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COUNCIL
20 NOVEMBER 2013
(Time 19:15 to 22:15)

PRESENT The Mayor, Councillor Krystal Miller.

The Deputy Mayor, Councillor John Sargeant

Councillors Krystal Miller, John Sargeant,
Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison,
Stan Anderson, Laxmi Attawar, Mark Betteridge, John Bowcott,
Margaret Brierly, Richard Chellew, David Chung,
Caroline Cooper-Marbiah, David Dean, John Dehaney,
Nick Draper, Iain Dysart, Chris Edge, Karin Forbes,
Brenda Fraser, Samantha George, Suzanne Grocott,
Maurice Groves, Jeff Hanna, Richard Hilton, James Holmes,
Janice Howard, Mary-Jane Jeanes, Philip Jones, Andrew Judge,
Linda Kirby, Lewis-Lavender, Logie Lohendran, Edith Macauley,
Russell Makin, Maxi Martin, Peter McCabe, Diane Neil Mills,
Oonagh Moulton, Ian Munn, Henry Nelles, Dennis Pearce,
Judy Saunders, Rod Scott, David Simpson, Linda Taylor,
Debbie Shears, Peter Southgate, Geraldine Stanford,
Sam Thomas, Ray Tindle, Gregory Udeh, Peter Walker,
Martin Whelton, David Williams, Miles Windsor and
Simon Withey

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors Suzanne Evans, Linda Scott and Richard Williams.

2 DECLARATIONS OF INTEREST (Agenda Item 2)

None were made.

3 MINUTES OF THE MEETING HELD ON 11 SEPTEMBER 2013 (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 11 September 2013, as amended by the correction set out in item 18, are agreed as a correct record.

4 ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 4)

The Mayor announced the recent death of former councillor Joy Vowles.

Presentations were made to Christine Parsloe – Guardian Public Servant of the Year award and Steve Langley for Customer Service Excellence.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The questions and replies are available for inspection on the web page for this meeting.

6 COUNCILLORS ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The questions and replies are available for inspection on the web page for this meeting.

An additional question was asked under the urgency provisions. This question and the reply can also be found with the councillors questions.

7a STRATEGIC THEME: COUNCILLORS' PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 7a)

The questions and replies are available for inspection on the web page for this meeting.

7b STRATEGIC THEME: REPORT - EDUCATION WITH SPECIFIC FOCUS ON SCHOOL EXPANSION (Agenda Item 7b)

RESOLVED: That the report is agreed.

7c STRATEGIC THEME: MOTION 1 - UKIP MOTION ON GRAMMAR SCHOOLS (Agenda Item 7c)

The motion was moved by Councillors Rod Scott and Richard Hilton.

The amendment set out in item 19a was moved by Councillors Oonagh Moulton and Linda Taylor.

Voting on the amendment For: 20 Against: 35 – Lost

The substantive motion was lost with 3 voting for.

The conservative group members did not vote on this item

7d STRATEGIC THEME: MOTION 2 - CONSERVATIVE MOTION ON EDUCATION (Agenda Item 7d)

The motion was moved by Councillors James Holmes and Debbie Shears.

The amendment set out in item 19b was moved by Councillors Iain Dysart and Mary-Jane Jeanes.

The amendment was carried with 32 voting for.

The amendment set out in item 19c was moved by Councillors John Dehaney and Martin Whelton.

The amendment was carried with 32 voting for.

The substantive motion was put to the meeting and, with 32 voting for it was

RESOLVED:

This Council welcomes the positive educational changes that have been achieved here in Merton over recent years through close partnership with the borough's schools, pupils, staff, parents and governors, and which have included:

- Providing sixth forms in all those secondary schools which didn't previously have them;
- Building a new Special Educational Needs Centre of Excellence at Perseid School in Morden; and
- Improving school buildings across the Borough and investing in enhanced facilities at Merton's schools.

In conjunction with successive Governments' clear focus on raising standards and the new, more rigorous OFSTED regime, Merton has seen a sustained improvement in results since 2006, and particularly in levels of attainment at GCSE.

Council congratulates all our young people on their achievements and particularly welcomes the hard work of our Governors, Headteachers, Teachers, Teaching Assistants and other school staff. Teaching Assistants in particular are often the unsung heroes of our schools' success, supporting pupils with particular individual needs and working as partners with teachers in the shared goal of improving student achievement particularly in relation to literacy and numeracy. However, this Council recognises that there is much more to do in order to ensure we provide world class opportunities for Merton's young people. Given the on going pressures facing the borough in meeting rising demand for both primary and secondary school places, this Council believes an ambitious plan is needed to expand our secondary schools and encourage other providers to set up outstanding schools in Merton, including academies and in accordance with the wishes of parents, free schools led by parents in areas of school places shortages employing properly qualified teachers and with proper systems of financial accountability and transparency .

This Council welcomes the innovative work of the recent Scrutiny Task Group on the Provision of Secondary School Places, which has recently published its wide ranging recommendations including on funding and maximising the use of assets and welcomes Cabinet's adoption of a secondary schools expansion policy on 11 November which agreed a phased approach subject to regular reviews of supply and demand.

In order to achieve the borough's twin goals of driving up educational standards whilst also increasing the number of school places available for families in Merton, this Council calls on Cabinet to:

a) Accelerate any actions contained within the Action Plan for the Secondary School Places report which can potentially be implemented straightaway;

Initiate and lead a comprehensive, pupil-focussed strategy involving parents, teachers and governors which considers local provision and need. This should include, but not be limited to, such aspects as faith and secular schools, mixed ability and streamed teaching, availability of sufficient playing space, and maximising the educational and life opportunities of each child. By not constraining public engagement to a narrower focus on buildings, such an approach would recognise the agenda set by national Government, whilst also being mindful of what the Council can and cannot influence. Such an approach to be led by Scrutiny, with the ability to include relevant stakeholders such as for example governors, teachers and parents, and to explore all options including parent-led financially accountable and transparent schools with properly qualified teachers in areas of need, to ensure quality and choice are at the heart of Merton's secondary school provision; and

b) Continue to support the work of the Merton Education Partnership in developing links and pooling resources between all schools in the borough, irrespective of status, and to ensure that any decisions about the future direction of Merton's schools are accountable through the Council's scrutiny process.

7e STRATEGIC THEME MOTION 3 - CONSERVATIVE/LIBERAL DEMOCRAT MOTION ON DUNDONALD REC (Agenda Item 7e)

The motion was moved by Councillors David Dean and Iain Dysart.

The amendment set out in item 19d was moved by Councillors Martin Whelton and Andrew Judge.

Voting on the amendment

For: 30 Against: 26 – carried

The substantive motion was agreed and it was

RESOLVED:

This Council notes that:

- Merton's open spaces are constantly under pressure from development;
- Dundonald and the wards of Central Wimbledon (Hillside, Abbey and Trinity) have far less green space than other wards: only 10% of the land in

Dundonald ward is green space, compared to the borough average of 35%.

- Dundonald ward's percentage of green space is less than any Inner London borough apart from the City of London
- Dundonald Rec is the only public access green space in Dundonald Ward. It is the most popular Rec in the borough with a quarter of a million visitors a year
- The appropriation of 2,578m² for the expansion of Dundonald Primary School amounts to over 5% of the public open space of Dundonald Rec. However, the expansion of the school will mean less actual building footprint on the Rec than at present as both the single storey pavilion building and a storage shed would be removed and returned to open space; most of the land will remain in use by local residents, including the Pavilion and the multi use games area (MUGA)/ tennis courts which will have a formal legal agreement allowing public access to the courts outside school hours and at set times during the school day; and only 579m² of former open space will revert to exclusive use by the school, just 1% of the total area of the Rec.
- The expansion will ensure improved public access to open space and will allow delivery of new facilities for community use including a new replacement pavilion social space, toilets and changing rooms for those using the Rec's facilities, a larger children's public playground, an outside green gym, an increase from two to three tennis courts, and school hall facilities available in the evening and weekends. The council is providing a Unilateral Undertaking to ensure sufficient public use of the tennis courts/multi-use sports area and the pavilion.
- The London Borough of Merton has a legal obligation to provide school places for all the children needing education and the latest demographic information from the Greater London Authority, based on the 2011 census, confirms that there is a continued increase in demand for school places in the Wimbledon area.
- Since 2007 there has been a 50% increase in reception class places in schools within one mile of Dundonald, compared to a 30% increase in the number of four year olds. Nonetheless, demand still outstrips supply and Dundonald school is the most oversubscribed school in the borough, with the most total number of preference applications of any primary school in the borough last year (435) and the most first preferences per available place. Non-sibling places are only able to be offered to a very small area - in the last two years this has been between only 105 and 217 metres.
- All alternative schools that could be expanded in the local area have already been expanded and the Capita report on site searches did not show a viable alternative option in the local area.
- The Department for Education recognised the benefit of expanding Dundonald School in providing a specific grant to the school's expansion, prioritising it from bids across the country to provide additional high quality school places where they are needed.

- On 17 January 2013 Merton Planning Applications Committee approved the application to expand Dundonald Primary School with linked works to the recreation ground. The Greater London Authority and the Secretary of State have both agreed they do not wish to intervene with this decision.
- On 25 June 2013 the Upper Tribunal (Lands Chamber) has agreed Merton's application to modify the restrictive covenant for a small area of Dundonald Rec to allow the expansion of Dundonald Primary School.
- The appropriation of land has not yet been considered by Cabinet. Consultation took place in the autumn and officers are currently analysing the results. When this has been completed a report will be submitted to Cabinet for consideration.

This Council believes:

- Merton Council is committed to improving the quality of life for people who live in the borough, and to do so, takes an active role in maintaining Merton's open spaces and improving their quality for users;
- In maximising public access to a network of open spaces in the borough that are sustainable, safe and clean, and that enhance quality of life through promoting active and healthy living.
- Given the lack of public open space in central Wimbledon, that the appropriation of land for the expansion of Dundonald Primary could be detrimental to the above if this was not undertaken in a way that guaranteed improved facilities for residents.

8a COMMUNITY FORUM REPORT: RAYNES PARK 12 SEPTEMBER 2013
(Agenda Item 8a)

The report was received

8b COMMUNITY FORUM REPORT: WIMBLEDON 26 SEPTEMBER 2013
(Agenda Item 8b)

The report was received

8c COMMUNITY FORUM REPORT: MORDEN 8 OCTOBER 2013 (Agenda Item 8c)

The report was received

8d COMMUNITY FORUM REPORT: MITCHAM 15 OCTOBER 2013 (Agenda Item 8d)

The report was received

8e COMMUNITY FORUM REPORT: COLLIERS WOOD AND NORTH EAST MITCHAM 22 OCTOBER 2013 (Agenda Item 8e)

The report was received

9 NOTICE OF MOTION - CONSERVATIVE MOTION ON MORDEN PARK POOL (Agenda Item 9)

The motion was moved by Councillors Ray Tindle and Samantha George.

The amendment set out in item 19e Councillors Nick Draper and Stan Anderson.

Voting on the amendment

For: 30 Against: 22 – carried

The substantive motion was agreed and it was

RESOLVED:

This Council notes that:

- Merton's previous Conservative administration allocated over £10million for a new Morden Park Pool in the budget agreed by Full Council back in March 2010. However that amount represented only part of the cost of the proposal, which also required additional private sector funding;
- Three and a half years on, there has been no progress made in rebuilding this local leisure centre despite its ever worsening state of repair, as council has sought to control costs in a challenging economic climate and private sector funding has been unavailable;
- The original capital funding has been pushed back year on year so that, according to the proposed 2014-18 Capital Programme, the bulk of the funding (£10million) for this important project will not now be spent until 2015-16, which will allow sufficient time for consultation with residents before the contract goes through the necessary tender process; and
- In 2011, the Sustainable Communities scrutiny panel clearly supported the principle of retaining three leisure centres in the Borough and Cabinet rejected proposals drawn up by Officers to close the pool.

This Council recognises the importance of easy access to leisure facilities for local communities in Merton and the benefits this can have for public health in the borough, and therefore welcomes the administration's proposal to rebuild the pool based on a more cost effective scheme which will provide family friendly facilities for local residents. Council recognises that a business-like approach to the council's finances has put Merton on a more secure economic footing and has made it possible to commit to this project at this time.

This Council believes that building a new Morden Park Pool will encourage and help deliver a healthier future both for local residents and visitors to Morden Park, which is why we call on all political groups on Merton Council to support this important project.

This Council welcomes the current Cabinet's clear commitment to invest in the future and build a new leisure centre for Morden so that residents can take comfort from the fact that everyone is united on this matter. Council also resolves that plans for the new leisure centre are fully consulted on with local residents.

10 ADOPTION OF MERTON'S COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE. (Agenda Item 10)

RESOLVED: That the Council adopts Merton's Community Infrastructure Levy Charging Schedule and that Merton's CIL is applied to the relevant new developments from 01 April 2014

11 CHANGE TO THE COUNCIL TAX SUPPORT SCHEME (Agenda Item 11)

RESOLVED: That the Council agrees to the uprating changes for the 2014/15 council tax support scheme detailed in this report in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.

12 S106 AGREEMENTS/UNDERTAKINGS - DELEGATION TO OFFICERS (Agenda Item 12)

RESOLVED: That the Council agrees the constitutional changes outlined in the report.

13 FREEDOM OF THE BOROUGH (Agenda Item 13)

RESOLVED:

1) That the Council agrees to award the Freedom of the Borough to:

- Virginia Wade
- Ann Haydon-Jones
- Angela Mortimer

and agrees to the holding of a special meeting of Council for the purposes of passing the necessary resolutions.

2) That the Council agrees that officers be instructed to report to the General Purposes Committee on future criteria and procedures for considering nominees for the freedom of the borough with a view to the Council receiving a recommendation from General Purposes Committee on the adoption of such criteria and procedures

14 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS

(Agenda Item 14)

RESOLVED: That the changes to membership set out in the report and the supplementary agenda as amended by the correction set out in item 18 are noted.

15 ANNUAL COUNCIL MEETING 2014 (Agenda Item 15)

RESOLVED: That the Council agrees to hold the next Annual Council meeting on 4 June 2014.

16 PETITIONS (Agenda Item 16)

No petitions were presented.

RESOLVED: That Council notes the advice given by officers in respect of the petitions presented to the 11 September 2013 Council meeting

17 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 17)

RESOLVED: That the strategic theme for the next ordinary meeting of the Council to be held on 5 February 2014 shall be Corporate capacity with a focus on financial management.

7 COUNCILLORS NON-PRIORITY QUESTIONS AND RESPONSES (Agenda Item 6a)