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CABINET
10 MARCH 2014
(19.15 - 19.51)

PRESENT Councillor Stephen Alambritis (in the Chair),
Councillor Mark Allison, Councillor Nick Draper,
Councillor Andrew Judge, Councillor Linda Kirby,
Councillor Edith Macauley, Councillor Maxi Martin,
Councillor Martin Whelton and Councillor Judy Saunders

Ged Curran (Chief Executive), Paul Evans (Assistant Director of Corporate Governance), Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), Yvette Stanley (Director of Children, Schools and Families), Simon Williams (Director of Community and Housing), and Chris Pedlow (Senior Democratic Services Officer).

ALSO PRESENT Councillors Suzanne Evans and Henry Nelles

1. APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence.

2. DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No pecuniary declarations were made.

Councillor Whelton asked that it be recorded, although it was not a pecuniary interest, that as he was Member of the Mitcham Common Conservators, he would be leave the room for the discussion on Item 8, Allocation of S.106 Monies Mitcham Common Conservators.

3. MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

That the Minutes of the meeting held on 17 February 2014 are agreed as a correct record.

4. BETTER CARE FUND PLAN (Agenda Item 4)

The Cabinet Member for Adult Social Care and Health presented the report, stating the Better Care Fund aim was to provide the opportunity to change local services by integrating some existing funding streams so that people receive more integrated care and support in community settings. It was noted that the overall objectives was to provide protection for social care services and to support local transformation of

services so that more people were supported in the community were receiving integrated health and social care services.

The Fund's budget was £12.198million for 2015/16 which had achieved through either existing Department of Health grants or through Clinical Commissioning Group funding already commissioning services.

It was noted that an earlier version of the draft Better Care Fund Plan had been sent to NHS England for their comments. In response NHS England commented that the draft Plan was fine, with the only areas they suggested needed sharpening up were a number of the timescales. It was confirmed that those changes would be made prior to the Final Plan being put before the Health and Wellbeing Board.

RESOLVED:

That Cabinet supported the draft plan and authorise the Health and Wellbeing Board to approve the final plan.

5. ADOPTION OF MERTON'S COMMUNITY INFRASTRUCTURE LEVY (CIL) INITIAL STRATEGIC INFRASTRUCTURE LIST (Agenda Item 5)

The Cabinet Member for Environmental Sustainability and Regeneration presented the report, which explained that the Council was statutorily required to publish a list of the strategic infrastructure that it would spend the Community Infrastructure Levy (CIL) funding on. The report set out the proposals for the initial Strategic Infrastructure List for adoption.

The Cabinet had regard to the tabled paper comprising a reference from the Borough Plan Advisory Committee (BPAC) and the recommendations and supporting narrative in the submitted report. On the BPAC recommendations the Cabinet felt that with regard to the proposal contained within 2.1.1, as funding had been budgeted for Morden Park Pool, thus there was no need to make specific reference, but felt that a general category of Leisure Centres should be included. Members were happy to support the principle of the proposal in 2.1.2. On the proposal contained within 2.1.3, Members choose to note it, as the Council was statutorily required to go out for public consultation on the List, it was therefore felt unnecessary.

RESOLVED:

- 1). That the Cabinet recommends to Full Council that it adopts Merton's Community Infrastructure Levy initial Strategic Infrastructure List (Reg 123 List) in order to continue to secure developer contributions once Merton's CIL is in place.
- 2). That a new category of Leisure Centres be added to the initial Strategic Infrastructure List

3). That, the following be added to the Education and School Provision category, *'and to support the building of a new school, should it be required.'*

6. ADOPTION OF MORDEN STATION PLANNING BRIEF (Agenda Item 6)

The Cabinet Member for Environmental Sustainability and Regeneration, introduced the report, which detailed the process that had been followed in the development of the proposed Morden Station Planning Brief, including the extensive consultation. It was noted that a copy of the proposed planning brief was included from page 157 within the report.

The Cabinet had regard to the tabled paper comprising a reference from the Borough Plan Advisory (BPAC) Committee and the recommendations and supporting narrative in the submitted report.

RESOLVED:

That Cabinet adopts the Morden Station Planning Brief as a supplementary planning document to Merton's Core Planning Strategy.

7. ALLOCATION OF S.106 MONIES TO CONNECTING COLLIERS WOOD (Agenda Item 7)

The Cabinet Member for Environmental Sustainability and Regeneration presented the report, which sought Section 106 contributions towards the public realm improvement scheme at Colliers Wood.

RESOLVED:

That the Cabinet agrees to the S106 contribution request, as detailed within the report, being allocated to the Connecting Colliers Wood project, in accordance with the S.106 Spend Parameters set out in paragraph 1.2.

8. ALLOCATION OF S.106 MONIES - MITCHAM COMMON CONSERVATORS (Agenda Item 8)

Councillor Whelton left the room for this item.

The Cabinet Member for Environmental Sustainability and Regeneration presented the report, which sought Section 106 contributions for the enhancement, maintenance and management of Mitcham Common by the Mitcham Common Conservators.

RESOLVED:

That Cabinet approves the allocation of £100,000 of S106 monies, associated with the development of the site of the former Windmill Trading Estate, 302-312 Commonsie East, Mitcham, for the enhancement, maintenance and management of Mitcham Common by the Mitcham Common Conservators.

9. REFERENCE FROM SUSTAINABLE COMMUNITIES SCRUTINY PANEL - 20MPH ZONES/LIMITS (Agenda Item 9)

The Cabinet considered the Sustainable Communities Scrutiny Panel's reference on 20mph Zones and limits. The Cabinet Member for Environmental Sustainability and Regeneration addressed the recommendations saying that road safety was always an area of concern, but 20mph zones/limits were a clear area of debate both within the Borough and across the whole of London. The data on such zones was very limited and inconclusive, with minimal research demonstrating the real effects and impact. There was also little comparison on such speed restrictions against the impact of other calming measure such as speed humps or width restrictions. It was also emphasised that only the Police had the authority to enforce 20mph zones, which they were not currently doing.

The Cabinet was informed by the Director of Environment and Regeneration that recently, a cross London piece of work had been commissioned, to look at that particular issue. The empirical finding should be available reasonably soon and could help the Cabinet in making a more informed decision on its response to the Scrutiny recommendations.

RESOLVED:

That the Cabinet notes the Scrutiny's proposals and will respond to Sustainable Communities Overview and Scrutiny Panel in due course.

10. SECTION 75 PARTNERSHIP AGREEMENT FOR MENTAL HEALTH SERVICES (Agenda Item 10)

The Cabinet Member for Adult Social Care and Health presented the report, which requested the Cabinet to support and approve the renewal of the Section 75 agreement with SW London and St George's NHS Mental Health Trust, to pool community mental health, and relevant social care staff and budgets. The aim of the agreement was to maximise the effectiveness and efficiency of mental health provision, and to provide a seamless service for our adult customers with mental health needs. It was noted that the partnership arrangement had been in place since 2001.

RESOLVED:

- 1). That Cabinet agrees the Section 75 Agreement and all its attached schedules, subject to the approval of the Health and Wellbeing Board
- 2). That the Director of Community and Housing be authorised to join the Chief Executive of the Trust to oversee the operation of the agreement 1.

11. FINANCIAL MONITORING - JANUARY 2014 (Agenda Item 11)

Reason for urgency: The Chair has approved the submission of this report as a matter of urgency as it provides the latest available monitoring information for 2013/14. This requires consideration as it has implications for current and future years' budget monitoring and management

The Deputy Leader and Cabinet Member for Finance presented the report, which provided the regular financial monitoring update. It was noted that the monitoring report also contained a new section on performance management data, which would now be a regular part of the report.

RESOLVED:

That Cabinet

- 1). notes the financial reporting data relating to revenue budgetary control, showing a forecast underspend at year end of £1,014k (which is 0.19% of the Gross Council Budget) after allowing for a £496k transfer to the Capital Programme, £1,500k transfer to balancing the budget reserve, £1,717k carry forward of Public Health funds.
- 2). notes the adjustments and capital virements detailed in Appendix 5b and the Current Capital Programme as detailed in Appendix 5a.
- 3). notes the current progress to date on savings.
- 4). a) note the review of the departmental performance against service plan indicators as at 31 January 2014, and requests that the areas of under performance be addressed so targets are met by the end of March 2014.
b). notes those measures which are over performing by 20% or above, over target.
c). notes the changes of the Single Data List (SDL) 2013-14.
d). notes the frequency that performance data would be reported to Cabinet in future.

12. EXCLUSION OF THE PUBLIC (Agenda Item 12)

RESOLVED;

That the public are excluded from the meeting during consideration of the following item on the grounds that it is exempt from disclosure by virtue of Part 4B, Paragraph 10.4 and Category 3 of the constitution

13. PRINT MANAGED SERVICE CONTRACT (Agenda Item 13)

The Deputy Leader and Cabinet Member for Finance presented the report, which provided details of the tender process for the Council's contract for the supply and maintenance of new photocopiers/ printers and high volume print room equipment.

RESOLVED:

That Cabinet awards a contract for the supply and maintenance of new photocopier/printers and high volume print room equipment to the successful tenderer Altodigital Networks Ltd for an initial contract period of 3 years commencing 1 June 2014, with an option to extend for a further period of 3 years at the discretion of the Council. If the contract extension is executed the total contract price is £2,418,426.

14. PRIMARY SCHOOL EXPANSION CAPITAL PROJECTS (Agenda Item 14)

Reason for urgency: The Chair has approved the submission of this report as a matter of urgency as it requires permission to enter into a contract to meet the urgent need for primary school places. The report could not be finalised until after the Budget Council meeting on 6 March 2014 as it commits the Council to funding approved at that meeting.

Exemption - The Chair of the Overview & Scrutiny Commission, has confirmed in accordance with the provisions of Part 4B, Paragraph 10.4 and Category 3 of the Constitution, he was satisfied that the report qualifies for exemption as it contains information relating to the financial affairs of any particular person (including the authority holding that information), as set out in Category 3.

The Cabinet Member for Education presented the report, which sought formal agreement to commence construction for Pelham Primary School Expansion and an update on the processes and approvals required for the expansions of Merton Abbey, Singlegate and Dundonald Primary Schools.

RESOLVED:

That the Cabinet

- 1). agrees to enter into a construction contract to Mansell PLC for the expansion of Pelham Primary School to the maximum contract value of £5,055,909, requiring a virement of £702,000 from Primary School Expansion Contingency in 2015/16.
- 2). notes that following the pre-construction agreement with Mansell PLC and earlier approved phase works it will be necessary to enter into construction contracts with Mansell PLC for the expansions of Singlegate (adaptation phase) and Merton Abbey (final phase) by May 2014. In view of the contracts being over £2 million and there being no timetabled Cabinet meeting until 30 June 2014 a specific Cabinet meeting would need to be called to avoid undue delay, with the necessary notice.
- 3). notes that the remaining major primary school expansion project to contract in 2014 will be Dundonald Primary School, which is being procured through competitive tender in two phases. In view of the contract value for both phases being over £2 million and there being no timetabled Cabinet meeting until 30 June 2014 a specific Cabinet meeting may need to be set up to avoid undue delay.
- 4). notes the current estimated costs for the schemes outlined in table 2 of the report,
- 5). Requests Council agree that the £1,134,483 of received Section 106 contributions for education should be formally allocated to contribute towards the capital cost for the expansion schemes at Dundonald, Merton Abbey and Pelham Primary Schools.
- 6). approves the virements as shown below:

	2013/14 £000s	2014/15 £000s	2015/16 £000s	2016/17 £000s	Total £000s
Dundonald	0	295	243	0	538
Merton Abbey	0	0	645	0	646
Pelham	0	0	702	0	702
Singlegate	0	274	975	0	1,249
Total	0	570	2,565	0	3,134
Contingency	0	(569)	(2,565)	0	(3,134)
Total	0	1	(1)	0	0