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COUNCIL
4 FEBRUARY 2015
(19.15 - 21.01)

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)

Apologies were received from Councillor Fidelis Gadzama.

2 DECLARATIONS OF INTEREST (Agenda Item 2)

No declarations were received

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the Council meeting held on the 19 November 2014 were approved as a correct record.

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

The Mayor provided the Council with an update on her recent Mayoral duties noting that between her and the Deputy Mayor, they had been to over 300 engagements. She informed the Council that so far she had raised approximately £20,000 for her Mayoral charities.

The Leader announced that the Mayor–elect for the municipal year of 2015-2016 would be Councillor David Chung.

The Mayor invited Councillors Russell Makin and David Williams to say a few words on the death of Honorary Alderman and former Councillor John Cole.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

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.

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

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.

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

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.

7b STRATEGIC THEME: MAIN REPORT (Agenda Item 7b)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Mark Allison.

Councillor Charlie Chirico also spoke on this item

RESOLVED:

That the report is agreed

7c STRATEGIC THEME: MOTION - CONSERVATIVE 1 (Agenda Item 7c)

The motion was moved by Councillor Oonagh Moulton and seconded by Councillor James Holmes

The Labour amendment, as set out in item 18 was moved by Councillor Martin Whelton and seconded by Councillor Jeff Hanna.

The Labour amendment was then put to the vote and was carried – votes in favour 38, and 0 votes against with 21 abstentions.

RESOLVED:

That this Council notes the importance of its Strategic Partners in delivering both services to and enhanced life changing experiences for its residents in Merton. The Community Plan 2013 sets out a vision to meet the needs of the community and, in particular amongst its partners, enhancement is provided by:

- the Clinical Commissioning Group (NHS)
- the Merton Chamber of Commerce
- Merton Voluntary Service Council
- the Jobcentre Plus
- South Thames College
- The Community Engagement Network

Within the reduced funding available from central government and the resulting £32m of savings required over the next four years, the Council acknowledges its responsibility to equip residents - young and old - to:

- take advantage of access to and understand the advice of healthcare professionals
- enjoy enrichment by being able to participate fully in the life of the community
- enable engagement with higher education
- be eligible to find employment

Council is deeply concerned by the government's cuts to the Skills Funding Agency (SFA) which have resulted in Merton's funding for adult skills being cut by £436,865 since 2009/10. Furthermore, in the 2013/14 academic year the funding formula has changed impacting on the council's costs. We were also advised by the SFA in December that our grant will be reduced by another £35,000 in year - this will be on top of the above figure. Further funding changes are expected to be made in March 2015. We expect this to signal a further reduction in the grant. This is due to the Department of Business, Innovation and Skills (BIS) in which the Skills Funding

Agency (SFA) sits being a non ring-fenced department and therefore being responsible for delivering a large amount of the reduction in Government spending announced in the 2014 budget and autumn statement.

In this context it makes sense for the council to plan how we will continue to deliver adult learning in the context of much reduced central government funding. As part of this council thanks the Sustainable Communities Scrutiny Panel for their comprehensive engagement with this process, including their recent pre-decision scrutiny of the options for achieving an affordable service.

Council notes that the scrutiny panel particularly welcomed the proposed Commissioning Principles which Cabinet will consider on 16 February. Council commends these principles to cabinet, as follows:

- (i) That commissioning should look to continue the same breadth of courses currently provided. This does not mean that the courses must be the exact same year to year as needs change but that the breadth and variety should be maintained.
- (ii) That courses should continue to be delivered within the borough
- (iii) That the economic development and skills agendas of the council should be prevalent through the commissioning process
- (iv) That TUPE regulations will be followed and every effort made to retain the highly valued tutors.
- (v) That the environment and support of each provider should be assessed as part of the commissioning process
- (vi) That adults with disabilities and their carers should be involved in the commissioning process for courses specifically tailored for them
- (vii) That discussions about the provision of facilities for art and craft courses should involve user representatives from those courses
- (viii) That a focus on wellbeing and aging well and on helping learners to gain employment should be key elements of the commissioning process to go alongside any focus on qualifications and learning
- (ix) That hobbies, crafts and non-vocational skills courses should still be commissioned in line with SFA funding
- (x) That fees should be set by the council as part of the commissioning process and controlled accordingly
- (xi) That effort should be made to ensure provision is spread around the borough and not just located at one site, although quality and cost will remain key considerations.
- (xii) That, where possible, services should be commissioned with not-for profit organisations
- (xiii) That the outcomes for learners should be closely monitored to ensure that job prospects, well-being, support for vulnerable learners and safeguarding aspects are all considered as part of the commissioning cycle.

The council's core objectives are to do all it can to make the service financially viable for council tax payers so that we can continue to offer adult education services in the borough, despite government cuts.

In order to achieve these objectives the Council resolves:

- not only to meet its statutory obligations to provide education for the young, but also to provide education to adults of every age, by continuing to offer an Adult Education Service which takes full account of the much reduced funding available to it from central government, and in line with the commissioning principles proposed.
- to require the Cabinet to:
 - as planned, review again the economics of maintaining the Adult Education Centre at Whatley Avenue and all aspects of the adult education service, at its meeting on 16 February
 - as planned, spell out in that report how it intends to meet the delivery of Adult Education in Merton in the period 2015-18 and meet its partnership obligations, in particular in light of the proposed commissioning principles.

8 REPORT OF RAYNES PARK COMMUNITY FORUM (Agenda Item 8)

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

9 REPORT OF WIMBLEDON COMMUNITY FORUM (Agenda Item 9)

Councillor James Holmes presented the report, which was received by the Council.

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

The motion was moved by Councillor Gilli Lewis-Lavender and seconded by Councillor Hamish Badenoch.

The Liberal Democrats amendment, as set out in item 17 was moved by Councillor Mary-Jane Jeanes.

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

The Labour amendment, as set out in item 19 was moved by Councillor Mark Allison and seconded by Councillor Ross Garrod.

The Labour amendment was then put to the vote and was carried – votes in favour 34, and votes against 24 with 1 abstention.

Councillors Peter Southgate and Suzanne Grocott also spoke on this item.

The substantive resolution was then agreed.

RESOLVED:

This Council notes that:

- National government has reduced funding to local councils by 40% since 2010;
- The Chancellor George Osborne announced further cuts in the autumn statement before Christmas, with the government's cuts to local government funding now totalling 60%. The Office of Budget Responsibility (OBR), which is a government department, confirms that this would cut public services to their lowest level since the 1930's;
- The council needs to find a further £32m of savings a year by 2019;
- The council's 'July principles', agreed by the Labour, Merton Park Independent Residents and Liberal Democrat Groups in July 2011, included a commitment to continue to provide everything that is mandatory and to maintain services, within limits, to the vulnerable and elderly, which unfortunately the Conservative group did not support;
- As a result, the Cabinet has agreed that adult social care and children's services should take proportionately less of a share of the cuts than other services. However, the scale of the government's cuts means all services must find savings, and with adult social care the largest area of the council's controllable spend it is inevitable that there will need to be cuts to these services. The Cabinet has focused on using the remaining money we have on those who are in the most need and on ensuring the services that people are legally entitled to continue to be delivered in a safe way;
- The cuts from central government have put huge pressure on council budgets and in adult social care it is very difficult to deliver savings without putting residents at risk. Among the replacement Adult Social Care savings that the Cabinet has been forced to bring forward this year because £400,000 of savings previously agreed for 2015-16 can no longer be safely delivered, are proposals to reduce by £200,000 the funding of day care services provided at the High Path and All Saints day centres for disabled adults and their carers, instead of closing day centres like the Conservatives Group tried to do when they proposed closing All Saints Day Centre in 2007/08. The proposal seeks keep all our day centres open, rather than closing day centres as some councils plan to do, by saving money and changing the way in which we deliver our services with reduced budgets, whilst ensuring our ability to deliver our statutory responsibilities.
- Consultation has just closed on the Council's proposals to address the cuts in our funding from central government by cutting spending on Adult Social Care by a further £5.4 million between 2015-2016 and 2018-2019 due to the severity of these government cuts which come despite an estimated 9% increase in the older population of Merton between 2015 and 2020 and a projected increase of around 5% in the number of residents with learning disabilities over that period; and
- Additionally, the Conservative and Liberal Democrat Government have decided to close the Independent Living Fund (ILF) and to remove the ringfence when the funding is devolved to councils, which will mean Cabinet will need to

consider further difficult decisions in order to ensure help continues to be provided for those who are in the greatest assessed need;

- At the same time, the current administration is undertaking a modest pilot, mostly paid for by a small government grant, to test whether or not wheeled bins would help keep Merton cleaner while at the same time saving money for council tax payers, following on from a detailed and in depth review by a cross-party Scrutiny task group in 2011 which concluded that the most cost effective method should be used for the collection of household waste, as long as this does not adversely impact on the objectives of waste minimisation and maximisation of recycling. Wheeled bins may be more problematic for older and disabled residents to use but the council will continue to offer an assisted collection as part of the small pilot being undertaken.

This Council is concerned about the impact of the government's spending cuts on the most vulnerable residents in our community, since they face losing highly valued support services which promote independence and provide vital respite for their carers.

This Council notes the results of the latest Annual Residents' Survey, which, alongside record levels of residents saying the Council is efficient and well run and offers value for money, finds that 72% of disabled residents say Merton Council is doing a good job, an increase on last year. The percentage who think the council is efficient and well run has increased significantly on last year and the proportion who agree that the council listens to concerns of local residents has also increased. In addition, the percentage of disabled people who feel the council involves residents in making decisions is higher than the pan-London score. Nonetheless, disabled people are less satisfied with council, public transport and health services than non disabled people in Merton and the pan-London results. This is something the Council, along with its partners in health and public transport, need to address, notwithstanding the difficulties resulting from our much reduced funding from central government.

This Council therefore resolves to urge Cabinet to:

- a) Write to the Chancellor and to the Secretary of State for Communities and Local Government outlining the impact the government's cuts to local government funding are having on vulnerable local residents;
- b) Do all it can within the significantly reduced funding it has available to keep our day centres open and examine in detail the proposed £200,000 cut to day care support for disabled adults provided at the High Path and All Saints day centres, which the administration has chosen to bring forward as an alternative to closing the centre as previously proposed by the Conservative group, and which scrutiny has been looking at since November, and ask officers to continue to try to identify whether there are any alternative efficiency savings for 2015-16 that do not impact on front line services, bearing in mind however that we still have to find a further £15m of savings due to reductions in our funding from central government and that as yet the Scrutiny panel has not been able to identify any alternative savings; and

- c) Consider the impact of the government's closure of the ILF and how Merton uses the devolved funding to best cater for those residents who have the greatest assessed needs, with a commitment that this funding will be ring fenced to the adult social care budget based on the principle of those most in need getting their fair share; and
- d) As in previous years, ensure there is continued scrutiny by the Overview and Scrutiny Commission or the relevant panel of the £5.4 million of new savings proposals in Adult Social Care which have been brought forward in the usual manner in accordance with the budget timetable.

11 NOTICE OF MOTION - SIR JOHN WHEELER (Agenda Item 11)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Oonagh Moulton.

Councillors Peter Southgate and David Williams also spoke on this item.

The motion was put a vote and was passed unanimously.

RESOLVED

That Council:

- 1) places on record its sincere thanks and appreciation to The Right Honourable Sir John Wheeler, JP DL for the dedicated manner in which he has served as Representative Deputy Lieutenant for the London Borough of Merton during the period 1997-2015
- 2) agrees that formal presentation of a framed certificate to record the Council's thanks be made to The Right Honourable Sir John Wheeler, JP DL will be made at the Council meeting on 15 April 2015.

12 APPROVAL OF PAY POLICY STATEMENT AND RE-ADOPTION OF THE MEMBERS ALLOWANCES SCHEME (Agenda Item 12)

The report was moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis.

Councillor Suzanne Grocott also spoke on this item

RESOLVED

That Council:

- 1) approves publication of the Pay Policy Statement for 2015/16

- 2) approves the Members' Allowances Scheme with no change for 2015/16, with effect from 1 April 2015.

13 CALENDAR OF MEETING 2015-2016 (Agenda Item 13)

The report was moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis.

Councillor David Simpson also spoke on this item.

RESOLVED

That Council:

- 1) approves the Calendar of meetings for 2015-16.
- 2) approves the Calendar of Council meetings dates for 2016-17 and 2017.

14 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 14)

The report was moved by Councillor Mark Allison and seconded by Councillor Stephen Alambritis.

Councillor David Simpson also spoke on this item.

RESOLVED

That the changes to the membership of Committees approved under delegated powers since the last meeting of the Council are noted.

15 PETITIONS (Agenda Item 15)

A petition was presented by Councillors John Delaney and Peter Walker. The petition was called 'we would love a cinema in Mitcham'.

16 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 16)

That the Strategic theme for the next ordinary meeting of the Council to be held on 16 April 2015 shall be Older People.

Speeches on Honorary Alderman and former Councillor John Cole

Councillor Makin

John was a councillor for 16 years. For the first four years he was a Conservative, he then stood as an independent and then switched to the Labour party for the last ten years. He was most concerned about having his name as an Alderman on the wall. During his 16 years he always represented Pollards Hill. He was most proud of serving as Deputy Mayor and his flat was full of memorabilia of this time. His biggest achievement was, along with MP for Mitcham and Morden, pushing forward the Pollards Hill regeneration. In fact, the officer at the time, Lynne Carpenter, was so frustrated with John that she offered him a desk in her office. After he retired, he was really touched by the plight of children in Nicaragua after a visit there where he was taken ill and nearly died. He never really recovered and died a few years later. Rest in peace John.

Councillor Williams

As Russell said, John was a Conservative councillor for 4 years and some people on my side (mainly in the past) never forgave him for switching sides. He was a really quite engaging character, a bit irascible at times. He was latterly very deaf and made us all aware of those with hearing difficulties and brought about the hearing loop in the chamber. He did have a heart of gold, he came to my mayor making a few years back and at the end gave me an envelope, inside a letter and cheque for £100 to start my fundraising for my mayoral year. So that was John, he was a complex character but had a heart of gold.