

Merton Council Council

22 November 2017

Supplementary agenda

30 Councillor Non-Priority Questions and Answers

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Councillor non priority questions

From **Councillor David Dean** to the **Cabinet Member for Community and Culture**:

What is the revenue and profit achieved by the contractor of Merton's three leisure centres, and how does this compare to the national average?

Reply

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972

The income (revenue turnover) at the 3 leisure centres for 2016 was £5,287,508. This does not take into account costs. Any surplus made by the contractor is commercially sensitive information, however the contractor is a not-for-profit organisation and a charitable social enterprise. There are no national averages for this item to generate a comparison.

From **Councillor Michael Bull** to the **Cabinet Member for Regeneration, Environment and Housing**:

I understand that there is currently a severe lack of building control staff in Merton with fewer than 2 Full Time Equivalents to cover the whole borough. Does the Cabinet Member believe that the fact Merton doesn't have the staff to meet the demand for work helps explain why the council is not expecting to make their budget on building control this year?

Reply

At this moment there are 3 building control surveyors covering the Borough. However one is about to retire in early December. The team is in the process of recruiting additional permanent staff, however it is acknowledged that this is very challenging at the moment with few qualified individuals in the market and the reality that Council is competing with the private sector for staff. The team is actively recruiting 2 permanent surveyors as well as appointing one full time agency staff member in the short term.

Merton like our neighbouring boroughs has suffered from loss of market share and business over the past few years and whilst this has affected the income levels it has been partly offset by the lower staffing costs.

From **Councillor Brian Lewis-Lavender** to the **Cabinet Member for Regeneration, Environment and Housing**:

I have recently been speaking to tenants and owners of flats in Byfield Court in West Barnes. It appears that following a fire in the basement a few years ago, flat owners are being asked for a payment of £2,000 to £3,000 per flat to cover repair bills. Owners are very upset at this as they say the fire came about due to the lack of proper maintenance. Can the Cabinet Member tell me what action the Council can take to stand up for residents' interests and hold Clarion Housing to account on this matter?

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Reply

Officers have raised this matter with the Head of Housing Services at Clarion. It seems that there was an explosion at these flats in May 2012 which resulted in the Housing Association decanting the block. Following the explosion, work was undertaken to renew the lateral mains and other electrical works. It seems that work to individual properties was not recharged to leaseholders. Clarion are unclear as to what repairs are being referred to and they have agreed therefore to contact Councillor Lewis Lavender direct to discuss the situation.

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 13th September 2017 to save St Helier Hospital?

Reply

- Promoted petition to save St Helier Hospital outside school gates and at faith venues including churches and mosques
- Encouraged residents throughout Merton to respond to the “engagement”
- Along with Siobhain McDonagh MP, met with CEO Daniel Elkeles to hand over the thousands of responses from Mitcham & Morden residents to his “engagement”
- Handed in responses from Cannon Hill and Abbey Wards residents at St Helier Hospital
- Engaged with Cabinet Member, Chief Executive and Director of Community and Housing on the council’s response to the engagement

From **Councillor James Holmes** to the **Cabinet Member for Education**:

A recent Parliamentary report estimated 75% of schools in England and Wales still contain asbestos. A substantial pay-out has been made from Brent Council after exposure to the deadly substance left one school employee with terminal cancer. How many school buildings in Merton does the Cabinet Member believe contain asbestos and what is the council doing to identify those buildings and ensure the asbestos is removed?

Reply

The use of asbestos products has been banned since 1999 but the material was widely used in the past in the construction of building including schools. The majority of Merton schools built before 1999 will contain some Asbestos containing materials (ACM) but if undisturbed and in good condition, these materials would not cause any harm. Work that may disturb asbestos is strictly regulated and may only be carried out by specialist licensed contractors.

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In accordance with current legislation, Merton has surveyed all schools and undertakes a full review of all asbestos containing materials in all schools on an annual basis using Specialist Asbestos contractors. On each occasion the review provides the schools with information on managing those materials identified on the premises along with a risk assessment recommending action to be taken. Where Planned maintenance repairs or capital schemes are to be undertaken in areas known to contain Asbestos, information on the whereabouts of ACM's is given to the contractor and the materials will be removed as part of the work plan.

From **Councillor Janice Howard** to the **Cabinet Member for Community and Culture**:

Can the Cabinet Member update me on the implementation of a new Public Space Protection Order to replace the borough-wide Controlled Drinking Zone which expired in October 2017?

Reply

TO BE ANSWERED BY THE CABINET MEMEBR FOR COMMUNITY SAFETY, ENGAGEMENT AND EQUALITIES

The introduction of the PSPO for alcohol related matters was implemented on 20 October with automatic assimilation. This remains a borough wide power which can be utilised to address problematic street drinking and alcohol related problematic behaviour. The powers will be enforced by the police currently and are valid until October 2020.

From **Councillor Charlie Chirico** to the **Cabinet Member for Community Safety, Engagement and Equalities**:

There have been several high profile cases of graffiti in Wimbledon town centre in recent weeks and residents are concerned this is becoming an increasing problem. Please can you provide figures for a) the number of cases of graffiti in Merton reported to the council in each of the last 12 months and b) the percentage of these cases that were removed each month within the timescales set down on the website (48 hours for racist or offensive graffiti and 5 days for other graffiti)?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR STREET CLEANLINESS AND PARKING

I have broken the figures down to the information that is available on the now redundant Confirm system as well as CRM. Most of the details were logged on Confirm unfortunately not all data required by the Councillor is available i.e. re timescales of removing graffiti as per our web page information. I can confirm the following information which is:

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- From 1st April 2016-31st March 2017 404 accounts of graffiti was logged on Confirm,
- We had (5) incidents of racist/offensive graffiti within the same period, 1st April 2016-31st March 2017
- From 1st April 2017 until 16th November 2017 we have had 415 accounts of graffiti, It has not been possible to identify how many of these were reported as racist graffiti

From **Councillor Linda Taylor** to the **Cabinet Member for Street Cleanliness and Parking**:

Further to my recent email to him on this subject, can the Cabinet Member please explain what aspect of the administration's contract with Veolia is causing the current problems residents right across the borough are experiencing with street cleaning and waste collection services and what short and long term action is planned to get Merton's streets back to a reasonable state of cleanliness?

Reply

Veolia have acknowledged that their current service performance is not acceptable and we will work with them to ensure it reaches the required standard. Whilst many residents experience a good service there are failures in some aspects of street cleaning, waste collection, fly tip and graffiti removal as well as litter bin emptying

We have created a small Neighbourhood Client team who monitor the performance of Veolia through site visits and daily interaction with the Environment Managers from Veolia. In addition to this they provide analysis from data collated from the Councils customer management system. We are also finalising the computer interface between the Council CRM system and Veolia's system to improve performance management. Now that this interface is largely complete we will be in a better position to ensure the performance management of the contract can be as efficient as possible.

We continue to work closely with Veolia and their Senior management team to address all areas of under performance. Veolia have committed to address these issue and provide the necessary resource required to address all areas of service failure.

Councillor non-priority questions under the strategic theme (Corporate Capacity)

From **Councillor Daniel Holden** to the **Leader of the Council**:

What measures has the Council Leader taken to ensure the Council's corporate safety, both physical and digitally, given the rise of both these threats this year?

Reply

At a national level, CONTEST is the United Kingdom's strategy for countering terrorism; it operates under four strands to reduce the risk of terrorism Pursue, Prevent, Protect and Prepare. The Council works closely with multi agency partners

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across three strands, Prevent, Protect and prepare in line with national guidelines to improve security, minimise any impact of an attack and to stop people becoming terrorists.

Under these three strands, Council departments adopt and utilise national guidelines and information relative to their work and the premises they operate from. In addition to this widely publicised campaigns such as “Run Hide Tell” and “Alert not Alarmed” are circulated to departments to include as part of critical incident planning.

Overseeing this process is a multi-agency Counter Terrorism Risk Assessment Panel that is led by the Director of Environment and Regeneration. This panel meets three times a year as well as post any specific event.

At a local level, the Council has robust arrangements in place for both physical and cyber security, which have recently been reviewed and upgraded in light of the increased level of risk.

In respect to Cyber security, a recent report published in the Evening Standard identified Merton Council as being one of only two London Boroughs that have fully implemented DMARC (Domain-based Message Authentication, Reporting and Conformance) which establishes whether incoming emails are fraudulent.

In respect to physical security, the Council has introduced some additional checks of staff and visitors entering the Civic centre building, and has reviewed/upgraded some of its other security measures such as CCTV and access control systems. We will also shortly be introducing some additional physical security measures to the building in order to ensure the safety and security of our staff and visitors.

From **Councillor David Williams** to the **Cabinet Member for Finance**:

Councils across England have recently been allocated £18 million by the Government to help alleviate pressures on local services resulting from recent migration. However, Merton is not due to receive any additional funding from the Controlling Migration Fund. Did Merton Council apply for this funding and, if not, why not?

Reply

Merton received £19k for 2016/17 from the Controlled Migration Fund. This amount was allocated to us by formula. We have submitted bids for £29,300 for 2017/18 and £27,300 for 18/19 and we have been advised that our bids are under active consideration.

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From **Councillor Stephen Crowe** to the **Cabinet Member for Finance**:

Please could the Cabinet Member provide figures for the council's overall spend on a) consultants and b) contractors in every year since 2010?

Reply

There will always be an ongoing need for agency staff within the organisation as there are some difficult to recruit to posts, as regular reports to members of the Standards & General Purposes Committee outline. There have been increases over the years as Merton is the host borough for the 5 borough South London Legal Partnership and this is a particular area where the Council finds it difficult to compete with the private sector. Directors give an update at each Standards & General Purposes meeting on progress and actions taken to reduce spend and reliance where possible.

There has been a decrease in consultants spend in recent years and individuals are again reported to Standards & General Purposes Committee for regular monitoring.

SUMMARY OF CONSULTANCY SPEND FROM 2010/11 TO 2016/17

Year	2010/11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Total	1,767	1,542	1,686	1,963	1,965	1,102	801

SUMMARY OF AGENCY SPEND FROM 2010/11 TO 2016/17

Year	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Total	9,604*	9,540	10,240	12,321	14,878	15,017	14,524

From **Councillor Suzanne Grocott** to the **Cabinet Member for Street Cleanliness and Parking**:

Merton Council's website clearly states that renewal reminders will be sent to residents with parking permits 3 or 4 weeks before their permit is due to expire. However they are not being sent and we are being bombarded by irate residents who have received PCNs for expired permits.

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Please can the Cabinet Member make sure that a) the website is amended to contain the correct information and b) Merton refunds PCNs where residents have rightly expected to have received a reminder based on information provided by the Council on their website?

Reply

The terms and conditions published on the Merton website state;

“We aim to notify residents when their permit is due for renewal within 4 weeks of the expiration where possible. The reminder will either be sent by post or by email if we hold this information. The reminder will be emailed to the email address provided at the original application stage, or the previous renewal. We will need to be notified of any changes to email addresses.

Reminders are sent as a courtesy measure and are not a legal obligation. The onus is on the resident to ensure that the permit is renewed in time to avoid penalty charge notices (PCN's) being issued.”

The following link is a link to the full terms and conditions published on the website;

http://www2.merton.gov.uk/terms_and_conditions_-_resident_parking_permits_v2_0.pdf

In addition, on the web page titled “Renew your parking permit”, in the section title “Your Responsibilities”, it states the following;

“We endeavour to send you a reminder letter before your permit is due to expire, but it is your responsibility to ensure that you renew your permit before it expires. See Parking Permits Terms and Conditions.”

The published information does not guarantee that a reminder will be sent or received, and even though every effort is made to send reminders, there may be circumstances where parking services are unable to send a batch of reminders as a result of operational issues and other circumstances where reminders may not be received as a result of circumstances beyond our control.

The date of expiry is clearly printed on both the permit itself which is displayed within the vehicle, as well as also being published in bold text in the letter sent to residents containing their permit.

It is the motorist's responsibility to ensure that their vehicle is parked legally at all times.

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