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COUNCIL
9 JULY 2014
(19.15 - 21.07)

PRESENT The Mayor of Merton, Councillor Agatha Mary Akyigyina
 The Deputy Mayor of Merton, Councillor Laxmi Attawar

Councillors: Stephen Alambritis, Mark Allison, Stan Anderson, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Fidelis Gadzama, Ross Garrod, Suzanne Grocott, Jeff Hanna, Joan Henry, Daniel Holden, James Holmes, Janice Howard, Mary-Jane Jeanes, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Oonagh Moulton, Ian Munn, Katy Neep, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor, Imran Uddin, Gregory Udeh, Peter Walker, Jill West, Martin Whelton and David Williams.

1. APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies were made.

2. DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations were made

3. MINUTES OF THE ANNUAL MEETING OF THE COUNCIL HELD ON 4 JUNE 2014 (Agenda Item 3)

It was noted that on page 2 that there was an error in respect of the Mayor's consorts, as the word 'Councillor' was included, when it should not have been and therefore needed to be removed. The Minute should read:

The Mayor announced that her consorts would be Charles Ocansey, Teresa Ocansey and Charlie Ocansey.

RESOLVED:

That with the inclusion of the above revision the minutes of the Annual meeting of the Council held on 4 June 2014 were agreed as a correct record.

4. MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD ON 4 JUNE 2014 (Agenda Item 4)

RESOLVED:

That the minutes of the Special meeting of the Council held on 4 June 2014 were agreed as a correct record.

5. ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 5)

The Mayor made a presentation of the Local Government Chronicle award for Innovation to an officer from the Council's direct payments team, as they had won the award earlier this year.

The Mayor also provided the Council with an update of how her term in Office had gone so far.

6. PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a supplementary question to the appropriate Cabinet Member.

A copy of the supplementary questions and the responses would be included within the 'Public questions to Cabinet Members' published document.

7. COUNCILLORS' ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 7)

The responses to the Members' ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member

A copy of the supplementary questions and the responses would be included within the 'Councillors' ordinary priority questions' to cabinet members published document.

(a) STRATEGIC THEME: COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 8a)

The responses to the Members' strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member

A copy of the supplementary questions and the responses would be included within the 'Strategic theme: Councillors' questions to cabinet members' published document.

(b) STRATEGIC THEME: MAIN REPORT (Agenda Item 8b)

RESOLVED:

That the report is agreed

(c) STRATEGIC THEME MOTION (Agenda Item 8c)

The motion was moved by Councillor David Dean and seconded by Councillor Hamish Badenoch.

The Labour amendment, as set out in item 19a was moved by Councillor Andrew Judge and seconded by Councillor Russell Makin.

The amendment was then put to the vote and was carried – votes in favour 37, and votes against 20 with 3 abstentions

The substantive resolution was agreed.

RESOLVED:

The Council's Climate Change Strategy and Action Plan states in the introduction that

“it is vital that we take action to...preserve a quality of life for subsequent generations.”

Labour's political leadership has genuine plans to improve the environment in this borough.

This Council notes that the most recent Annual Residents Survey revealed that:

- For the first time since 1995 when these records began, due to our 4 year council tax freeze, concern about council tax is at its lowest level ever and instead litter/dirt on Merton's streets has replaced this as a concern with a 6% increase in residents saying it is a concern compared to 2012, which is significantly higher than the London average. Nonetheless, resident satisfaction with street cleaning has risen under the current administration. In 2009/2010, under the previous Conservative administration, research by the GMB based on official government data named Merton as the dirtiest borough in the country. Council notes that since this low point under the Conservative administration, the Labour administration elected in May 2010 have prioritised street cleaning, introducing a new free bulky waste collection service, rolling out the free borough-wide food waste service,

investing in 200 new butt and gum bins, and increasing enforcement against those who drop litter in our streets. Detritus on the streets went from 31% under the Conservatives in 2009/10 to 6% currently. The recent Public Value Review survey carried out by BMG Research, a leading national Market Research organisation showed that 72% of residents would describe Merton streets as clean.

- 43% of residents in Wimbledon town centre and 44% of residents in Colliers Wood town centre are satisfied with the way the council deals with fly tipping although the administration acknowledges that the problem of people fly tipping has not yet been solved. There were 6 successful prosecutions for fly tipping in 2013-14 compared to 31 in 2009-10, however rates of fly tipping remain below the level of fly-tipping in 2009/10 under the previous Conservative administration, which is testament to the success of our free bulky waste collection.
- 50% of residents are satisfied with the way the council deals with dog fouling and the council has recently piloted a new “any bin will do” initiative in Colliers Wood which is due to be rolled out borough wide. There have been no statistically significant changes in levels of satisfaction with the council’s street cleaning service and recycling facilities, both of which are now above the outer London average. This fits with the research by BMG which found that 72% of residents thought Merton was a clean borough.

This Council further notes that the recycling rate in 2009/10 under the previous Conservative administration was 33% but under the current Labour administration this has risen to almost 40% which is in the top third of London boroughs and compares favourably with Wandsworth (28.4%) or Westminster (25.1%).

In the last four years this administration has:

- extended the kitchen waste recycling service to cover all 80,000 households;
- introduced doorstep recycling collection of mixed plastics and aluminium foil;
- implemented litter bins that enable 'on street' recycling;
- launched Merton's Mega Recycle in March to encourage recycling through the use of cash prizes.
- won funds to roll out a food waste collection to every school in the borough
- played a leading role in the proposals for an energy from waste plant operated on behalf of the South London Waste Partnership , which will replace energy produced by fossil fuels and generate heat that can be used by local businesses and homes. It will also bring an end to the polluting use of landfill at Beddington and enable the site to be remediated.

This Council recognises that Merton has undertaken the following projects to take advantage of renewable energy through solar panels and reap the rewards of feed in tariffs on its buildings and those of its partners like Circle Housing Merton Priory:

- (i) Coldbusters: 180 household grants totalling £760k approved for energy efficiency improvements in priority and vulnerable households across the borough.
- (ii) London Warm Zone: £211k invested in providing free loft and cavity wall insulation for 874 households with tenants or homeowners aged 65 or over and in receipt of qualifying benefits.
- (iii) Osborne Energy scheme: £46k invested in efficiency measures in 150 households in Colliers Wood aged 70 or over and in receipt of qualifying benefits.
- (iv) Re-New London: £183k invested in energy saving measures across 1602 households across the borough.
- (v) The Phipps Bridge Low Carbon Zone engaged 800 households and helped to deliver 12-16% carbon savings.

The total households improved through these schemes numbers 3,606 compared to just 2,439 homes nationally that have been improved through the Government's flagship Green Deal.

Council further notes:

- the new solar panel systems that have been installed across the borough since 2011, including on Canons Leisure Centre, Pollards Hill Library and nine primary schools, and will generate around 720 megawatt hours of electricity a year, helping to save money by reducing the council's electricity bills as well as reducing carbon. The comparator figure for the last Conservative administration was nil.
- the Combined Heat and Power plant installed in the Civic Centre in 2011 to generate heat and electricity and our explorations as to how the advantage of locally produced energy can assist a much wider group of residents, schools, community groups and businesses.
- the Labour administration kickstarted the micro-renewables industry in Britain in 2003 through the Merton Rule. Now we are continuing our cutting edge approach to tackling climate change through our planning policies. e.g we are ensuring that new developments are designed and built to high sustainability standards in order to limit future CO2 emissions. Policy CS15 outlines the minimum requirements in relation to environmental sustainability, including resource use, materials, water and CO2 emissions. All new developments are required to explore and utilise opportunities for district heat and power networks and achieve Code for Sustainable Homes Level 4 or BREEAM 'Very Good'. A good example of what can be achieved through our an excellent planning approach is that we crafted when we sold land at Rowan Park in Longthornton which has resulted in an exemplary sustainable development of 217 homes and community facilities including solar PV, CHP, a sustainable drainage system of swales, reed beds and balancing ponds and a new park. (national Project Winner at the 2012 Housing Design Awards)
- the administration has signed up to a partnership with Transport for London to deliver electric vehicle charging points and we intend to explore a number of potential on street charging points in Wimbledon Town centre over the coming year. Furthermore, Merton's new Sites and Policies Plan which is to be adopted by

full Council on 9 July introduces a new policy (CS20) to promote the installation of electric vehicle charging points in new developments in Merton.

This Council notes that the Climate Change Action Plan 2014-17 has been approved by a cross party scrutiny panel. This Council calls on the administration to:

- a) adopt Merton's Climate Change Strategy and thereby deliver a comprehensive environmental plan with quantifiable objectives and actions to help deliver improvements to the quality of life of Merton's residents.
- b) continue to monitor PM10s and keep abreast of any changes from the Department of the Environment, Food and Rural Affairs which is responsible for measuring and reducing polluting PM2.5 (all particulates that are up to 2.5 micrometres in diameter) to the legal limits.
- c) continue with its ambitious plans to increase recycling including green waste.
- d) continue working with TfL to introduce electrical charging points for cars to help de-carbonise transport.
- e) continue to focus on improved and more robust enforcement of fly tipping across the borough.

8. STRATEGIC THEME MOTION: LIBERAL DEMOCRATIC MOTION (AGENDA ITEM 8C (2)) (Agenda Item 19)

The motion was moved by Councillor Mary-Jane Jeanes.

The motion was not seconded, and the motion as a result falls.

9. REPORT FROM RAYNES PARK COMMUNITY FORUM (Agenda Item 9)

Councillor David Dean presented the report, which was received by the Council.

10. NOTICE OF MOTION 1 - CONSERVATIVE (Agenda Item 10)

The motion was moved by Councillor Abdul Latif and seconded by Councillor Gilli Lewis-Lavender.

The Labour amendment, as set out in item 19b was moved by Councillor Stephen Alambritis and seconded by Councillor Sally Kenny.

The amendment was then put to the vote and was carried – votes in favour 53, and votes against 0 with 6 abstentions

The substantive resolution was agreed.

RESOLVED:

That Council notes that Merton residents and others with connections to Merton are frequently honoured by Her Majesty the Queen in her Birthday and New Years Honours Lists. Council congratulates all those who have been recipients in the past. Given her recent passing and the significant impact she had on the civic and community life of the borough, Council particularly notes the MBE awarded posthumously last year to Chris Frost.

Council specifically congratulates those who have been honoured in the Birthday and New Years Honours lists since June 2010:

- Joyce Andrews, volunteer swimming teacher at Wimbledon and Merton Swimming Club, awarded an MBE
- Jenny Archer, sports coach to six time Olympic gold medallist David Weir, awarded an MBE for services to athletics
- Dr Richard Barker, former Director of the Association of the British Pharmaceutical Industry, awarded an OBE
- James Bennet, awarded an MBE for charity work with the Prince's Trust and Action for Children
- Robert Bieber, awarded an MBE for services to the voluntary sector
- James Cochrane, Chair of British Red Cross, awarded a CBE for services to health
- Barry Cox, Chair of Digital UK, awarded a CBE for services to media and digital TV
- Professor David Delpy, awarded a CBE for services to engineering and scientific research
- Marion Friend, Chair of Wimbledon Symphony Orchestra, awarded an MBE for services to musical education
- Honor Godfrey, Curator of Wimbledon Lawn Tennis Museum, awarded an OBE
- DCI Caroline Goode, who led the investigation into the murder of Banaz Mahmod, awarded the Queen's Police Medal for Distinguished Service
- Prof Judith Freedman, awarded a CBE for services to tax research
- Dr Howard Freeman, Chairman of Merton Clinical Commissioning Group and the London Clinical Commissioning Council, awarded an MBE for services to Primary Care
- Philip Froomberg, volunteer for Soldiers, Sailors, Airman and Families Association of Veterans, awarded the British Empire Medal

- Keith Grimshaw, awarded an MBE for services to National Savings and Investments and the magistracy
- Andrew Gairdner, Chief Steward All England Club, awarded an MBE
- Rosemary Hickson, awarded the British Empire Medal for services to the community
- Sophie Hosking, Olympic gold medal winner, awarded an MBE for services to rowing
- Michael Hourahine, security officer, awarded an OBE for services to the Cabinet Office
- Judith Ish-Horowicz, Head of Wimbledon Synagogue school, awarded an MBE
- Stephen Jack, Chair of the Independent Living Fund, awarded an OBE
- Fiona Jeffery, Head of international water charity Not a Drop, awarded an OBE
- Dr Kanwaljit Kaur-Singh, Chair of the British Sikh Education Council, awarded an MBE for services to education and inter-faith understanding
- Dr Kenton Lewis, Partnership Manager at St George's University, awarded an MBE for services to higher education
- Cllr Edith Macauley JP, awarded an MBE for services to the community
- Karl Mackie, Chief Executive of the Centre for Effective Dispute Resolution, awarded a CBE
- Selina Master, awarded an MBE for her work with vulnerable people and improving dental health
- Sylvia Morris, Headteacher, made a Dame
- Indira Patel, Commissioner on the Women's National Commission, made a Dame
- Martin Rumsey, civil servant, awarded an MBE for services to the Department of Business, Innovation and Skills
- Peter Steiner, Vice President of Merton and Morden Guild of Social Services, awarded the British Empire Medal
- Paul Strank, roofer, awarded an MBE for services to charity and the community

- Christopher Townsend, Commercial Director of LOCOG, awarded an OBE for services to the London 2012 Olympic and Paralympic Games.

11. ADOPTION OF MERTON'S SITES AND POLICIES PLAN (Agenda Item 11)

RESOLVED

That Council:

A). adopts Merton's Sites and Policies Development Plan Document and Policies Map replacing the remaining policies in Merton's Unitary Development Plan and Proposals Map 2003.

B). delegates authority to the Director of Environment and Regeneration to deal with all the necessary adoption documents and other consequential matters in accordance with the appropriate Regulations.

12. ADOPTION OF LBM CLIMATE CHANGE STRATEGY (2014-2017) (Agenda Item 12)

The report and its recommendations were moved by Councillor Andrew Judge and seconded by Councillor Russell Makin, which was put to the vote and was carried – votes in favour 38, and votes against 20, with 2 abstentions.

RESOLVED:

That Council adopts the Merton's Climate Change Strategy (2014-2017), having noted the recommendations of the scrutiny review of Climate Change and the Green Deal.

13. CIRCLE HOUSING MERTON PRIORY: REGENERATION PROJECT (Agenda Item 13)

The report and its recommendations were moved by Councillor Stephen Alambritis and seconded by Councillor Peter McCabe.

The Conservative amendment, as set out in item 19c was moved by Councillor Janice Howard and seconded by Councillor David Williams

The amendment was then put to the vote and was unanimously supported.

The substantive resolution was agreed.

RESOLVED:

That the Council:

1. were updated on due diligence undertaken over the past six months by the London Borough of Merton (LBM) and Circle Housing Merton Priory (CHMP) officers working together.
2. notes the significant opportunity this project represents to improve housing conditions for tenants, leaseholders and freeholders and the potential contribution to addressing wider housing provision pressures in Merton and London.
3. further notes however the concerns expressed by various tenants, leaseholders and freeholders about different aspects of the project, including the proposed increase in housing density on the estates, and therefore resolves to listen and take account of residents' clear preference for quality homes that people want to live in with private gardens and to learn from the mistakes of the past by ensuring that any redevelopment of Merton's estates contains a good social mix of housing tenure, which is sustainable for the future.
4. agrees to proceed with exploration of estate regeneration schemes for Eastfields, High Path and Ravensbury via:
 - (a) preparation, in partnership with Circle Housing Merton Priory of a statutory Estate Regeneration Local Plan Document setting out the strategic planning framework to guide any estate regeneration proposals;
 - (b) consideration of the Council's statutory powers where appropriate, to help deliver the proposed Estates Regeneration Local Plan.
5. adopts the revisions to Merton's Local Development Scheme as the project plan and timetable to prepare the proposed Estates Regeneration Local Plan, subject to the Mayor of London's approval.
6. suspends the obligation in the Stock Transfer Agreement dated 22 March 2010 ("Transfer Agreement") on the part of CHMP to carry out the Qualifying Works (as defined in the Transfer Agreement) at High Path (South Wimbledon), Eastfields (Mitcham) and Ravensbury (Morden) to comply with the Decent Homes Standard for a period of up to 18 months subject to there being no legal objection or obstacle, to enable CHMP to explore the viability of estate regeneration schemes for the above estates, an agreed programme to regenerate the subject properties and the planning position being concluded including the formulation of an Estates Regeneration Local Plan. The period of suspension will commence from the date of 9th July 2014 and will also have regard to the date upon which the Deed of Variation is completed.
7. undertakes to full and comprehensive consultation throughout the process with existing tenants, leaseholders and freeholders as well as any other affected parties, and that the Director of Environment and Regeneration in consultation with the Cabinet Member for Environmental Sustainability and Regeneration be authorised to approve consultation documents prior to public consultation, publish the Local Development Scheme (subject to its approval by the Mayor of London and other consequential matters in accordance with the appropriate Regulations).

8. recommends, in view of the serious concerns that have been expressed by a number of residents and councillors about lack of oversight of this important project and uncertainty about its financial implications as well as about standards of responsiveness and quality of repairs undertaken by CHMP, that:

(a) the whole CHMP Regeneration Project comes before the Sustainable Communities Overview and Scrutiny Panel for review on a regular basis; and

(b) CHMP is required to provide to each meeting of the Sustainable Communities Panel written reports containing resident satisfaction rates with the quality and speed of repairs; the number of outstanding repairs; and the percentage of homes now falling below the Merton Standard.

14. LOCAL GOVERNMENT (LGPS) 2014 - EMPLOYER DISCRETIONS (Agenda Item 14)

RESOLVED:

That Council agrees:

A). not to exercise the discretion on Shared Cost Additional Pension Contributions – (SCAPCs) or Shared Contribution AVCs (SCAVCs) but to review annually.

B). to exercise the discretionary power to continue to adopt a Flexible Retirement policy from 1 April 2014 but only to exercise the discretionary power to waive the actuarial reduction in exceptional cases where the Director of Corporate Services considers it to be justified on financial, equal opportunity or other relevant grounds.

C). not to waive the actuarial reduction for early payment of pension benefits at the request of a current employee but to review annually.

D). not to exercise the discretion to 'switch on' the 85 year rule for members who choose to voluntarily draw their benefits from age 55 (but to review annually).

E). not to use the discretion to award additional pension contributions, but to review annually.

F). to continue the discretion to continue the provision for deferred benefits to be brought into payment on compassionate grounds for pre 2014 deferred members. The discretion will not normally be exercised, but the Director of Corporate Services will consider applications.

15. CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 15)

RESOLVED:

That Council:

- A). notes the changes to the membership of Committees approved under delegated powers since the last meeting of the Council;
- B). notes the revised terms of reference for the Corporate Parenting Group, including how this relates to Councillors' membership in the future.
- C). agrees that the current membership of the South West London Joint Health and Scrutiny Overview and Committee, namely Councillor Peter McCabe and Councillor Brian Lewis-Lavender (substitute Councillor Brenda Fraser) should represent Merton on the new standing Joint Health Scrutiny Committee until Council has an opportunity to agree its constitution and formally appoint members.
- D). constitutes the establishment of a Joint Committee for the shared Regulatory Service with London Borough of Merton (lead authority) with the other participating authorities, and agrees to the appoint two Members to this joint committee.
- E). agrees to appoints a Councillor to fill the Council position on the South West London and St. George's Mental HealthTrust – Council of Governors

16. PETITIONS (Agenda Item 16)

No petitions were presented.

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 10 September 2014 shall be Public Health.

In closing the meeting the Mayor apologised to the new councillor who was not given as much time as expected, and that this would be addressed at a future meeting.