from the site. The council would not grant planning permission for a development that increased flood risk to other sites. We are shortly due to go out to public consultation on guidance specifically for basement developments in Dec 2016/January 2017 to support the robust application of the council's planning policies.

From Councillor David Williams to the Leader of the Council

Would the Leader please list the meetings and correspondence he has had since the last ordinary meeting of the Council on 14th September 2016 to save St Helier Hospital?

Reply

Since my last response to this question I have undertaken the following as part of the Labour Group's continued campaign to save St Helier hospital from any attempts by this Conservative government to downgrade or close our local hospital:

- I signed up to a joint letter from the South London Leaders which made clear that we would not endorse the STP plans as they currently stand.
- I continued to raise the issue regularly at the South London Partnership meetings which I chair
- Worked with my Cabinet Member for Health and Adult Social Care to feed into the Labour Party's national campaign to bring transparency to the STP process by outlining the situation in Merton and threat to St Helier hospital
- I supported our local MP Siobhain McDonagh on her speech in the House of Commons earlier this week in defence of St Helier hospital following the publication of the STP for South West London and media coverage which made clear that St Helier hospital is yet again under threat, as evidenced by the front page of last week's Daily Mail.

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From Councillor Oonagh Moulton to the Cabinet Member for Regeneration, Environment and Housing

Further to the question on this from a local resident at the last Full Council meeting, will the Cabinet Member assure me that he is considering taking action to address speeding vehicles on Wellington Road, opposite Wimbledon Park School, in line with the council's stated policy of paying particular attention to road safety in areas around schools?

Reply

The Council takes safety very seriously and we do concentrate on areas outside of schools. We work with schools in ensuring the safety of our pupils through safety education, safety training, School travel Plans and engineering solutions. With regards to Wimbledon Park School, we are currently finalising our preliminary design that concentrates on Havana Road. All Ward Cllrs will be contacted within the next few weeks and once agreed Cabinet member approval will be sought and the appropriate level of consultation will start with the school and residents directly affected.

From Councillor Oonagh Moulton to the Cabinet Member for Regeneration, Environment and Housing

Residents have observed a significant increase recently in the number of heavy vehicles on the roads in Wimbledon Park as a result of more heavy construction work taking place and utilising the three industrial estates in our ward. Can the Cabinet Member tell me what the Council can do to address this and what measures it is taking to regulate this kind of large vehicle traffic?

Reply

There has been an increase in reports of overweight vehicles [7.5 tonnes plus] using residential roads where such movement is banned . Enforcement of such activity is via the Police however, limited capacity and other priorities limit this. however the Council is exploring how we can assist and utilise our parking enforcement capacity. Physical barriers are usually counterproductive since they restrict other vehicles which require access for deliveries or collections including our own refuse vehicles and other emergency vehicles . We shall continue to work on how enforcement can assist in dealing with this growing problem.

From Councillor Linda Taylor to the Cabinet Member for Children's Services

The Assistant Commissioner for the Metropolitan Police recently spoke about the complexities involved in successfully safeguarding children in London. He focussed on the need for improved joined up working in this area. Can the Cabinet Member therefore:

- a) tell me what Merton is currently doing to maintain good standards and minimise the number of children that fall through the safety net?

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- b) provide more detail on the use of our single point of contact and how our liaison with the police and schools works in this context?

Reply

Safeguarding children is indeed a complex area involving partnership across all the statutory “Working Together” agencies including Education; Children’s Social Care; the Police; Health, Probation and so on. To assure and co-ordinate our local efforts we have a Safeguarding Children’s Board comprised of these key agencies which produces an annual report evaluating local arrangements and has an ongoing business plan to ensure agencies have clear shared priorities and improvement plans for the year ahead. These documents are available on the MSCB website and have also recently been to the C&YP Scrutiny Panel which was also attended by our Independent Chair of the Merton Safeguarding Children’s Board. The report includes specifically our learning from cases and reviews as well as summaries of our activities on key safeguarding issues such as tackling Children at Risk of Sexual Exploitation; Female Genital Mutilation; and Prevent as well as our wider safeguarding work on issues such as neglect. I would commend the report for further details on this matter.

With regard to the second point I think the Commissioner was referring to the local Multi Agency Safeguarding Hub which, under the governance of Children’s Social Care is composed of colleagues from: the Met Police, Health; Education; voluntary sector; Probation and Youth Offending. Merton has had this single access point in place since 2013 and has recently commissioned reviews to ensure our practice is in line with latest thinking and national requirements.

Safeguarding is a complex business involving many agencies and we remain committed as a partnership to continuously improve how work together to ensure children remain as safe as possible.

From Councillor Janice Howard to the Cabinet Member for Street Cleanliness and Parking

Can the Cabinet Member tell me why there is a £10 replacement charge for a blue badge permit irrespective of the reason? When a vehicle has been broken into and the permit stolen (and a police incident number obtained), surely the victim’s permit should be replaced free of charge?

Reply

At present Merton does not enforce the discretionary fee that can be applied for a Blue Badge or replacement, although this is continually reviewed. The Member may be confused as the national on-line system operated through direct.gov makes reference to it as others do apply the fee.

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From Councillor Janice Howard to the Cabinet Member for Street Cleanliness and Parking

When was last full audit of disabled parking bays in the borough carried out by the council as I am aware from residents in Wimbledon Park ward that there are a number of bays in place that are no longer needed?

Reply

The last audit took place in 2012 and the Council is no longer in a position to undertake borough wide reviews of disabled parking bays on a bi-annual basis as it did previously . Upon receiving reports of redundant bays, the Council contacts the original applicant to determine the status of the bay. If it is concluded that the bay is no longer needed by the applicant or any other local blue badge holder, the bay will be removed.

From Councillor Jill West to the Cabinet Member for Finance:

Did the council or the South London Waste Partnership use consultants to advise on the proposals for changes to a) the waste collection system and b) the maintenance of the borough's parks and green spaces? If so, what did this cost and will the consultancy firm collect a percentage of any savings generated?

Reply

We have almost concluded the 'fine tuning process and are on track to award the two contracts in December 2016. The total estimated cost for the procurement for the four boroughs combined is £1.7m of which the advisor/ consultancy cost is £1.4m, compared to the £30 million savings target across the four boroughs that was set at the start of the procurement process and which is set to be significantly exceeded.

This procurement cost has been reduced following the Partnership successful securing £1.3m external funding for this project from the Government's Transformational Challenge Award (TCA).

As a result of this funding, the cost to Merton over the 3 years is £107k, compared to up to c£20m that may be saved over the life of both contracts.

I can confirm that no bonuses or payments were made based on a percentage of savings achieved.

From Councillor Oonagh Moulton to the Leader of the Council

At Budget Council in March 2016 it was agreed by this Council:

"that officers be asked actively to explore and report back to Council on the Government's offer of a 4 year financial settlement, and in particular how this could provide certainty on future funding for both Merton residents and staff, assist with forward planning and help avoid short term decision making".

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Whilst Cabinet considered this matter, can the Leader explain why, despite the clear resolution of Council above, no report was brought to Full Council for consideration during the seven month period prior to the October deadline set by the Government for councils to respond to their offer of a 4 year settlement?

Reply

Council requested reporting on this issue and updates have been provided. However, the decision to apply for a 4 year settlement was not a matter for council. A bid was submitted and we have received confirmation that we can expect to receive the figures included within our MTFS at Council 2 March 2016. The Government also stated however, barring exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement, they expect these to be the amounts presented to Parliament each year. The update of the Business Plan to Council will update the MTFS following the Autumn Statement once the terms of the offer are clearer.

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