

Merton Council

Council meeting

Membership

The Mayor: Councillor David Chung

The Deputy Mayor: Councillor Pauline Cowper

Councillors: Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, Caroline Cooper-Marbiah, 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 MBE, Russell Makin, Maxi Martin, Peter McCabe, Oonagh Moulton, Ian Munn BSc, MRTPI(Rtd), Katy Neep, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson CBE, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor OBE, Imran Uddin, Gregory Patrick Udeh, Peter Walker, Jill West, Martin Whelton and David Williams

Date: Wednesday 18 November 2015

Time: 7.15 pm

**Venue: Council chamber - Merton Civic Centre, London Road,
Morden SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact

democratic.services@merton.gov.uk or telephone [020 8545 3361](tel:02085453361).

All Press contacts: press@merton.gov.uk, 020 8545 3181

Council meeting

18 November 2015

1	Apologies for absence	
2	Declarations of Pecuniary Interest	
3	Minutes of the previous meeting	1 - 8
4	Announcements by the Mayor, Leader of the Council and Chief Executive	
5	Public Questions to Cabinet Members The questions and written responses will be circulated at the meeting.	
6	Councillors' Ordinary Priority Questions to Cabinet Members The questions and written responses will be circulated at the meeting	
7a	Strategic theme: Councillors' Questions to Cabinet Members The questions and written responses will be circulated at the meeting.	
7b	Strategic theme: Main report - Safer and Stronger with a focus on Policing.	9 - 36
7c	Strategic theme: motions	
8	Report from Colliers Wood Community Forum	37 - 40
9	Report from Mitcham Community Forum	41 - 44
10	Report from Morden Community Forum	45 - 48
11	Report from Raynes Park Community Forum	49 - 52
12	Report from Wimbledon Community Forum	53 - 56
13	Notice of Motion - Conservative 1	57 - 58
14	Notice of Motion - Conservative 2	59 - 60

15	Council Tax Support Scheme	61 - 66
16	Review of Polling Places	67 - 84
17	Statement of Principles under the Gambling Act 2005.	85 - 108
18	Licensing Policy 2016-2021 - (Under licensing Act 2003)	109 - 162
19	CHAS2013 Ltd - approval of salary range for managing director	163 - 166
20	The Use of Special Urgency for a Key Decision - The Award of a Contract for Temporary Accommodation Services (Hall Place)	167 - 170
21	Changes to membership of committees and related matters	171 - 172
22	Petitions	173 - 174
23	Business for the next ordinary meeting of the Council	

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This page is intentionally left blank

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

COUNCIL

9 SEPTEMBER 2015

(19.15 - 21.06)

PRESENT

The Mayor of Merton, Councillor David Chung
The Deputy Mayor of Merton, Councillor Pauline Cowper

Councillors: Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, Caroline Cooper-Marbiah, 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 CELEBRATION OF THE LONG REIGN OF HER MAJESTY THE QUEEN (Agenda Item 1)

The Mayor invited Reverent Andrew Wakefield to the lead the Council in the official prayer to mark Her Majesty Queen Elizabeth II becoming our longest reigning monarch.

Councillors Stephen Alambritis, Oonagh Moulton and Peter Southgate all spoke on this historic event.

2 APOLOGIES FOR ABSENCE (Agenda Item 2)

No apologies were made.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 3)

No pecuniary declarations of interests were made.

4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 4)

The Minutes of the meeting held on 8 July 2015 were agreed as a correct record.

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

The Mayor provided the Council with a brief update on his recent Mayoral duties including that unfortunately the Mayor's summer Cricket event in Mitcham had to be cancelled due to bad weather, but it would be rescheduled in 2016. The Mayor also promoted the 'Silver Sunday' afternoon tea event being held on 4 October 2015.

The Leader addressed the Council and read out a cross party statement on the refugee crisis. A copy of the statement is attached as Appendix A to the minutes.

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 will 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 will be included within the 'Councillors' ordinary priority questions' to cabinet members published document.

8a 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 will be included within the 'Strategic theme: Councillors' questions to Cabinet Members' published document.

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

The report was moved by Councillor Maxi Martin and seconded by Councillor Martin Whelton.

Councillor Charlie Chirico also spoke on this item.

RESOLVED

That the Strategic Theme report is agreed.

8c STRATEGIC THEME MOTION - CONSERVATIVE 1 (Agenda Item 8c)

The motion was moved by Councillor James Holmes and seconded by Councillor Linda Taylor.

The Labour amendment, as set out in agenda item 16 was moved by Councillor Ross Garrod and seconded by Councillor Judy Saunders.

The Labour amendment was then put to the vote and was carried – votes in favour 39, and votes against 20 with 1 abstention.

The substantive resolution was then agreed.

RESOLVED

This Council recognises, given the urgent and projected demand for more secondary school places in Merton, that there is still not a suitable site agreed with the Department for Education (DFE) who are responsible, via the Education Funding (EFA) Agency, for identifying such a site. Furthermore, even if the process can shortly be concluded, Council is concerned about the time it has taken for the EFA to identify a site for a new secondary free school in the borough that fully meets the needs of parents and pupils across the whole of Merton but acknowledges the unavoidable difficulties facing the EFA.

The search for suitable sites for a new secondary school commenced in 2012 but it was immediately clear from the results of the Capita Simmonds report which the council commissioned that unfortunately there are very few sites in the borough that are suitable for a school, given the lack of significant land availability, the requirements for sufficient space and outside play areas and the government funding available for building new schools. The government's EFA have now undertaken their own site search and have confirmed the difficulty in finding a suitable site in Merton. Nonetheless, the council has assisted the EFA in identifying a potential site in South Wimbledon which is the administration's preferred option although it cannot currently be named for reasons of commercial confidentiality. This Council acknowledges that:

- If, due to lack of a suitable site and insufficient funding from central government, a viable secondary school site cannot be identified by the government's EFA within the timescale required to meet future need then this administration will work with the government's EFA and with Harris where appropriate to reassess the current secondary school strategy and look at the various contingency plans in place for such an eventuality, including looking at alternative options for secondary school expansion which are cost effective and value for money and which meet our statutory responsibilities so we do not run the serious risk of not having enough provision in place, with inadequate funding from the Department for Education for the construction of a new school potentially requiring us to look at more cost effective and value for money options.
- Notwithstanding the difficulty in finding a site, this administration has focused on finding a good quality provider with a track record of achievement in the borough by writing to the Regional Schools Commissioner expressing a clear preference for a provider with a track record of offering good quality education to young people in Merton over an untested provider, Chapel Street, which was proposing a split site school across three unidentified sites, which was approved and selected by the DFE but which later withdrew. The process undertaken by the government's EFA, assisted by the council, in finding a suitable site, close to where pupil numbers will be highest in the west of the borough, is unavoidable in order to ensure the suitability of the site in terms of space and environmental requirements and the affordability of the site in the light of government cuts to the funding for new school construction.

This Council notes that many parents, teachers and children don't want split site secondary schools for a variety of reasons, such as safety, travel issues and lack of flexibility, and congratulates the council on making clear to the Secretary of State our preference for a tested provider with a good track record over the Chapel Street three site proposal. Nor do they want to see popular primary schools, such as Joseph Hood and Wimbledon Chase, adversely impacted by proposals for a new secondary school on their existing sites. The lack of a suitable site for a new secondary school is regrettable but the EFA and the council's focus is on ensuring the right site and to ensure our residents' children can access a high quality school close to their home.

This Council therefore urges the government's EFA, working where appropriate with Harris and the council and Cabinet, to continue to do all they can to identify a site and to rapidly progress a single site location where at all possible for a new secondary free school in the west of the borough, as close as possible to the area of greatest need that a) would not adversely affect existing schools in Merton and b) could accommodate a new secondary school on a single site thereby avoiding the need for a split site, bearing in mind the land availability constraints and the inadequate government funding for the construction of new schools.

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

Councillor Michael Bull presented the report, which was received by the Council.

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

The motion was moved by Councillor Daniel Holden and seconded by Councillor David Dean. It was noted as part of moving the motion a minor oral amendment (as published in advance of the meeting) was made.

The Labour amendment, as set out in agenda item 17 was moved by Councillor Andrew Judge and seconded by Councillor Tobin Byers.

Councillor Mary Jane Jeanes also spoke on the item.

The Labour amendment was then put to the vote and was carried – votes in favour 36, and votes against 20 with 4 abstentions.

The substantive resolution was then agreed.

RESOLVED

This council notes the importance of good quality public transport systems to support Merton's economy. Tens of thousands of Merton residents use tube, train and bus services to get to work each day and investment in transport is key to the sustainable economic growth of our borough. Council therefore welcomes the plans for Crossrail 2, with a proposed key station in Wimbledon.

Council acknowledges that the construction period will inevitably cause some disruption to the town centre and welcomes the consultation with local people on how this is managed which is planned by Crossrail.

Wimbledon is the economic hub of the borough, with half of Merton's jobs and nearly all the borough's office based employment. It is therefore imperative that the construction is phased in such a way that the existing businesses in the town centre are retained and that the impact on local people and businesses is minimised as far as possible.

This Council regrets the Mayor of London's loss of control over industrial relations at Transport for London, for which he is responsible, and condemns the considerable inconvenience caused to residents in Merton by the series of Tube and rail strikes that took place over the summer as a result of his failure. Unnecessary strike action that could have been averted by the Mayor by all four unions representing tube workers, namely ASLEF (representing mainly train drivers), TSSA (representing mainly ticket office staff), Unite and the Rail, Maritime and Transport (RMT) has caused huge travel disruption for the thousands of Merton residents who rely daily on services such as the Northern and District lines to commute into central London from our borough. This council condemns the Mayor of London for his inability to address the safety concerns of Tube workers and notes that that despite being elected on a pledge to "deal once and for all with endless Tube strikes" in the capital, strikes have actually increased under his administration. This Council pays tribute to all those people in Merton affected by the strikes, including many council employees, for their

resilience and determination to get to work using alternative methods of travel. This Council remains concerned however about the significant cost to the local economy of the Mayor's failure to manage industrial relations and recognises the considerable frustration felt not only by commuters but also by the borough's businesses as a result of lost revenue.

This Council also notes that the planned new Night Tube service is well supported by residents and businesses across Merton as part of London Underground's work to modernise transport in the capital, although residents want to be assured that the service will be safe and secure, with sufficient staff presence to deal with any concerns late at night. Journey times are due to be reduced by an average of 20 minutes, with some journeys cut by more than an hour whilst the Night Tube is set to support around 2,000 permanent jobs and boost the London economy by £360 million. Council therefore regrets that the Mayor of London has failed to introduce the service this month – including on the Northern line -which has been delayed due to his failure to manage industrial relations.

Whilst welcoming the ongoing talks aimed at resolving the disputes, this Council regrets that the Mayor of London has failed to take action to ensure no further Tube and rail strikes which would cause further disruption to the borough's residents and businesses. Council therefore resolves to urge the Mayor of London to focus on the safety concerns of residents and workers and ensure safe and secure night tube services can be implemented as soon as possible, and notes the Government's undemocratic Trade Union Bill which bars working people from exercising their human right to withdraw their labour in exceptional circumstances, without achieving a mandate far in excess of the mandate given to most Councillors and MPs and whilst also not allowing the use of electronic voting which would increase democratic participation. The Bill also allows employers to bring in agency workers to cover striking workers' jobs, potentially impacting on the safety and quality of services normally provided by trained and qualified staff.

Council also calls on Crossrail to ensure that the economic sustainability of Wimbledon as the borough's economic hub is maintained over the period of Crossrail 2's construction and that the inconvenience to residents is minimised. Council resolves to ask the Leader and the Cabinet Member to seek to ensure the Crossrail team are fully aware of the council's position on the importance of this issue and of Wimbledon's contribution to the economy of South West London.

11 USE OF SPECIAL URGENCY FOR A KEY DECISION (Agenda Item 11)

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

RESOLVED

That the Council notes the taking of an urgent key decision and the waiving of the Call-in procedure.

12 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS
(Agenda Item 12)

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

RESOLVED

That Council notes the changes to the membership of Committees that were approved under delegated powers since the last meeting of the Council.

13 PETITIONS (Agenda Item 13)

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

RESOLVED

That Council

1. notes the update on the petition received at the last meeting,
2. accepts receipt of a petition presented by Councillor Abdul Latif called 'On the noise nuisance from the Garden Shed Public House'

14 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 14)

That the Strategic Theme for the next ordinary meeting of the Council to be held on 18 November 2015 shall be Safer and Stronger with a focus on Policing.

CROSS PARTY STATEMENT ON THE REFUGEE CRISIS FROM THE LEADER OF THE COUNCIL AT THE LONDON BOROUGH OF MERTON TO THE COUNCIL MEETING ON WEDNESDAY 09 SEPTEMBER 2015 IN THE COUNCIL CHAMBER

Mr Mayor

I would like to make a cross party statement as Leader of the Council on behalf of all the party leaders and all councillors. I know that I have the support of the whole chamber for this statement

You would need to have a heart of stone not to be moved by the scenes that we have witnessed recently across Europe. Men, women, children and whole families in desperate plight are being uprooted from their homes by war and turmoil. The horror of the situation has been brought home to us all by tragic pictures beamed throughout the world of poor Aylan Kurdi, the little boy whose body was washed up on a beach

We have all been contacted by residents keen to provide whatever help they can. Merton Council, which has been working with refugees for many years, is helping to co-ordinate these efforts. We have been speaking with Merton's faith communities and voluntary sector agencies and they are working with us to assist

Mr Mayor

Merton is on standby and ready to help. We will take our fair allocation of refugees by working with London Councils. The recent announcement by the Government has indicated that financial support and additional powers are to be made available to councils. We welcome that and look forward to receiving more detailed information in the coming days

Merton has a proud tradition of helping those in need. With the support of all sides of the chamber we must, can and will fulfil the trust our residents place in us to do the right thing in a time of crisis

Thank you Mr Mayor

Council

Date: 18 November 2015

Wards: All

SUBJECT: STRATEGIC THEME – SAFER & STRONGER COMMUNITIES UPDATE WITH FOCUS ON POLICING

Lead officer: John Hill (Head of Public Protection)

Lead member: Cllr Edith Macauley, Cabinet Member for Community Safety, Engagement and Equalities

Contact officer: John Hill

Recommendations:

- A. That Council note and consider the contents of this report.
-

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Council at its meeting of March 2015 approved the Business Plan 2015-2019.
- 1.2 The Business Plan represents the way in which the Council will deliver the Community Plan via a number of thematic partnerships and strategic themes. Performance against these themes, plus an additional theme of corporate capacity, is monitored by Council.
- 1.3 Each meeting of the Council will receive a report updating on progress against one of these strategic themes. This report provides Council with an opportunity to consider progress against the priorities that are delivered under the 'safer and stronger' theme with an emphasis on policing.
- 1.4 The ambition for this theme as outlined in the council's Business Plan 2015-19 is for everyone in Merton to feel safe in their community so we aim to prevent and reduce crime, anti-social behaviour and misuse of drugs and alcohol. To make our communities strong, we also want residents to play an active part in the life of the borough and to feel truly valued.
- 1.5 The portfolio holder is Cllr Edith Macauley
- 1.6 The Business Plan can be viewed at www.merton.gov.uk/businessplan.

2 POLICE PERFORMANCE DATA – PERFORMANCE UP TO 22/10/2015

- 2.1 Crime as recorded by Total Notifiable Offences reported to the Police has increased in Merton over the last 12 months. However, there has been an increase in reported crime across London so that despite this Merton remains one of the safest boroughs in the capital. The figures for this report have been extracted from the Met Police’s Daily Dashboard for 22nd October 2015. Data is also retrieved from the Public Attitude Survey measuring public confidence and the User Satisfaction Survey measuring satisfaction levels for victims of crime.
- 2.2 There are two areas of focus on the dashboard. The first and the primary challenge for this performance year is the MOPAC 7, the MOPAC target to reduce seven key crime types by 20% from the 2011/2012 baseline. The second area of focus is the year on year rolling performance.
- 2.3 Total Notifiable Offences (TNOs) - Merton is currently on track to achieve the MOPAC 7 target. Rolling year performance does not look as promising overall but the rise can be attributed to a limited number of crime types. The number of total notifiable offences for the current rolling 12 months is 12,584 at the time of writing. TNOs for the previous 12 months were 11,480, which represents an increase of 9.6%.
- 2.4 MOPAC 7 - Seven crime types are included within MOPAC’s crime reduction target of reducing crime by 20% from 2011/12 to 2015/16. Merton is currently enjoying an overall reduction of 21.4% and is predicted to finish the performance year (April 1st 2015 – March 31st 2016) with a reduction over 26% .

MOPAC Crime	Offences Change	Standard Detection Rate
Burglary	-31.1%	13.2%
Criminal Damage	-11.9%	10.1%
Robbery	-60.4%	17.5%
Theft from motor vehicle	-36.3%	1.2%
Theft/Taking of motor vehicle	-8.8%	7.9%
Theft from person	-5.5%	0.8%
Violence with injury	20.9%	31.5%

- 2.5 The overall picture is therefore a positive one with continued reductions in most areas. However, whilst there has been a significant reduction in theft from motor vehicles, this is partly offset by a slight rise in theft of motor vehicles. In addition there has been a more significant percentage rise in violence. The increase in theft of motor vehicles is attributed to a rise in the theft of mopeds. For violence with injury it is not necessarily the fact that we have seen a rise in violence but more a change in the way we record and classify this crime type. The trend for domestic violence and non-domestic violence is improving.

- 2.6 Performance on reducing Burglary remains strong. We have seen a very health reduction in non-residential burglary with a slight increase in residential burglary. The challenge is now in stemming burglary offences as we enter the peak annual period for burglary catalysed by the clocks changing and nights drawing in. Plans have been put in place to address the potential for seasonal increases including a bespoke pro-active car, targeted patrols in 3 year hotspots and prevention work including delivery of 'Smart water' to addresses in Longthornton ward.
- 2.7 **Domestic Violence** - The Met currently continues to run Operation Dauntless to tackle DV. This includes a concentration on key repeat offenders. This is an area of sustained focus for the MPS with close daily scrutiny on response times, arrest rates and quality of outcomes. The borough is now actively pursuing the use of Domestic Violence Protection Orders where insufficient evidence exists to reach a judicial disposal.
- 2.8 **Response Times.** The target for attending emergency calls, 'I calls' is 15 minutes. During the current 12 months this target was met 90.3% of the time, which is just above the 90% target. 'S' calls, requiring a response within 60 minutes have been met for 85% of incidents. (The target for this measure is 90%) This represents a fall of 5.3%. This can be attributed to a rise in demand and with an increasingly young workforce with a lower proportion of trained drivers. There has also been a drive to concentrate on the quality of what officers do at the scene rather than how quickly they get there.
- 2.9 **Confidence.** Confidence as measured by the Public Attitude Survey remains high in Merton although it has fallen 3% since the last quarter and 8% from the same quarter last year. This is an area of concern. Reading through the results of the survey the sense is that people are less confident that the police understand local issues and also feel less informed.
- 2.10 **User Satisfaction** – Through the delivery of the Total Victim Care action plan and sustained supervision around complying with the Victim's Code of Practice, (VCOP) Merton continues to see excellent performance in the overall satisfaction levels for victims of crime in Merton. Satisfaction levels have dipped slightly over the course of the year but have since stabilised and improved to an overall satisfaction level of 81%. This is compared to 83% for previous year.
- 2.11 The User Satisfaction Survey now measures satisfaction for victims across just three crime types, namely burglary, motor vehicle crime and violent crime. Satisfaction for violent crime and motor vehicle crime has improved but there has been a recent dip in satisfaction for burglary. This is an area our 'burglary squad' have been tasked to work to improve.
- 2.12 **ASB** - Overall ASB calls are down an encouraging 15.6% and repeat callers are down 15.4%. The highest repeat caller is now 7 calls in a 24 week period, which is a vast improvement and shows the benefit of partnership problem solving. The benefit of placing police officers into LBM to work alongside the Safer Merton Team is also paying benefits as new legislation is bedded in.

So far, three Criminal Behaviour Orders have been issued with 4 more in progress. Significant numbers of Community Protection Notice warning letters have also been issued in response gang related crime and disorder issues in Mitcham.

2.13 **Other Policing Issues**

2.14 Autumn Nights. With Halloween, Fireworks nights, shorter days and the run up to Christmas, we are now entering the peak crime period. A substantial plan supported by central funding is in place to provide a targeted response based on analysis of crime trends over the previous three years. If the tactics are successful then the borough has an excellent opportunity to improve both its year on year performance and its MOPAC 7 targets.

2.15 Knife crime remains a challenge for both the MPS and the borough. Officers are being encouraged to increase the numbers of targeted stop and searches for weapons. The proportion of overall stop and searches conducted for weapons rose 8% to 18.1% from August to September with the ratio of search to arrest for weapon's searches sitting at over 30%. Operation Sceptre is being conducted in response to knife crime. This will include pro-activity, prevention messages and the use of tactics such as weapons sweeps and knife arches.

2.16 The MPS is preparing itself for further efficiency savings required as a result of the latest Comprehensive Spending Review. Confirmation is expected in December 2015 where it is anticipated that the MPS will have to save at least a further £800m. There are a number of considerations on the table, which have been widely publicised. These include 'basic command units' made up of several boroughs, a reduction in senior officers, a reduction, (total or partial) in PCSO numbers and further rationalisation of the MPS estate. No decisions have been made nor will be made until the exact extent of the savings is known. In the interim, MOPAC remain committed to retaining 32,000 police officers until May 2016.

2.17 Overall policing performance is positive with significant reductions around most crime types and ASB. The challenges sit around improving confidence, reducing violence and adding more focus on the quality of outcomes rather than rudimentary performance data. Longer term the focus will be on implementing change arising from the Spending Review and the consultation the police will need to engage its Partners to stimulate a smooth transition through the change processes that are agreed.

2.18 **Summary of current financial challenges facing the Police**

Until the details of the efficiency savings the Police need to make are released by the Home Office in December then no decisions will be made. The commitment from the Commissioner is that whatever changes are made then 'Neighbourhood', in other words 'borough based' policing, will remain the bedrock of policing in London. The relevant considerations are:

- Reductions in numbers of senior officers
- Reducing middle managers by rationalising supervisory ratios e.g. currently 1 sergeant to around 6 constables, which could move to 1:10 for example
- Either PCSOs removed altogether or reduced to 629 across London, (1 per ward).
- New basic command unit, (BCU) structures but no decisions made at this stage. Reduction in estate
- Outsourcing/reducing support services e.g. finance, HR etc
- Reductions in budgets for overtime, transport etc

As referred to in the Scrutiny Feedback section further on in this report, there have been two meetings of the O&S Commission this year that have examined in detail crime data. This has involved extensive questioning of the Borough Commander regarding deployment of Police officers in the borough and assessing the impact on the local community of the financial challenges facing the police (referred to above). Further information is attached as appendix 1 which is a copy of the report presented by DCS Stuart Macleod (Merton Borough Commander) to the July 14th 2015 meeting of the O&S commission.

3 ANNUAL RESIDENTS' SURVEY 2014/15 DATA

- 3.1 Crime is a lower concern for Merton residents when compared to the London average. In 2013 the Annual Residents survey found that crime remained one of the top concerns for residents. However, 2014/15 has seen a slight drop to 30% from 32% and crime is no longer the joint top concern. The level of concern score is significantly below the London average of 36%.
- 3.2 Crime again features as a concern for Young people. However, there has been a significant drop of 11% from 46% in 2013 to 35% in 2014/15 survey mentioning crime in their top three concerns. This figure is significantly below the London average of 47%.
- 3.3 The Annual Residents' Survey also asks for opinions about Policing. For 2014/15, 62% of respondents stated that they thought it was Excellent, Very Good or Good. This is a significant increase of 5% from 2012 and Merton scores remain consistently above London-wide scores.
- 3.4 One of the key questions that the survey asks is how concerned residents are about crime. Whilst the Merton average was 50% there were variations with residents in Area 6 (Colliers Wood, Graveney and Longthornton wards) significantly more worried about crime (61%).
- 3.5 The consultation also asked residents how safe they felt in their local area. Reflecting that crime continues to be a concern to residents, feeling safe in your local area is clearly the most important factor to residents with 63% rating it as important to their sense of health and wellbeing. 52% of residents feel that this could be improved. Residents in Area 3 (Cannon Hill, Merton Park, West Barnes, Lower Morden wards) rate feeling safe as significantly more important than the average, whilst residents in Area 5 (Ravensbury, St Helier and Cricket Green wards) and Area 6 (Colliers Wood, Graveney and

Longthornton wards) are significantly more likely to say that this could be improved to increase their sense of health and wellbeing.

- 3.6 In terms of confidence in the police, with 75% Merton had the 7th highest confidence in London (Richmond had the highest confidence with 86%) and was above the MPS average of 68% but saw a fall of 1% compared to Quarter 1 2013/14.
- 3.7 At 81%, Merton police user satisfaction was the joint 8th highest in London and above the MPS average for 80%. The figure was 4% behind the joint highest boroughs (Hammersmith & Fulham and Kingston) on 85% and saw a fall by 2% compared to Q1 2013/14.
- 3.8 A new neighbourhood confidence tool is currently being trialled by the Police, which maps the confidence survey data to neighbourhood policing areas. The results for Merton are as follows: Wimbledon: 80% (6th highest confidence in London, Morden: 76% (17th highest confidence in London), Mitcham: 70% (41th highest confidence in London). There are a total of 108 neighbourhood areas in London. This performance places Merton's neighbourhood policing area in the top 38% across London.

4 STRATEGIC ASSESSMENT AND PRIORITIES

- 4.1 Every year the Safer Merton Partnership has a statutory responsibility to undertake a strategic assessment (SA) of the borough. The aim of an SA is to present and interpret the summary findings of intelligence analysis and its purpose is to assist the partnership in identifying the major issues within the local area, to allow resources to be allocated and activities prioritised. The SA is a restricted internal document that does not need to be published and is designed to assist the partnership in developing and updating a three-year rolling Partnership Plan.
- 4.2 The Strategic Assessment process in Merton was changed last year to use a model proposed by the Jill Dando Institute of Security and Crime Science at University College London. This model is based around the problem solving model and seeks to look at the borough from a victim, offender and location perspective, rather than by crime type. As such, the priorities selected were more cross-cutting in nature than the previous years. The priorities for the CSP for 2014-15 are as follows:
 - Supporting our communities – assessing the needs of the borough's vulnerable locations to see how the partnership can start to make real changes in these areas. Look at the differences between the day-time and night-time needs of the town centres, which are amongst the biggest crime generators on the borough.
 - Building confidence – how can we better reassure and inspire confidence in our communities that Merton is a safe place to live and work? Can we ensure that both our communication methods and messages are more targeted to those in which we are trying to reach?

- Supporting our victims – how can we better support victims of crime in Merton? In what ways can we reduce the numbers of repeat victims and how can we better support those who do not necessarily feel confident in reporting?
- Management of offenders – examine our work on borough with regards to offenders, particularly with regards to Integrated Offender Management and the Transforming Rehabilitation agendas.

4.3 The Strategic Assessment for 2015/16 is underway.

5 ANTI-SOCIAL BEHAVIOUR

5.1 One of the key questions that the Annual Resident Survey (2014) asks is how concerned residents are about anti-social behaviour.

5.2 The proportion of residents who felt informed about measures to combat anti-social behaviour rose to 35%, reversing the fall seen in 2012 where the figure fell to 29% from 36% in 2011. Residents in Area 4 (Lavender Fields, Pollards Hill and Figges Marsh wards) felt significantly more informed (43%) than the Merton average (35%).

5.3 For 2015/16 Q1 and Q2, 166 complaints of ASB were received in Q1, and 166 again in Q2, compared to the previous year 147 and 192 respectively, a reduction of 2.1%. Overall the total number of complaints of ASB reported 2014/15 was 609 compared to 547 in 2013/14, an increase of 11.3% in the last F/Y.

5.4 2015/16 Q1 achieved 95.7% first contact within the agreed timeframe for Level 2 cases. With 100% for Level 1 (priority) and Level 3. For Q2 it was 94.5% for Level 2 and 100% for Level 1 and Level 3.

5.5 Under the new ASB legislation, the ASBU received one activation of the Community Trigger (CT), upon investigation it did not meet the criteria as it was first complaint rather than a request for a case review, and subsequently dealt with as such. However, it did test the CT process and found to be in working order. The police have led on, and have been successful with, 3 Criminal Behaviour Orders (CBO) granted by the courts to address persistent street drinking/begging/shoplifting and, burglary/robbery. The new powers have also allowed for 12 Community Protection Notice (CPN) warnings to have been issued, with more being prepared to be issued, in joint Police/ASBU operations to address the increasing problems with a Tamil gang in and around Figges Marsh. These coincide with police responding a request for them to use their new dispersal powers, that have taken place on a number of weekends and a number of the gang, and other individuals, dispersed for either 24 or 48 hours.

5.6 The Borough wide Controlled Drinking Zone (CDZ) was brought in to force in 2013. The CDZ has led to fewer instances of drink related ASB in public places and has helped to underline Merton's ranking as one of the safest London boroughs. Alongside use of this power, The ASBU staff are looking

to attend the Alcohol Concern Blue Light training programme to deal with problematic persistent drinkers. Alcohol concern are looking at using specialist services to work with treatment resistant drinkers, who are the more risky or vulnerable individuals. The course is aimed to help those who encounter such people as part of their work to identify those people (when they come to ASBU attention) and understand why and how this group will be targeted, and what can be done within current legislation. Alcohol concern have approached ASBU to offer this free basic training.

6 DOMESTIC VIOLENCE

6.1 Police crime:

Within Merton figures show that domestic abuse involving violence with injury has increased (by approx. 20.9% in the last 12 month reporting period). This may reflect increased confidence in the crime being handled but what is certain is that there is an increase in cases presenting. Sanction Detection rates are: 41.5% of all DV crimes.

6.2 One Stop Shop:

There were a total of 101 clients attending the One Stop Shop during Quarter 2 – 1st June – 30th September 2015, and 268 clients from 30th September 2014 – 30th September 2015.

The One Stop Shop celebrated its 5 year anniversary in September alongside partners. Since its launch in 2010 it has given support and practical advice to over 1010 clients

6.3 MARAC:

We have increased the frequency of MARAC (Multi Agency Risk Assessment Conferences) to deal with the increased caseload and meetings have gone from every 4 weeks to every 3 weeks. In Quarter 2 1st June – 30th September 2015, there were 101 cases discussed as high risk.

6.4 Repeat offenders:

There is an active targeting of repeat offenders through Integrated Offender Management (IOM) processes and through Operation Dauntless, which is the Metropolitan Police initiative to tackle DA.

6.5 Education

There has been a focus on health relationships in schools and new guidance for professionals on how to deal with adolescent abuse to parents.

6.6 Strategic work:

We completed an external review of need and provision in this area and a new partnership strategic group (VAWG Board) has been established to oversee the work to reduce Violence against Women and Girls. On 1st January, 2016 a new VAWG strategy will be launched.

7 CCTV

- 7.1 The Council continues to operate a Public surveillance CCTV service 24/7 365 days of the year monitoring the Council's 270 CCTV cameras and are in direct contact with the Police. A recent report to Overview and Scrutiny Commission set out the findings of a review of the operation. The findings are being acted on and investment is being planned to improve the performance. Work is in hand to renew the maintenance contract which will also provide the Automatic Number Plate Recognition (ANPR) equipment. There are opportunities for this to be utilised for crime reduction purposes as well as traffic management which are being developed.
- 7.2 A new CCTV strategy was agreed in February 2015. This was preceded by a review carried out in November 2014 which assessed the need for a review of all 270 cameras in order to identify their need and to ensure that each camera is fit for purpose. The review also identified the need to recruit a full time CCTV manager. This was achieved in July 2015 with a completely new management structure for the CCTV team covering the management of both technical and service delivery matters. The restructure and creation of the new managerial set-up was achieved at minimal cost to the Council.
- 7.3 The new technical maintenance including ANPR enforcement contract was signed on the 23rd July 2015 with the first implementation meeting taking place 28th July 2015. The installation of new CCTV suite equipment took place in the spring of 2015, and gave CCTV operatives a much improved method of logging incidents and analysing data to assist in the management of the service.
- 7.4 CCTV has been instrumental in reducing crime and close work with the Police and other partners, including Circle Housing Merton Priory, has greatly assisted in identifying perpetrators and bringing them to justice. Through the CCTV Steering Group, much work has been done to develop closer working with the business community in order to ensure it plays as full a role as possible in tackling crime in town centres and other business areas. The good work of the team was recognised in early 2015 by the winning of the Metropolitan Police CCTV awards in April of this year. In March of this year the team also hosted a delegation from the government of Panama, who had requested to meet with the Council to learn more about the successful use of CCTV as a crime deterrent.

8 DRUGS AND ALCOHOL

- 8.1 The performance of the drug treatment system, as measured by the Public Health Outcomes Framework (PHOF) indicators (2.15a and b), remain strong in Merton. The most recent data (2015-16) shows that in Merton around 14% opiates and 54.2% non-opiate user successfully completed treatment and did not re-present within 6 months. These figures were higher than the national average (Opiates 7.6% and non-opiates 39%) respectively.

8.2 In Merton, as highlighted in the Local Alcohol Profiles for England published in August 2012, the estimated prevalence of binge drinking was 13.8% compared with 14.3% in London and 20.1% nationally.

8.3 The Local Profile for England (2013-14) also showed that within Merton:

- Alcohol related mortality for **Men** was 56.9 per 100,000, which is similar to England average 65.4 per 100,000. While Alcohol related mortality for **Female** was 24 per 100,000 which is similar to England average 28.4 per 100,000
- About 1685 per 100,000 **Men** were admitted to hospital due to alcohol related condition. This is similar to England average of 1715 per 100,000

9 NEIGHBOURHOOD WATCH

9.1 Neighbourhood Watch schemes cover just over 37% of the borough. 577 Coordinators are involved across the 30,000+ homes. Recent changes in the way we recognise NHW schemes will increase coverage. This follows analysis from burglary reassurance visits carried out by the Police and the opportunity to engage and involve more residents in the scheme. Work is well advanced in renewing signage on streets to indicate the presence of schemes.

9.2 The Neighbourhood Watch AGM was held on 29th October celebrating 11 years of Neighbourhood Watch in Merton.

- Junior Neighbourhood Watch
This project is expanding rapidly and is organised by two of the committee members under the manager's guidance. We have enlisted the help of Circle Housing Merton Priory and have incorporated our teaching programme for year-five children into their Junior Warden scheme. We have currently finished a 5 week programme at St. Mark's, with a further 3 courses already planned
- Self-Defence Classes
We organised 2 sessions of self defence classes for up to 20 people during October. Our previous classes were held exclusively for woman to increase their confidence and to reduce fear of crime, but we have been asked to include men and so both classes will now include both men and women. We received MOPAC funding for the instructor and the hire of hall, equipment etc.
- Re-energising watches
We have received MOPAC funding to increase the number of watches in the borough, and this has come at a time when numbers are slowly decreasing. We have been successful in finding replacements for co-ordinators when they leave but only a handful of new schemes have been set up this year, which is partly due to the changes with the SNT's.

NHW has arranged for canvasses and door knocks to be carried out in 6 wards where residents have said they are more fearful of crime and ASB. The knocks have been carried by all ranks of police officers and NHW officers.

This is seen as a much more productive way to increase membership and it is hoped that, with police support, this will be rolled out to all wards.

10 INTEGRATED OFFENDER MANAGEMENT (IOM)

- 10.1 This is principally work carried out by the Police and Probation services. As at Spring 2015, there were 15 offenders in the Merton IOM cohort.
- 10.2 The Probation service is in a state of change at present with the establishment of a contracted service and Community Rehabilitation Companies to provide services to low risk offenders alongside the Probation. The Offender Rehabilitation Act received royal assent on 13th March 2014 and the Act came in to full force in Spring 2015 with the London contract being awarded to MTC Novo.
- 10.3 In as much as progress has been made with improvements to the implementation of IOM and transforming rehabilitation locally, it's full impact is still being monitored and assessed by all stakeholders, particularly in respect of the impact on relevant services to meet the needs for the rehabilitation of short term offenders.

11 SAFER MERTON RESTRUCTURE

- 11.1 In December 2014 Safer Merton, became part of the Public Protection Division of E&R working alongside other regulatory services and parking. This did not include drugs and alcohol commissioning which had already been transferred to Public Health in 2014. The Safer Merton team is currently in the process of undergoing a significant restructure which has seen the deletion of various supervisory roles and their replacement with a single Community Safety manager post, responsible for managing all aspects of service delivery and reporting to the Head of Public Protection. The recruitment process for this post is well underway and it is expected that an appointment will be made later this month.
- 11.2 In respect of the medium term financial strategy, the Safer Merton team has a savings target of £70k to be achieved by financial year 2017/18. The restructure described above will go some way to achieving this. It is intended that the remainder of that target will be met through sources of external funding as opposed to further reducing the number of staff. Indeed the Safer Merton TOM (Target Operating Model) proposes developing the service by more fully exploiting funding opportunities available.
- 11.3 A review of the LMAPS (Local Multi Agency Problem Solving) function has been conducted resulting in a more streamlined, focussed programme of meetings concentrating on an outcomes based approach.

11.4 The new requirements of the Prevent legislation have necessitated the formulation of Council officer training programmes to raise officer awareness. These are expected to be rolled out before the end of the calendar year.

12. INCREASING COMMUNITY COHESION AND INTEGRATION

12.1 On 27 January the borough commemorated Holocaust Memorial Day (HMD). This year the theme for HMD was 'keep the memory alive' and marked the 70th anniversary of the liberation of Auschwitz-Birkenau and the 20th anniversary of the genocide in Bosnia. The event was well attended and included contributions from the Wimbledon Synagogue choir and Ms Bea Green of the 10,000 children who fled Germany on the Kindertransport. The 2016 commemorative service will be held on 25 January 2016 in the Council Chamber.

12.2 The Merton Welfare Reform and Financial Resilience Group continues to deliver against a cross-partnership Financial Resilience Action Plan with six monthly updates to the Merton Partnership Executive Board to advise on progress and raise any resourcing or policy issues. The Merton Financial Resilience Action Plan aims to deliver activities under four broad headings: improving access to data and information sharing, improving access to affordable credit, and improving access to debt and money advice and promoting financial literacy. A Disability Benefits Advisor role was piloted throughout 2014/15 at the Citizen's Advice Bureau – the role provided clients with specialist advice and support on disability benefit claims, assisting with form filling, preparation for medical assessments, and support migrating from Disability Living Allowance to Person Independence Payment. The Council has agreed to use reserve from the Local Welfare Assistance Scheme to fund the Disability Benefits Advisor role for another six months.

12.3 The Croydon, Merton and Sutton Credit Union is based in Pollards Hill and has attracted over 150 savers in the first 6 months. The credit union has recently reviewed its staffing structure to improve the offer and take up of Credit Union services. A Loans Officer and Credit Control Officer will be employed to process loan applications more efficiently and the outreach work will now be done by volunteers. The credit union has also received funding to increase the number of staff working for large employers to contribute to a Payroll Saving Scheme. The Merton Chamber of Commerce has been commissioned to work with employers to deliver membership growth and lead promotional work for the scheme. The credit union is also being supported by Croydon Council to review its infrastructure, including improving its IT system with a view to developing electronic delivery of projects.

12.4 Performance against the 2014/15 target (90%) for the percentage of residents who agree that their local area is a place where people of different

backgrounds get on well together was slightly under target, with 89% of respondents agreeing with this statement.

- 12.5 This year the borough will mark Inter Faith Week (November 15-21). The Faith and Belief Forum has organised a seminar on Faith in the Media to be held on 17 November in the Council Chamber. With the support of the Morden Islamic Community Centre and the Muslim Women of Merton a Diversi-Tea event will be held on 21 November at the Morden Islamic Centre. The aim of Diversi-Tea is to use tea rituals from across the globe to bring together people of different backgrounds over tea and cakes.

13 SCRUTINY FEEDBACK

- 13.1 The Commission has continued to exercise its statutory function in relation to the scrutiny of crime and disorder, with at least two meetings each year examining crime data and questioning the Borough Commander extensively about the deployment of police officers in the borough.

It was pleased to hear that Merton is on a par or better than most neighbouring boroughs and applauded the achievement in reaching the MOPAC 7 target of reducing overall crime (measuring 7 key crime types) by 20%. The Commission has been requesting information on the number and roles of police officers in Merton for some time and was pleased with the level of detail in the report provided by the Borough Commander in July 2015 as well as his explanation of the approach taken to deployment.

The Commission received a report and presentation in July 2015 from the Chair of Merton's independent Stop and Search Monitoring Group. Members found the data helpful, discussed the balance between the number of searches and the proportion of arrests and noted the low numbers in Merton compared to other boroughs.

Other crime and disorder issues scrutinised in the past year include:

- CCTV - visited the control room, examined findings of an independent review and received updates on measures taken to improve management of the service, procure new equipment and review existing contracts
- Domestic violence needs assessment – noted findings of independent review and will receive an update report at its meeting on 24 November 2015
- Rehabilitation of repeat offenders - examined role of probation and the council and agreed to have a discussion in March 2016 with the service providers MTC Novo and the Probation Service

- 13.2. In the past year the Overview and Scrutiny Commission has also scrutinised a number of items related to the stronger communities theme, in particular:

13.3 Volunteering – the Commission has continued to monitor implementation of recommendations made by its volunteering scrutiny task group and is now satisfied that all recommendations have been implemented. Its recommendations have resulted in the development of more flexible ways for busy people to volunteer, increased communication plus recruitment campaigns and work to encourage young people to volunteer. The Commission receives an annual update on volunteering and has praised the extensive progress made, discussed ways of encouraging more people to volunteer and work being done to support employers who take on young volunteers.

13.4 Equalities - the Commission receives a report each year so that it can scrutinise progress in regard to the implementation of the council's equality strategy 2013-17 and provide comments on priorities for the coming year as appropriate

14 CONSULTATION UNDERTAKEN OR PROPOSED

14.1 Merton Police have been consulted on this report

15 TIMETABLE

None

16 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

16.1 There are no direct financial implications arising from this report.

17 LEGAL AND STATUTORY IMPLICATIONS

17.1 There are no legal or statutory implications arising from this report.

18 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

18.1 There are no direct implications arising from this report

19 CRIME AND DISORDER IMPLICATIONS

19.1 The report is for information, but outlines the approach taken by various agencies/stakeholders in ensuring that crime and disorder levels in the borough continue to be reduced.

20 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

None

21 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- **APPENDIX 1** - Borough Commander's Report to Overview & Scrutiny Commission – July 14th 2015

22 BACKGROUND PAPERS

None.



Report for Overview & Scrutiny Committee of Merton Council

Author: DCS Stuart Macleod, Merton Borough Commander

1. Background

In November 2014, Merton's full Council Meeting passed a motion calling upon Merton Police to review the deployment of officers across the Borough. Prior to the motion being debated and passed, the Merton Police Borough Commander was asked to comment on the proposed motion and responded as follows:

"Thank you for sight of the motion, the content of which is duly noted. As Borough Commander, I have a responsibility to provide a service to all of the residents of Merton and I am committed to doing so. The operational deployment of police resources is and will remain a police decision. Our current service delivery model is delivering crime reduction across the Borough, with all 3 Sectors currently showing reductions in recorded crime over the last 12 months. However, as always, we will continue to monitor crime trends and levels, as well as other policing demands, and will respond to these by tasking our available resources accordingly."

However, the motion was passed and the Overview & Scrutiny Committee have asked for a written report covering the following points:

- I. whether a review of the deployment of officers has been carried out and, if so, what was its nature
- II. what are the current levels of crime in the three sectors
- III. what is the current deployment of officers in each of the three sectors and the rationale for this
- IV. The Commission understands that of the 300 officers on the borough, 200 are dedicated to specific areas and 100 are retained for flexible deployment. How are these 100 being deployed at present?

Subsequently, following the Overview and Scrutiny Meeting in March 2015, the following additional points were raised:

- Information about the review that has taken place of the allocation of officers to the three sectors in Merton
- Outcome of the consultation with MOPAC about the proposed move from 3 to 2 sectors in the borough
- Crime data in same format as for 25 March meeting
- Formal response to the questions sent previously in relation to the motion of Full Council on 19 November 2014:

2. Response

- I. whether a review of the deployment of officers has been carried out and, if so, what was its nature

The Local Policing Model (LPM) was introduced across London's 32 Boroughs to deliver a consistent approach to Neighbourhood Policing. As a 'Tranche 1' borough, Merton implemented the Local Policing Model on 8th July 2013. Within that model the Safer Neighbourhood's structure for Merton was predicated on three Neighbourhoods, namely Wimbledon comprising of six wards and Mitcham and Morden each comprising of seven wards. Locally, Boroughs were given little or no latitude in terms of variations from the model.

The Budgeted Workforce Target for Safer Neighbourhoods under the LPM is 3 inspectors, 20 sergeants, 80 constables and 40 PCSOs. There are 20 wards in total. Each of the three neighbourhoods is therefore comprised of the following posts:

- 1 Neighbourhood Inspector supported by 1 sergeant as Neighbourhood Deputy
- 1 Pc and 1 PCSO per ward as Dedicated Ward Officers
- 5 leave lines of 1 sergeant and four constables

I can confirm that a local review of Neighbourhood Policing had been under consideration prior to the Council Motion. The driver for this was that the demand profile and confidence levels for the three neighbourhoods demonstrated that policing in Merton is more challenging in the more deprived east of the borough. Mitcham Neighbourhood accounts for 41% of borough crime and 43% of call demand while confidence in policing sits at 68%. In comparison, Wimbledon Neighbourhood accounts for 30% of total crime with overall confidence at 79%, while Morden accounts for 29% of crime and confidence levels of 71%.

The substance of this discussion internally recognised that Mitcham Neighbourhood would benefit from having additional neighbourhood officers posted permanently to this Neighbourhood, and a review was commissioned to explore how this could be achieved from within the Budgeted Workforce Total. At the same time, a corporate review of the LPM was commissioned by MPS Management Board, and the local review needed to be cognisant of this review and its recommendations, and there was no latitude to introduce local changes in advance of the corporate review. Unfortunately, the corporate review took longer than anticipated to be agreed by Management Board and therefore the ability of the Borough to make any changes locally was also delayed. The findings of the corporate review did not fundamentally change the LPM model, however it did introduce a new corporate shift pattern for neighbourhood officers and remove some functions from neighbourhood officers; both measures were designed to increase neighbourhood officers' visibility, engagement and problem solving.

Once the corporate review had been received in early 2015, this was used to inform the formal local review and an internal paper was prepared recommending changes to the Merton LPM structure. The paper recommended that Merton moved from a three to a two neighbourhood model. This would conflate with political boundaries in the borough, providing a 'West' and 'East' Neighbourhood each comprising of ten wards. In simple terms the proposed model would be similar to:

Current		
Wimbledon	Morden	Mitcham
<ul style="list-style-type: none"> • 1 Inspector, 1 Ps deputy • 6 Pc and 6 PCSO 	<ul style="list-style-type: none"> • 1 Inspector, 1 Ps deputy • 7 Pc and 7 PCSO 	<ul style="list-style-type: none"> • 1 Inspector, 1 Ps deputy • 7 Pc and 7 PCSO

<p>DWOs</p> <ul style="list-style-type: none"> • 5 sergeants and 20 constables on leave lines 	<p>DWOs</p> <ul style="list-style-type: none"> • 5 sergeants and 20 constables on leave lines 	<p>DWOs</p> <ul style="list-style-type: none"> • 5 sergeants and 20 constables on leave lines
<p>Proposed</p>		
<p>West</p> <ul style="list-style-type: none"> • 1 Inspector • 10 Pc and 10 PCSO DWOs • 7 sergeants and 25 constables on leave lines 	<p>East</p> <ul style="list-style-type: none"> • 1 Inspector • 10 Pc and 10 PCSO DWOs • 9 sergeants and 35 constables on leave lines 	

It was felt that the proposed changes would provide the following advantages:

- Allocating available resources across two Neighbourhoods rather than three allows more officers to be posted to a leave line and allows flexibility to post more officers to the east of the borough, better reflecting demand.
- Larger leave lines with enhanced resilience to absences and more experienced officers on leave lines to support probationers.
- With more officers in the east of the borough, it allows a fairer allocation of investigations per officer and improved levels of victim care.
- Two neighbourhood boundaries rather than three improves ability to flex officers across the borough to crime and ASB hotspots and provides enhanced visibility and ability to problem solve.
- Reassurance for the community that resources are allocated to demand.
- A model which remains true to the principles of LPM and retains the existing DWO footprint on every ward.
- Better alignment of neighbourhood boundaries to political boundaries.
- An inspector and 2 sergeants freed up to focus on pan Borough partnership activity. This alleviates demand on Neighbourhood Inspectors, allowing them to concentrate on reducing crime and disorder, investigating crime and improving confidence and engagement in their areas. It also provides renewed focus on pan Borough partnership activity in areas of risk including gangs, Integrated Offender Management (IOM), Anti-Social Behaviour (ASB), mental health, Troubled Families, violence against women and girls, Child Sexual Exploitation (CSE) as well as pan Borough problem solving.
- A continuing commitment to making Merton's SNTs accessible, retaining existing Contact Points and buildings within Merton's Safer Neighbourhood estate

The perceived weaknesses of the current model were:

- Abstraction levels mean that running leave lines of less than 1 sergeant and 4 constables is not operationally viable and therefore, resources have had to be allocated equitably across the three neighbourhoods despite the stark contrasts in demand.
- The small size of SNT leave line teams coupled with the rise in numbers of probationers and the need for 'skilled' officers to be deployed predominantly on Emergency Response and Patrol Teams has resulted in probationary constables often working alone without the daily guidance and support of 'substantive' constables. 65% of constables allocated to SNT leave lines are probationers.
- Low numbers across each of the three neighbourhoods and the difficulty in flexing across Neighbourhood boundaries, has reduced the ability to effectively 'pulse patrol', problem solve and provide a visible presence in areas where confidence is lower.
- The allocation of the numerous pan Borough portfolios such as ASB and mental health to Neighbourhood Inspectors has proved a significant drain on their time and their ability to concentrate on driving day to day performance for their Neighbourhoods.

The review was completed and formally submitted to MPS Chief Officers at the end of April 2015. We have recently been informed that the review has been supported in principle, however due to the current backdrop of continuing financial pressures and the ongoing corporate change programme (One Met Model 2020) no formal changes to neighbourhood models will be agreed at this time. To re-draw Neighbourhood boundaries and amend processes internally to support any such change is a costly exercise and it would be imprudent at a time when the organisation is on the cusp of significant change.

In view of this, whilst we are unable to structurally change to a 2 Neighbourhood model at this time, we have taken a more flexible approach to better match resources to demand across the Borough.

- 1 Inspector responsible for Mitcham & Morden Neighbourhoods who has the flexibility to utilise non-dedicated Ward Officers across both Neighbourhoods to tackle crime and anti-social behaviour problems as they emerge. The larger teams of officers provides greater resilience and numbers to effectively tackle a problem
- Flexing of officers from across the Neighbourhood leave lines to provide dedicated Town Centre Teams for both Wimbledon and Mitcham, both of which are crime generators. These measures have received positive feedback from the community already, particularly in Mitcham.
- Reduced demand on Neighbourhood Inspectors and Supervisors by removing pan Borough portfolio responsibilities and allowing them to concentrate on operational delivery on their Neighbourhoods. These responsibilities now lie with a dedicated partnership team consisting of 1 Chief Inspector, 1 Inspector and 3 Sergeants.

II. what are the current levels of crime in the three sectors

Neighbourhood	Over previous 12 months		Over previous 3 months		Over previous month, (May 2015)	
Mitcham	5,142	42.4%	1,251	41.8%	446	40.8%
Morden	3,337	27.5%	824	27.6%	307	28.0%
Wimbledon	3,650	30.1%	914	30.6%	328	30.1%

III. what is the current deployment of officers in each of the three sectors and the rationale for this

For Wimbledon, the Budgeted Workforce Target is 27 Constables. Currently, this Neighbourhood is at 27.42 Constables.

For Mitcham & Morden Neighbourhoods, the combined Budgeted Workforce Target total is 54 Constables. Currently, the strength across these Neighbourhoods is 65 Constables. This includes a team of 1 Sergeant, 5 Constables and 2 PCSOs who are dedicated to Mitcham Town Centre. Nominally, 35 of these Constables are deployed to Mitcham Neighbourhood, with the remaining 30 deployed to Morden. As discussed above, with the exception of Dedicated Ward Officers, all of these officers can be flexed across Mitcham and Morden Neighbourhoods to respond to priorities.

Currently, there are 28.75 PCSOs employed in Merton Borough. Of these, 13 are posted To Mitcham Neighbourhood, 8.75 are deployed in Morden Neighbourhood and 7 are deployed to Wimbledon Neighbourhood.

IV. The Commission understands that of the 300 officers on the borough, 200 are dedicated to specific areas and 100 are retained for flexible deployment. How are these 100 being deployed at present?

It is not immediately apparent what the above figures relate to, and they appear to be inaccurate. The current Budgeted Workforce Target for Merton Borough is 339 Police Officers. Broadly speaking, the workforce is divided into 3 main areas of business - Safer Neighbourhoods, Emergency Response and Investigation. In addition there are other limited Pan - Borough roles that support the delivery of these 3 key areas of policing (including the Senior Leadership Team, Partnership Roles and Grip & Pace). In terms of Safer Neighbourhoods, once Dedicated Ward Officers are excluded, there are 72 Safer Neighbourhood Officers assigned to leave lines who can therefore be flexibly deployed. Of these, 21 are assigned to Wimbledon Neighbourhood with the remaining 51 assigned to Mitcham and Morden Neighbourhoods.

Subsequent questions from the Overview & Scrutiny Meeting in March

- Information about the review that has taken place of the allocation of officers to the three sectors in Merton

See above.

- Outcome of the consultation with MOPAC about the proposed move from 3 to 2 sectors in the borough - As above, this was not formally submitted to MoPaC.
- Crime data in same format as for 25 March meeting - See Appendix B.
- Formal response to the questions sent previously in relation to the motion of Full Council on 19 November 2014 - As above.

Stuart Macleod, Merton Police Borough Commander, 01/07/2015

This page is intentionally left blank

Enter Daily Dashboard

Scorecard										Notes	
VW - Merton											
MOPAC Crime											
	FY 11/12	Offences	% Chg	% Chg 123 vs:			Sanction		No. Primary		
	Current R12	Current R12		Previous	Last Year	P3	Previous	Current	Previous	Current	
Crime Type	Target	Previous R12	Current R12	P3	P3	P3	R12	R12	R12	R12	Detections
MOPAC 7	7,746	6,199	-20.0%	2.5%	5.3%	5.3%	21.7%	20.5%	21.4%	20.4%	2,508
Burglary	2,232	1,658	-25.7%	-11.0%	-16.3%	6.1%	61.4%	55.2%	81.4%	55.2%	707
Criminal Damage	1,637	1,414	-13.6%	4.0%	6.1%	6.1%	16.5%	15.6%	16.2%	15.7%	1,174
Robbery	677	294	-56.6%	-41.2%	-23.1%	8.7%	8.7%	11.5%	7.3%	11.4%	189
Theft From MV^^	1,445	982	-32.0%	-47.7%	-16.6%	8.7%	8.7%	8.3%	7.1%	8.7%	1,170
Theft/Taking Of MV	431	377	-12.5%	-29.5%	-30.4%	8.7%	8.7%	14.3%	7.4%	14.3%	1,170
Theft From Person	272	236	-13.2%	4.0%	20.9%	4.0%	13.9%	10.7%	13.9%	10.7%	152
Violence With Injury	1,052	1,238	+17.7%	-5.2%	-6.4%	-5.2%	18.3%	19.4%	18.0%	19.4%	57
TNO	11,466	12,910	+7.4%	12.7%	12.7%	12.7%	17.4%	16.3%	17.4%	16.3%	43
State-based	909	823	-9.5%	-8.7%	-8.7%	-8.7%	37.5%	47.3%	31.3%	47.3%	14
Victim-based	10,544	11,433	+8.4%	-15.4%	-15.4%	-15.4%	21.7%	18.9%	-	18.9%	-
Burglary	1,586	1,658	+4.5%	10.1%	10.1%	10.1%	2.7%	3.1%	2.5%	3.1%	12
Burglary In a Dwelling	1,008	1,034	+2.6%	14.1%	14.1%	14.1%	1.9%	1.3%	1.6%	1.3%	13
Burglary In Other Buildings	578	624	+8.0%	0.0%	0.0%	0.0%	5.5%	7.7%	5.5%	7.7%	13
Criminal Damage	1,144	1,414	+23.6%	10.2%	10.2%	10.2%	2.8%	1.3%	2.8%	1.3%	3
Robbery	344	294	-14.5%	8.3%	8.3%	8.3%	3.6%	0.7%	-	0.7%	-
Personal Robbery	328	264	-19.5%	21.5%	15.8%	15.8%	38.5%	34.5%	38.5%	34.5%	127
Business Robbery	16	30	+87.5%	38.4%	26.1%	26.1%	28.2%	19.5%	28.2%	19.5%	23
Robbery of mobile phone*	157	106	-32.5%	-1.7%	0.0%	0.0%	54.5%	43.2%	54.5%	43.2%	191
Theft Of/From MV	1,508	1,359	-9.9%	16.4%	16.4%	16.4%	49.2%	38.1%	49.2%	38.1%	494
Theft From MV^^	1,161	982	-15.4%	40.0%	23.5%	23.5%	30.7%	25.3%	30.7%	21.7%	47
Theft/Taking Of MV	347	377	+8.6%	188.9%	23.8%	23.8%	21.7%	13.2%	21.7%	13.2%	9
Theft From Person	323	236	-26.9%	2.8%	2.8%	2.8%	36.3%	30.9%	36.3%	30.9%	38
Theft of mobile phone*	192	197	+2.6%	32.4%	16.7%	16.7%	28.6%	21.6%	28.6%	21.6%	38
Violence With Injury	989	1,238	+25.2%	-4.4%	-4.4%	-4.4%	28.6%	21.6%	28.6%	21.6%	38
Non-Domestic Abuse VWI	600	796	+32.7%	-20.3%	-20.3%	-20.3%	34.5%	34.5%	34.5%	34.5%	38
Domestic Abuse VWI	389	442	+13.6%	-25.4%	-25.4%	-25.4%	28.2%	19.5%	28.2%	19.5%	38
Domestic Abuse	1,027	1,298	+26.4%	-1.7%	0.0%	0.0%	54.5%	43.2%	54.5%	43.2%	191
Sexual Offences	218	217	-0.5%	8.3%	16.4%	16.4%	49.2%	38.1%	49.2%	38.1%	494
Rape	83	68	-18.1%	40.0%	23.5%	23.5%	30.7%	25.3%	30.7%	21.7%	47
Other Sexual Offences	135	149	+10.4%	188.9%	23.8%	23.8%	21.7%	13.2%	21.7%	13.2%	9
Sexual Offences**	182	174	-4.4%	2.8%	2.8%	2.8%	36.3%	30.9%	36.3%	30.9%	38
ASIS	Previous R12	Current R12	% Chg	32.4%	16.7%	16.7%	28.6%	21.6%	28.6%	21.6%	38
Total ASB Demand	5,840	4,557	-20.3%								
ASB Repeat Callers	138	103	-25.4%								
CCC Dispatch	Previous R12	Current R12	% Chg								
1 Calls within 15 mins	94.1%	90.9%	-3.1%								
5 Calls within 60 mins	91.6%	86.0%	-5.5%								
Satisfaction	Q3 13	Q3 14	% Chg								
Overall Satisfaction	83.0%	81.0%	-2.0%								
Burglary	87.0%	84.0%	-3.0%								
Motor Vehicle Crime	85.0%	82.0%	-3.0%								
Violent Crime	77.0%	75.0%	-2.0%								
Increase Confidence	Q4 12	Q4 13	% Chg								
Police in my local area do a good or excellent job	73%	76%	+3.0%								

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky Blue indicates an increase on last year
- Plum indicates a decrease on last year

Enter Daily Dashboard

Scorecard										Notes	
VW - Merton											
Crime Type	Target	Offences			% Chg P3	% Chg P3 vs: Previous Last Year	Sanction			No. Primary Detections	
		Previous R12	Current R12	% Chg			Previous R12	Current R12	% Chg		Previous R12
MOPAC Crime											
MOPAC 7		FY 11/12	6,219	-19.7%							
Burglary		Current R12	1,698	-23.9%							
Criminal Damage		Current R12	1,394	+14.8%							
Robbery		Current R12	303	-55.2%							
Theft From MV^^		Current R12	982	-32.0%							
Theft/Taking Of MV		Current R12	431	-12.1%							
Theft From Person		Current R12	239	-12.1%							
Violence With Injury		Current R12	1,224	+16.3%							
Offences											
TNO		Previous R12	11,452	+7.4%							
State-based		Current R12	828	-10.0%							
Victim-based		Current R12	11,447	+8.8%							
Burglary	6.0%	Previous R12	1,604	+5.9%							
Burglary In a Dwelling		Current R12	1,050	+2.4%							
Burglary In Other Buildings		Current R12	579	+11.9%							
Criminal Damage	5.0%	Previous R12	1,394	+21.1%							
Robbery	2.0%	Current R12	303	-12.2%							
Personal Robbery		Previous R12	331	-17.8%							
Business Robbery		Current R12	31	+121.4%							
Robbery of mobile phone*		Current R12	168	-36.9%							
Theft Of/From MV		Previous R12	1,505	-9.6%							
Theft From MV^^	6.0%	Current R12	982	-15.9%							
Theft/Taking Of MV	8.0%	Previous R12	338	+13.1%							
Theft From Person	-2.0%	Current R12	239	-26.7%							
Theft of mobile phone*		Previous R12	200	-31.5%							
Violence With Injury	12.0%	Current R12	1,224	+27.1%							
Non-Domestic Abuse VWI		Previous R12	961	+32.9%							
Domestic Abuse VWI		Current R12	784	+18.6%							
Domestic Abuse		Previous R12	371	+26.7%							
Sexual Offences		Current R12	1,009	-3.2%							
Rape		Previous R12	220	-24.1%							
Other Sexual Offences		Current R12	66	+10.5%							
Serious Sexual Offences**		Previous R12	133	-8.1%							
ASB		Current R12	171	-21.5%							
Total ASB Demand		Previous R12	6,004	-24.3%							
ASB Repeat Callers		Current R12	140	-2.8%							
CCC Dispatch		Previous R12	105	-5.1%							
1 Calls within 15 mins		Current R12	91.2%	-2.8%							
5 Calls within 60 mins		Current R12	86.5%	-3.0%							
Satisfaction		Q3 13	83.0%	-2.0%							
Overall Satisfaction		Q3 14	81.0%	-3.0%							
Burglary		Current R12	84.0%	-3.0%							
Motor Vehicle Crime		Current R12	82.0%	-3.0%							
Violent Crime		Current R12	75.0%	-3.0%							
Increase Confidence		Q1 12	73%	+3.0%							
Police in my local area do a good or excellent job	66%	Q1 13	78%	+3.0%							

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky Blue indicates an increase on last year
- Plum indicates a decrease on last year

Enter Daily Dashboard

Weekly Charts

Rolling 12 Months Chart

Scorecard

Notes

MOPAC Crime	Offences		% Chg	SD Rate		No. Primary Detections
	FY 11/12	Current R12		Previous R12	Current R12	
MOPAC 7	7,746	6,210	19.8%	11.1%	14.0%	
Burglary	2,232	1,712	-23.3%	6.4%	10.9%	
Criminal Damage	1,637	1,371	-16.2%	13.0%	11.8%	
Robbery	677	302	-55.4%	12.0%	20.5%	
Theft From MV^^	1,445	1,008	-30.2%	1.7%	1.3%	
Theft/Taking Of MV	431	369	-14.4%	4.9%	7.3%	
Theft From Person	272	237	-12.9%	5.1%	1.7%	
Violence With Injury	1,052	1,211	+15.1%	34.3%	34.0%	

Crime Type	Target	Offences		% Chg	% Chg P2 vs:		Sanction		Detections		
		Previous R12	Current R12		Previous R3	Last Year R3	Previous R12	Current R12	Previous R12	Current R12	
TNO		11,416	12,234	+7.2%	-7.7%	7.8%	21.7%	20.6%	21.3%	20.5%	2,507
State-based		908	848	-6.6%	1.4%	10.7%	80.0%	80.0%	80.0%	84.4%	716
Victim-based		10,497	11,363	+8.2%	-7.1%	7.1%	16.6%	15.8%	16.2%	15.6%	1,791
Burglary	-5.0%	1,631	1,712	+5.0%	-28.9%	8.6%	8.7%	10.9%	6.7%	10.6%	182
Burglary In a Dwelling		1,048	1,047	-0.1%	-34.8%	16.9%	9.4%	9.1%	6.6%	9.2%	93
Burglary In Other Buildings		583	665	+14.1%	-16.7%	-2.6%	7.5%	11.5%	6.9%	13.4%	89
Criminal Damage	0.0%	1,150	1,371	+19.2%	-3.4%	13.4%	16.2%	11.8%	16.2%	11.8%	162
Robbery	-5.0%	359	302	-15.9%	0.0%	20.0%	16.7%	20.5%	16.4%	20.5%	62
Personal Robbery		345	270	-21.7%	-4.8%	5.3%	15.9%	15.9%	15.9%	17.5%	48
Business Robbery		14	32	+128.6%	33.3%	300.0%	35.7%	13.5%	28.6%	17.0%	14
Theft From mobile phone*		163	110	-33.2%	-7.1%	-13.3%	21.3%	20.0%	-	-	-
Theft From MV		1,483	1,377	-7.1%	-22.6%	-17.0%	2.7%	2.9%	2.5%	2.9%	40
Theft From MV^^	-8.0%	1,154	1,008	-12.7%	-13.8%	-11.2%	2.2%	1.3%	1.9%	1.3%	13
Theft/Taking Of MV	-1.0%	329	369	+12.2%	-40.8%	-30.6%	4.6%	3.5%	4.6%	7.3%	21
Theft From Person	-15.0%	325	237	-27.1%	-1.6%	-14.1%	2.8%	1.7%	2.8%	1.7%	4
Theft of mobile phone*		201	132	-34.3%	-10.8%	-15.4%	3.0%	1.5%	-	-	112
Violence With Injury	-5.0%	941	1,211	+28.7%	-13.4%	13.1%	37.7%	34.0%	37.7%	34.0%	112
Non-Domestic Abuse VWI		586	762	+30.0%	-20.3%	7.6%	27.5%	27.5%	27.5%	27.5%	112
Domestic Abuse VWI		355	449	+26.5%	-0.9%	22.3%	54.6%	44.5%	54.6%	44.5%	30
Domestic Abuse		985	1,274	+29.3%	2.2%	20.7%	51.1%	39.0%	51.1%	39.0%	497
Sexual Offences		228	212	-7.0%	2.0%	-7.4%	29.4%	25.0%	29.4%	21.2%	45
Rape		86	64	-25.6%	36.5%	-33.3%	19.8%	17.2%	19.8%	17.2%	11
Other Sexual Offences**		142	148	+4.2%	-11.1%	18.5%	35.2%	28.4%	35.2%	23.0%	34
Serious Sexual Offences**		190	172	-9.5%	2.5%	-18.0%	26.5%	21.5%	26.3%	21.5%	57

ASB	ASB		% Chg
	Previous R12	Current R12	
Total ASB Demand	6,227	4,746	-23.8%
ASB Repeat Callers	148	107	-27.7%
CCC Dispatch			
T Calls within 15 mins	94.2%	91.4%	-2.8% pt
S Calls within 60 mins	91.8%	87.2%	-4.6% pt
Satisfaction	Q3 13	Q3 14	% Chg
Overall Satisfaction	83.0%	81.0%	-2.0% pt
Burglary	87.0%	84.0%	-3.0% pt
Motor Vehicle Crime	85.0%	82.0%	-3.0% pt
Violent Crime	77.0%	75.0%	-2.0% pt
Increase Confidence	Target	Q1 12	% Chg
Police in my local area do a good or excellent job	66%	73%	+3.0% pt

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky Blue indicates an increase on last year
- Plum indicates a decrease on last year

Enter Daily Dashboard

VK - Kingston-Upon-Thames

Scorecard

Notes

Crime Type	FY 11/12		Offences		% Chg	SD Rate		Sanction		No. Primary Detections
	Previous R12	Current R12	Current R12	% Chg		Previous R12	Current R12	Previous R12	Current R12	
MOPAC Crime	5,239	4,042	4,042	22.8 %		14.0%	17.8%			
MOPAC 7	1,323	969	969	26.8 %		7.1%	11.9%			
Burglary	1,176	1,047	1,047	11.0 %		14.5%	16.9%			
Criminal Damage	248	90	90	63.7 %		4.4%	2.4%			
Robbery	743	508	508	31.6 %		11.7%	11.4%			
Theft From MV^^	162	123	123	24.1 %		2.2%	1.6%			
Theft From Person	448	310	310	30.8 %		32.0%	38.0%			
Violence With Injury	1,139	995	995	12.6 %						
Offences										
Target	Previous R12	Current R12	% Chg	% Chg R3 vs: Previous R3	Last Year R3	Previous R12	Current R12	% Chg	Previous R12	Current R12
TNO	9,290	9,930	+6.9 %	1.4%	7.2%	26.8%	26.7%	26.7%	26.7%	26.7%
State-based	927	1,032	+11.3 %	-3.1%	14.5%	88.7%	86.6%	86.6%	86.6%	86.6%
Victim-based	8,359	8,851	+5.9 %	1.6%	4.9%	20.0%	19.8%	19.8%	19.8%	19.8%
Burglary	1,059	969	-8.5 %	-26.3%	-14.8%	10.4%	9.0%	9.0%	9.0%	9.0%
Burglary In a Dwelling	625	603	-3.5 %	-51.3%	-25.8%	9.0%	7.3%	7.4%	7.4%	7.4%
Burglary In Other Buildings	434	366	-15.7 %	42.3%	-1.0%	12.4%	17.4%	17.3%	17.3%	17.3%
Criminal Damage	886	1,047	+18.2 %	3.6%	7.0%	17.2%	16.9%	16.9%	16.9%	16.9%
Robbery	139	90	-35.3 %	5.6%	-26.9%	20.9%	20.0%	20.0%	20.0%	20.0%
Personal Robbery	125	85	-32.0 %	0.0%	-22.7%	17.6%	16.5%	16.5%	16.5%	16.5%
Business Robbery	14	5	-64.3 %	100.0%	-50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
Theft of mobile phone**	59	34	-42.4 %	0.0%	-44.4%	27.1%	20.6%	20.6%	20.6%	20.6%
Theft Of/From MV	747	631	-15.5 %	23.0%	2.2%	4.3%	4.1%	4.1%	4.1%	4.1%
Theft From MV^^	580	508	-12.4 %	27.9%	24.6%	4.0%	2.4%	2.4%	2.4%	2.4%
Theft/Taking Of MV	167	123	-26.3 %	8.1%	-37.5%	5.4%	11.4%	11.4%	11.4%	11.4%
Theft From Person	404	310	-23.3 %	29.0%	39.1%	3.5%	1.6%	1.6%	1.6%	1.6%
Theft of mobile phone*	218	147	-32.6 %	92.0%	54.8%	4.1%	2.7%	2.7%	2.7%	2.7%
Violence With Injury	862	995	+15.4 %	12.4%	31.8%	38.7%	38.0%	38.0%	38.0%	38.0%
Non-Domestic Abuse VWI	626	737	+17.7 %	10.9%	37.2%	30.4%	30.4%	30.4%	30.4%	30.4%
Domestic Abuse VWI	236	258	+9.3 %	16.2%	19.7%	61.0%	51.6%	51.6%	51.6%	51.6%
Domestic Abuse	661	925	+39.9 %	-2.8%	27.8%	49.8%	42.4%	42.4%	42.4%	42.4%
Sexual Offences	160	256	+60.0 %	9.1%	71.4%	26.9%	19.1%	19.1%	19.1%	19.1%
Rape	51	86	+68.6 %	-20.7%	53.3%	9.8%	9.3%	9.3%	9.3%	9.3%
Other Sexual Offences	109	170	+56.0 %	32.4%	81.5%	34.9%	24.1%	24.1%	24.1%	24.1%
Sexual Offences**	127	200	+57.5 %	-10.5%	70.0%	23.6%	19.5%	19.5%	19.5%	19.5%
ASB										
Total ASB Demand	4,751	4,189	-11.8 %							
ASB Repeat Calls	110	113	+2.7 %							
CCC Dispatch										
CCC Dispatch	93.9%	92.1%	-1.8%							
1 Calls within 15 mins	94.7%	92.9%	-1.8%							
5 Calls within 60 mins	94.7%	92.9%	-1.8%							
Satisfaction										
Satisfaction	Q3 13	Q3 14	% Chg							
Overall Satisfaction	83.0%	83.0%	0.0%							
Burglary	87.0%	84.0%	-3.0%							
Motor Vehicle Crime	88.0%	82.0%	-6.0%							
Violent Crime	75.0%	83.0%	+8.0%							
Increase Confidence	Target	Q4 12	% Chg							
Police in my local area do a good or excellent job	75%	81%	+6.0%							

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky blue indicates an increase on last year
- Plum indicates a decrease on last year

Enter Daily Dashboard

WW - Wandsworth

Scorecard

Notes

Crime Type	FY 11/12		Offences		% Chg	% Chg R3 vs:		SD Rate		Sanction		No. Primary	
	Target	Previous R12	Current R12	% Chg		Previous R3	Last Year R3	Previous R12	Current R12	Previous R12	Current R12	Previous R12	Current R12
MOPAC Crime		13,181	10,869	-17.5%				12.5%	11.9%				
MOPAC 7		3,146	2,562	-18.6%				14.0%	6.5%				
Burglary		2,269	1,918	-15.5%				11.7%	13.7%				
Criminal Damage		1,214	469	-61.4%				17.2%	14.1%				
Robbery		3,274	1,975	-39.7%				2.7%	1.1%				
Theft From MV^^		952	1,054	+10.7%				8.6%	6.8%				
Theft From Person		813	699	-14.0%				6.4%	1.7%				
Violence With Injury		1,513	2,192	+44.9%				33.9%	31.4%				
TNO		21,765	23,069	+6.0%	3.5%	9.4%	20.2%	16.8%	19.6%	16.8%	3,876		
State-based		1,645	1,358	-17.4%	0.0%	-20.8%	64.7%	75.8%	84.4%	75.8%	1,030		
Victim-based		20,100	21,694	+7.9%	3.5%	11.0%	14.9%	13.1%	14.2%	13.1%	2,834		
Burglary	6.0%	2,855	2,562	-10.3%	-11.8%	-9.0%	9.0%	6.5%	7.3%	6.4%	165		
Burglary In a Dwelling		1,580	1,370	-13.3%	-19.4%	-17.7%	9.0%	5.0%	7.8%	4.9%	67		
Burglary In Other Buildings	5.0%	1,275	1,192	-6.5%	-3.5%	0.7%	9.1%	8.2%	6.6%				
Criminal Damage		1,683	1,918	+14.0%	-3.1%	14.6%	16.8%	13.7%	16.7%	13.7%	262		
Robbery	2.0%	838	469	-44.0%	14.9%	-16.5%	17.3%	14.1%	17.3%	14.1%	66		
Personal Robbery		767	421	-45.1%	22.6%	-21.4%	14.2%	13.3%	14.2%	13.3%	56		
Business Robbery		71	48	-32.4%	62.5%	62.5%	50.7%	20.8%	50.7%	20.8%	10		
Theft of mobile phone**		993	146	-85.3%	12.9%	-43.5%	12.2%	3.1%	2.2%	3.1%	91		
Theft Of/From MV		3,235	3,029	-6.1%	-8.3%	-13.1%	4.1%	3.1%	2.2%	3.1%	22		
Theft From MV^^	6.0%	2,316	1,975	-14.7%	-4.1%	-19.2%	4.0%	1.1%	1.4%	1.1%	22		
Theft/Taking Of MV	8.0%	919	1,054	+14.7%	-14.6%	-0.4%	4.4%	6.7%	4.4%	6.7%	72		
Theft From Person		996	699	-29.8%	20.1%	20.1%	5.7%	1.7%	5.7%	1.7%	12		
Theft of mobile phone*	2.0%	728	368	-49.5%	16.1%	16.1%	5.6%	1.9%					
Violence With Injury	1.2.0%	1,617	2,192	+35.6%	21.8%	33.8%	40.0%	31.4%	40.0%	31.4%	669		
Non-Domestic Abuse VWI		1,077	1,500	+38.3%	20.6%	33.7%	28.9%	27.6%	28.9%	27.6%	42		
Domestic Abuse VWI		540	692	+28.1%	24.2%	34.0%	62.2%	39.7%	62.2%	39.7%	275		
Domestic Abuse		1,457	2,068	+41.9%	5.8%	31.3%	56.9%	34.1%	56.9%	34.1%	706		
Sexual Offences		381	508	+33.3%	19.0%	44.2%	23.6%	10.0%	23.6%	10.0%	51		
Rape		126	168	+33.3%	7.1%	36.4%	5.4%	5.4%	17.5%	5.4%	9		
Other Sexual Offences		255	340	+33.3%	25.0%	47.9%	26.7%	12.4%	26.7%	12.4%	42		
Sexual Offences**		312	404	+29.5%	9.6%	37.3%	22.1%	9.7%	22.1%	9.7%	39		
ASB		9,693	7,243	-25.3%									
Total ASB Demand		351	194	-44.7%									
ASB Repeat Callers		96.0%	92.2%	-3.8%									
CCC Despatch		95.1%	87.5%	-7.9%									
1 Calls within 15 mins		Q3 13	Q3 14	% Chg									
1 Calls within 60 mins		80.0%	81.0%	+1.0%									
Satisfaction		85.0%	85.0%	0.0%									
Overall Satisfaction		81.0%	79.0%	-2.0%									
Burglary		74.0%	78.0%	+4.0%									
Motor Vehicle Crime		Q4 12	Q4 13	% Chg									
Violent Crime		69%	72%	+3.0%									
Increase Confidence		69%	72%	+3.0%									
Police in my local area do a good or excellent job													

Key
█ Performance is at or above target
█ Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
█ Performance is below target and less than half the improvement required to meet the target
█ Green is improving performance
█ Red is worsening performance
█ Sky blue indicates an increase on last year
█ Plum indicates a decrease on last year

Enter Daily Dashboard

ZD - Croydon

Scorecard

Notes

MOPAC Crime	FY 11/12		Offences		FY 11/12	SD Rate	
	Current R12	% Chg	Current R12	% Chg		FY 11/12	Current R12
MOPAC 7	17,333	-20.0%	13,860	-13.7%	13.7%	14.9%	
Burglary	4,492	-31.7%	3,068	-7.9%	11.8%	7.9%	
Criminal Damage	3,544	-11.6%	3,127	15.7%	13.5%	15.7%	
Robbery	1,834	-55.9%	809	20.9%	15.4%	20.9%	
Theft From MV^^	2,871	-30.7%	1,989	1.3%	1.5%	1.3%	
Theft/Taking Of MV	995	-7.1%	924	7.4%	5.9%	7.4%	
Theft From Person	795	-32.6%	536	4.0%	5.9%	2.8%	
Violence With Injury	2,802	+21.6%	3,407	31.0%	33.8%	31.0%	

Crime Type	Target	Offences		% Chg	% Chg R3 vs:		Sanction		No. Primary		
		Previous R12	Current R12		Previous R3	Last Year R3	Previous R12	Current R12	Previous R12	Current R12	
TNO		27,910	29,588	+6.0%	2.8%	12.0%	22.5%	21.1%	22.0%	21.1%	6,253
State-based		2,674	2,654	-0.7%	-1.2%	-1.1%	83.1%	80.7%	83.1%	80.6%	2,140
Victim-based		25,214	26,771	+6.2%	2.7%	11.6%	16.1%	15.3%	15.5%	15.3%	4,113
Burglary	6.0%	3,675	3,068	-16.5%	-17.2%	-1.0%	10.2%	7.9%	6.9%	7.8%	239
Burglary In a Dwelling		2,567	2,011	-21.7%	-34.1%	-7.8%	7.6%	5.6%	5.5%	5.5%	110
Burglary In Other Buildings		1,108	1,057	-4.6%	28.1%	10.2%	16.2%	12.2%	10.4%	12.2%	129
Criminal Damage	5.0%	2,771	3,127	+12.8%	13.2%	26.7%	15.2%	15.7%	20.3%	15.2%	191
Robbery	-2.0%	1,343	809	-39.8%	-30.6%	-43.2%	21.7%	20.9%	20.3%	20.8%	168
Personal Robbery		1,217	710	-41.7%	-30.5%	-44.8%	20.8%	19.8%	19.8%	19.8%	135
Business Robbery		126	99	-21.4%	-31.3%	-31.3%	31.0%	31.0%	25.4%	25.4%	33
Recovery of mobile phone*		572	276	-51.7%	-48.1%	-64.0%	23.9%	22.8%	-	-	2
Theft Of/From MV		3,161	2,913	-7.8%	8.9%	12.1%	3.3%	3.2%	3.2%	3.2%	94
Theft From MV^^	6.0%	2,468	1,989	-19.4%	19.8%	3.7%	2.1%	1.3%	2.0%	1.3%	26
Theft/Taking Of MV	8.0%	693	924	+33.6%	-9.7%	37.1%	7.4%	7.2%	7.2%	7.2%	68
Theft From Person	2.0%	771	536	-30.5%	14.6%	18.3%	3.0%	2.8%	3.0%	2.8%	15
Theft of mobile phone*		519	286	-44.9%	-11.5%	-2.8%	2.9%	-	-	-	1
Violence With Injury	12.0%	2,879	3,407	+18.3%	18.1%	14.7%	33.3%	31.0%	33.3%	31.0%	1,055
Non-Domestic Abuse VWI		1,733	2,111	+21.8%	22.7%	15.7%	25.9%	25.2%	25.9%	25.2%	531
Domestic Abuse VWI		1,146	1,296	+13.1%	11.0%	13.2%	44.6%	40.4%	44.6%	40.4%	524
Domestic Abuse		3,006	3,767	+25.3%	1.1%	20.1%	38.3%	32.8%	38.3%	32.8%	1,235
Sexual Offences		560	724	+29.3%	3.3%	24.5%	18.6%	14.9%	18.6%	14.9%	108
Rape		237	316	+33.3%	-5.2%	10.6%	15.6%	12.7%	15.6%	12.7%	52
Other Sexual Offences		323	408	+26.3%	9.5%	35.3%	20.7%	19.7%	20.7%	19.7%	56
Serious Sexual Offences**		473	636	+34.5%	-0.6%	25.4%	19.7%	15.1%	19.7%	15.1%	93

ASB	Previous R12		Current R12		% Chg
	Previous R12	Current R12	Previous R12	Current R12	
Total ASB Demand	12,574	9,359	-25.6%	-34.2%	
ASB Repeat Calls	374	245	-34.2%		
CCC Dispatch	94.4%	93.7%	-0.7% pt		
I Calls within 15 mins	95.6%	93.7%	-1.9% pt		
S Calls within 60 mins	Q3 14	Q3 14			
Satisfaction	80.0%	77.0%	-3.0% pt		
Overall Satisfaction	86.0%	82.0%	-4.0% pt		
Burglary	78.0%	74.0%	-4.0% pt		
Motor Vehicle Crime	75.0%	75.0%	0.0% pt		
Violent Crime	Q4 12	Q4 13			
Increase Confidence	62%	66%	+4.0% pt		
Police in my local area do a good or excellent job					

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky Blue indicates an increase on last year
- Plum indicates a decrease on last year

Enter Daily Dashboard

ZT - Sutton

Scorecard

Notes

Crime Type	Offences		% Chg	SD Rate		Sanction		Detections		No. Primary Detections
	Previous R12	Current R12		Previous R12	Current R12	Previous R12	Current R12	Previous R12	Current R12	
MOPAC Crime	6,210	5,519	-11.1%	12.4%	14.9%	21.4%	22.4%	21.3%	21.3%	2,877
MOPAC 7	1,559	1,451	-6.9%	6.9%	6.9%	77.3%	85.3%	77.3%	77.3%	553
Burglary	1,621	1,359	-16.2%	12.0%	14.2%	17.5%	17.6%	17.4%	17.4%	1,115
Criminal Damage	319	181	-43.3%	20.4%	16.6%	6.9%	6.2%	6.8%	6.8%	99
Robbery	1,264	866	-31.5%	1.6%	1.4%	7.5%	7.3%	7.5%	7.5%	42
Theft From MV^^	278	278	0.0%	3.9%	9.7%	7.5%	7.3%	7.5%	7.5%	42
Theft/Taking Of MV	180	129	-28.3%	7.9%	9.7%	11.2%	13.3%	14.2%	14.2%	193
Theft From Person	989	1,255	+26.9%	35.6%	36.3%	16.6%	14.9%	16.6%	16.6%	30
Violence With Injury						13.3%	12.1%	13.3%	13.3%	2
						42.9%	42.9%	42.9%	42.9%	
						15.6%	15.6%	15.6%	15.6%	
						3.4%	3.8%	3.4%	3.4%	39
						1.4%	2.7%	1.4%	1.4%	12
						8.5%	8.5%	8.5%	8.5%	
						9.2%	9.2%	9.2%	9.2%	3
						0.0%	-	0.0%	0.0%	
						36.3%	38.7%	36.3%	36.3%	456
						31.3%	31.3%	31.3%	31.3%	200
						42.4%	50.9%	42.4%	42.4%	493
						36.3%	48.9%	36.3%	36.3%	67
						26.0%	28.0%	26.0%	26.0%	14
						13.0%	13.0%	13.0%	13.0%	
						36.5%	36.5%	36.5%	36.5%	
						16.6%	27.4%	16.6%	16.6%	32
ASB	5,167	3,398	-30.4%							
Total ASB Demand	123	79	-35.8%							
ASB Repeat Callers	94.0%	93.7%	-0.3% pt							
CCC Dispatch	92.7%	92.4%	-0.2% pt							
11 Calls within 15 mins	Q3 13	Q3 14	% Chg							
8 Calls within 60 mins	83.0%	84.0%	+1.0% pt							
Satisfaction	88.0%	82.0%	-6.0% pt							
Overall Satisfaction	81.0%	92.0%	+11.0% pt							
Burglary	79.0%	79.0%	0.0% pt							
Motor Vehicle Crime	Target	Q1 13	% Chg							
Violent Crime	75%	76%	+1.0% pt							
Police in my local area do a good or excellent job	66%									

Key

- Performance is at or above target
- Performance is below target but is at least half the improvement required to meet the target compared to the previous reporting period
- Performance is below target and less than half the improvement required to meet the target
- Green is improving performance
- Red is worsening performance
- Sky Blue indicates an increase on last year
- Plum indicates a decrease on last year

This page is intentionally left blank

Colliers Wood and North East Mitcham Community Forum
20 October 2015
Chair's Report

Councillor Greg Udeh chaired the meeting. 10 residents attended, as well as six other councillors and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Former gasworks site on Western Road

Alex Wilson updated the meeting, on behalf of National Grid, following a number of incursions by Travellers over the summer. The site shared with SGN, who own the disused gas holder and a modern pressure reduction system. Following court orders the Travellers had vacated the site but had left more than 50 tonnes of rubbish. This has now been cleared by National Grid.

Security measures have been increased to prevent future incursions:

- 24 hour on-site security with dogs until the physical measures could be completed
- Large concrete blocks to protect entrances
- Increased monitored CCTV coverage

SGN still needs daily pedestrian access but vehicle access will be restricted to an annual maintenance visit. This will require specialist equipment to temporarily remove the concrete blocks. Residents were asked to report any further incursions on to the site to National Grid on 0800 0731047.

The long term solution is the development of the site but this is dependent on SGN relocating their equipment. Once this is completed a development brief would be created and residents would be consulted before a planning application was submitted. A previous planning application had been successful in 2010 for remedial works to clear up the land and remove some of the old buildings. In response to questions Mr Wilson said he did not know where the Travellers had moved on to and confirmed that National Grid were exploring the possibility of temporary uses of the land by other tenants.

Merton Council Budget

Councillor Martin Whelton presented an update on the Council's budget and how decisions were being taken. The presentation can be found at:

<http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

Councillor Whelton said that Council Tax would continue to be frozen at the 2010 level until 2018. Along with continued reductions in government grant this would create pressures on the budget of £15m over the next three years. Decisions would be made using the 'July principles', which emphasis protecting the vulnerable. A number of residents asked about the possibility of increasing council tax to help with the budget gap. Councillor Whelton explained that without a referendum any rise is capped at 1.99% and it would

take a 20% increase to meet the budget gap. It was a manifesto commitment to freeze council tax in 2010 and in 2014 in order to protect those for whom council tax is difficult to pay. In addition there has been a grant from government for freezing Council Tax. An increase in households helps slightly as does the New Homes Bonus

In response to questions Councillor Whelton said that Merton supported further devolution to councils and has been working with other south London councils on a potential package that would include skills. Councillor Whelton also said that there was continuing pressure on school places and the council was looking to expand existing secondary schools in addition to the new Harris Academy School that is looking for a site in South Wimbledon.

Councillor Whelton explained that the Council's Climate Change Strategy can be found on our website at <http://www.merton.gov.uk/environment/sustainability-climate/climatechange/what-are-we-doing/climatechangestrategy.htm>

Residents were concerned about cuts to social care and referred to a petition to national government being organised by Age UK.

Asked about Merton Adult Education Councillor Whelton explained that the council was in the process of commissioning new providers and tenders are currently being sought. The new service is expected to be in place by August 2015 but it would not include services at Whately Avenue.

Healthwatch Merton

Jade Fairfax from Healthwatch Merton provided an update on their work. Jade joined Healthwatch in the summer and replaced Adele who attended the forum in 2014. Healthwatch is an independent champion for consumers of health and social care services and aims to make sure providers and commissioners listen and understand the voice of users. Merton is part of a network of local Healthwatch organisations that are linked to a national body, Healthwatch England.

Some of the current projects being supported by Healthwatch Merton include:

- Child and Adolescent Mental Health Service (CAMHS) – spoke to users and parents about the services to feed into a review.
- Healthy High Street – spoke to 192 people Mitcham about the town centre for Public Health. Identified public toilets as a key issue.
- GP access – spoke with residents across the borough and put recommendations to the Clinical Commissioning Group including training for frontline staff. The report is available on the Healthwatch Merton website
- Patient Participation Groups – every surgery should have one of these but quality varies hugely. Working with two surgeries to develop best practice that can be shared across the 24 practices in Merton
- Outreach work – met with homeless drop-in group; YMCA service users; and visited Bond Primary.

- Urgent care – held a public meeting on 30 September to look at services like the Wilson Walk-in and 111 as part of a review. Other events will follow.

More information about this work, including the Healthy High Streets report, is available from the Healthwatch Merton website:

<http://www.healthwatchmerton.co.uk/>

Jade said she would be delighted to attend a Colliers Wood Residents Association meeting.

More information about the proposed Cumulative Impact Zone for Mitcham can be found at:

<http://www.merton.gov.uk/business/licences/licensing/licensing-policies.htm>

Street Cleaning

Tony Gant, Cleansing Supervisor, Merton Council, explained that there had been some staffing issues in Colliers Wood recently. Regular staff had been absent and unfortunately the cover arranged was not satisfactory. The existing team would be back in place from 21 October whilst improved monitoring and mentoring of other staff has been put in place. Tony expected the team to get on top of problem areas as soon as possible. Arranging cover for absent staff can be difficult and occasional a short term measure of a mobile response team is put in place.

Refuse collection teams are trained to collect any spillages as they go and all staff were encouraged to use their common sense.

In response to questions Tony agreed that it would be helpful to notify local councillors of any future staffing issues. Enforcement officers from the Council and our contractor Kingdom have focused on Colliers Wood before and will be back from 27 October. The split bins are separated to ensure recyclable waste is not sent to landfill.

Problems around Lyveden Road were raised. Tony said that sweepers should usually go up to the steps regardless of the actual borough boundary. Police were aware of street drinking issues and check the area when they can.

Bin lockers on Grenfell Road were raised as bags left in the bins had not been collected recently. Tony said that usually bags need to be on the edge of the resident's property but he would check to see if there were any particular problems at this site. Tony confirmed that the council does have standards for street cleaning and these can be found at:

<http://www.merton.gov.uk/environment/waste/refuse/anti-littercode.htm>

Soapbox

Residents asked for an update on the future location of the Colliers Wood GP surgery. Councillor Caroline Cooper-Marbiah had recently met with council

officers and confirmed that they were still looking for a potential site and were working with the NHS but as yet no appropriate site has been found.

Residents also raised the Estates Review being undertaken by Epsom and St Helier NHS Trust. More information on this can be found at <https://www.epsom-sthelier.nhs.uk/estates-review>

Mitcham Community Forum
18 March 2015
Chair's Report

The meeting was held at Vestry Hall, and chaired by Councillor Ian Munn. 15 residents attended, as well as six other Councillors, and officers of the council and its partners. The Chair welcomed everyone to the meeting.

Update from the Council

Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance, presented the latest budget position for Merton Council. A copy of the presentation is available from the Council's website at:

<http://www.merton.gov.uk/community-living/communityforums/mitchamcommunityforum.htm>

When asked about reserves Councillor Allison said these are made up of general fund reserves that the council can use but keeps for emergencies; school balances that the council holds on behalf of schools; earmarked reserves that are held for a specific purpose; and capital receipts that are also restricted in their use. General reserves are already at low levels and are approaching the level it would be unsafe to have.

Added subsequently to the meeting:

Reserves as of 31 March 2015, taken from 2015-16 Business Plan

Type of reserves	Amount (000s)
General fund	14,239
Earmarked including grants and contracts	33,155
School balances	19,247
Capital Reserves	32,350
Total	98,991

This was a decrease of £16,062,000 compared to 31 March 2014.

When asked about increasing council tax Councillor Allison said that without a referendum any rise is capped at 1.99% and it would take a 20% increase to meet the budget gap. It was a manifesto commitment to freeze council tax in 2010 and in 2014 in order to protect those for whom council tax is difficult to pay. In addition there has been a grant from government for freezing. Councillor Allison also said that Merton's collection rate was higher than the London, outer London and national average. An increase in households helps slightly as does the New Homes Bonus.

Councillor Allison was also asked about the contract with the Wimbledon Guild, and explained that the contract was subject to a tendering process. Councillor Allison also said that it was not possible to put a numerical value on the contribution of volunteers but the council recognised the important contribution of volunteers across our communities.

In response to a question about proposed changes to business rate collection Councillor Allison said that whilst the council welcomed devolution of business rates it was not clear how the scheme would work or what impact it would have in Merton.

Canons Heritage Lottery Fund project

Jil Hall, Community Engagement Officer, explained that the council had been successful in 2014 in a bid to the Heritage Lottery Fund to improve Canons and restore Canons House and Madeira Hall. Work was now underway to develop more detailed proposals to submit to HLF by the end of 2016 in order to access the bulk of the £4million available.

A team of consultants from Southern Green have been commissioned to develop a Conservation Management Plan. This includes surveys on the grounds and buildings; an archaeological report; and a plan for how the site could be managed and maintained in the future. A draft of the plan will be available for a public meeting to be held in January.

Working with local community groups was a key part of the project. This includes recruiting volunteers to take part in a user survey to record current use of the park facilities. There will both an Activity Plan and a Business Plan that will look at potential uses for the grounds and buildings to ensure they are sustainable. Activities could involve a range of music events, like jazz, as well as recognising the sporting heritage of the Canons including Korfbal.

Once the next stage of the bid is submitted in December 2016 we expect a decision around June 2017 and then work to commence in autumn 2017.

Healthwatch Merton

Jade Fairfax from Healthwatch Merton provided an update on their work. Jade joined Healthwatch in the summer and replaced Adele who attended the forum in 2014. Healthwatch is an independent champion for consumers of health and social care services and aims to make sure providers and commissioners listen and understand the voice of users. Merton is part of a network of local Healthwatch organisations that are linked to a national body, Healthwatch England.

Some of the current projects being supported by Healthwatch Merton include:

- GP access – spoke with residents across the borough and put recommendations to the Clinical Commissioning Group including training for frontline staff. The report is available on the Healthwatch Merton website
- Patient Participation Groups – every surgery should have one of these but quality varies hugely. Working with two surgeries (Morden Hall and James O'Riordan medical centres) to develop best practice that can be shared across the 24 practices in Merton
- Healthy High Street – spoke to 192 people Mitcham about the town centre for Public Health. Identified public toilets as a key issue.
- Child and Adolescent Mental Health Service (CAMHS) – spoke to users and parents about the services to feed into a review.

- Outreach work – met with homeless drop-in group; YMCA service users; and visited Bond Primary.
- Enter and View – a programme of visits to residential homes will begin in November
- Urgent care – held a public meeting on 30 September to look at services as part of a review. Other events will follow.

More information about this work, including the Healthy High Streets report, is available from the Healthwatch Merton website:

<http://www.healthwatchmerton.co.uk/>

Rediscover Mitcham update

Kris Witherington shared an update provided by colleagues:

Phase 1 – Fair Green

- All civils to be completed by 1 Nov 2015.
- Landscaping to be completed before the opening event on 27 Nov.
- Clock tower lantern design yet to be agreed and installed.
- Catenary lighting completed by 1 Nov.
- Granite wall uplighters may not be working in time for the event. Still being procured.
- Anti-skate studs to be installed on granite walls before the event
- Area opened to pedestrians and traders as from 1 Nov.
- Traffic permitted 1 Dec once all installation work is complete or earlier.

Phase 1B – Majestic Way

- New shared pedestrian and cyclist area.
- Works to commence mid Jan 2016 for 3-4 months.
- New lighting and street furniture.

Phase 2-5 – Main scheme

- New bus street and pedestrian/cycle provisions.
- Traffic signal audit still in progress. Expect final decision 1 Dec 2015.
- Construction expected to commence Apr/May 2016
- Completion Dec 2017

Residents asked about the layout of the market and if pitch sizes would be enforced; if any planting would be designed to withstand extreme weather conditions; and if the vinyl Lavender sign near the Co-op would be repaired. These will be raised with the Town Centre team.

Soapbox

Concerns were raised about the state of gutters in the area and how leaf fall, and litter, was blocking drains resulting in flooding. This was a particular issue around the pond at Three Kings and outside the old Barclays Bank. Cormac Stokes from Merton Council agreed to look into this.

The issue of mopeds, quadbikes and motorbikes racing on Rowan Road and Church Road was raised. This has been reported to the police and Cormac agreed to raise this at the Local Multi-Agency Problem Solving (LMAPS) meeting, a partnership between the council, the police and other agencies.

A discussion about the need for controlled parking around St Georges Road, Cedar Avenue, and Cricket Green took place. Any controlled parking would need the support of local residents so it was suggested a public meeting was held by residents.

Date of next meeting: Tuesday 15 March 2016 at 7.15pm, at Vestry Hall.

LONDON BOROUGH OF MERTON	
	<u>NOTES OF MEETING</u>
	Subject: Morden Community Forum
	Date: 8th October 2015 Time: 19.15
Action Needed By:	
	<p>1. <u>Welcome and Introductions</u></p> <p>1.1 Cllr. Philip Jones welcomed everybody to the meeting.</p> <p>1.2 Approximately 24 residents attended, as well as 10 councillors, and officers from the council and its partners.</p>
	<p>2. <u>Morden Leisure Centre update</u></p> <p>2.1 Christine Parsloe, the Leisure and Culture Development Manager, at Merton Council provided an update on the proposed new Leisure Centre for Morden, which is on target to open on 1 January 2018.</p> <p>2.2 A number of consultants have been appointed to the design team for the project, including Gardiner and Theobald as the Quantity Surveyors and Sweett (UK) Ltd as the principal designer. The architects, structural engineers and remaining specialists required have been selected and are awaiting final council sign off this week. As the project progresses, the council will soon be starting the process to procure a construction company for the project.</p> <p>2.3 Consultation with residents about the plans continues through public meetings and newsletters.</p>
	<p>3. <u>Update from the Council Leader – Councillor Stephen Alambritis</u></p> <p>3.1 The Council continues to focus on protecting vulnerable adults and children.</p> <p>3.2 The freeze on Council Tax continues up to 2019, and those on Council Tax Benefits continue to receive the same levels of support.</p> <p>3.3 2,000 extra primary school places were created, and another 2,000 are now being created through primary school expansions.</p> <p>3.4 The Council is looking to save money through shared services with other local authorities. It is also seeking greater powers to build housing and affordable homes through devolution.</p> <p>3.5 Projects of note include the regeneration of Mitcham and Morden, Crossrail2 (coming to Wimbledon in 2030), and two new libraries proposed for West Barnes and Colliers Wood, which will be</p>

	<p>funded by private developers.</p> <p>3.6 Residents were encouraged to vote for Raynes Park in the Great British High Street Awards http://thegreatbritishhighstreet.co.uk/finalist-london</p> <p>3.7 Councillor Alambritis and St Helier ward councillors have both met with Circle Housing to voice concerns on behalf of residents about repairs and renovation.</p> <p>3.8 Asked whether he supports the campaign to keep St Helier Hospital open, Councillor Alambritis confirmed that he fully supports maintaining the hospital's services and is actively campaigning to save it.</p>
JF	<p>4. <u>Healthwatch Merton</u></p> <p>4.1 Jade Fairfax introduced herself as the new Information and Outreach officer for Healthwatch Merton, which is an independent consumer champion for health and social care issues.</p> <p>4.2 Over the past few months Healthwatch has worked on a number of projects:</p> <ul style="list-style-type: none"> • GP access – consultation was carried out to obtain people's views on accessing GPs. A report was subsequently sent to Merton's Clinical Commissioning Group, recommending training for frontline staff, which is now being carried out. • Healthy High Street, Mitcham – Healthwatch spoke to residents in Mitcham about possible restrictions to fast food, alcohol and betting shops in the town centre. A report has been written on this, the outcome of which is awaited. • CAMHS – 7-17 year-olds and parents have been spoken to as part of a review of CAMHS, Child and Adolescent Mental Health Services. • General outreach work has been done with the homeless, primary schools and local communities • Healthwatch is also working on an Urgent Care event to get views on what works well. This will feed into the Clinical Commissioning Group's review of urgent care. <p>4.3 Jade agreed to pass on the suggestion of resurrecting a walk-in clinic at St George's Hospital to Merton Clinical Commissioning Group for its Urgent Care review.</p> <p>4.4 Residents welcomed Jade's initiatives, and suggested that My Merton magazine should explain and publicise the work of Healthwatch.</p>
	<p>5. <u>Morden Town Centre Update</u></p> <p>5.1 Paul McGarry, FutureMerton Manager, informed residents that the council has been awarded £42m by the Mayor of London,</p>

PM	<p>through the Housing Zones programme. This means that the design and planning process for the town centre regeneration can begin. The money is due to be received in April 2016.</p> <p>5.2 Consultation on the proposals has now begun. Residents can have their say on what they want to see in Morden by completing an online survey www.merton.gov.uk/moremorden.</p> <p>5.3 TfL is the highway authority for the town centre, so the council has put in a bid to them for £8m to improve roads and the traffic system in Morden. A decision on the bid will be made in December; if Merton is successful, the funding would be granted in April 2016.</p> <p>5.4 The council and TfL own most of the freehold in Morden Town Centre, therefore the two will form a joint venture to design Morden as one entity. They will work with building occupiers to generate a new plan for the buildings. Paul agreed to put a map on the council's website which indicates the land that Merton Council owns.</p> <p>5.5 Bus stops would remain on the high street, but options are being explored that would allow for buses to be parked elsewhere whilst drivers take breaks.</p> <p>5.6 Housing has not yet been designed for the scheme but through the Local Plan, there is capacity for 1,000 new homes, 40% of which would be affordable. Most of these new homes would be flats.</p> <p>5.7 The council will work with the NHS to establish the healthcare needs of a regenerated town centre. Community infrastructure as a whole will be looked at, including schools.</p>
	<p>6. <u>Litter and street cleaning</u></p> <p>6.1 Residents and councillors commended the council's waste team for the good job it is doing in keeping the borough's streets clean and dealing with litter and fly-tipping.</p> <p>6.2 Tony Gant, Cleansing Supervisor for the council, explained that Merton undertakes educational campaigns to encourage people to pick up litter and clean up after themselves. Enforcement is also carried out, with Fixed Penalty Notices for anyone caught littering.</p> <p>6.3 There is a rolling programme to clear drains and to clear leaves from pavements and roads.</p>
	<p>7. <u>Soapbox</u></p> <p>7.1 Residents are being encouraged to sign up to and support the campaign 'Merton Welcomes Refugees'. Further details about how to get involved and help can be found at https://www.facebook.com/Merton-Residents-Supporting-Refugees-</p>

SA	<p data-bbox="432 203 852 237">1495108110801162/timeline/</p> <p data-bbox="432 275 1385 383">7.2 A resident asked for an update on the council's plans to introduce Dog Control Orders. Stephen Alambritis agreed to report back on the matter.</p> <p data-bbox="432 421 1394 562">7.3 Residents voiced continued concerns and reservations over the future of Merton Adult Education. Councillor Alambritis said that the service is being commissioned out to ensure it continues to be provided in the borough.</p>
----	--

Raynes Park Community Forum Thursday 1 October 2015 Chair's Report

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Michael Bull. Approximately 35 residents attended, as well as six other Merton Councillors, and officers from the council. The Chair welcomed everyone to the meeting.

Update from LB Merton

Councillors Stephen Alambritis, Leader of the council told residents that devolution is being explored, which would allow local authorities more autonomy and control over matters such as business rates. The London Borough of Merton has joined with Kingston, Sutton, Richmond and Croydon to form the South London Partnership and has set up a joint committee which would allow the five boroughs to run things themselves, e.g. bus lanes and routes, skills and jobs, and housing. In spring the partnership will seek greater powers from Central Government.

The council is also sharing services in order to decrease costs to council tax payers, including legal services and Human Resources.

A new pool for Morden Park is expected by January 2018.

Two new libraries are going to be built in the borough in West Barnes and Colliers Wood, at no cost to the taxpayer as they will be provided by developers who are building new flats.

The regeneration of Morden and Mitcham is proposed.

Residents were encouraged to vote for Raynes Park in the Great British High Street Awards, where it has been shortlisted as a finalist in the London category <http://thegreatbritishhighstreet.co.uk/finalist-london>.

Councillor Alambritis agreed to look into the matter of dog control in the borough and the outcome of the council's consultation on it.

Crossrail 2 – What does it mean for Raynes Park?

Stuart Bugg and Kate Neill-Sneller from Network Rail gave a presentation on how Crossrail 2 might affect Raynes Park. The presentation can be viewed at http://www.merton.gov.uk/raynes_park_community_forum_crossrail_2_presentation_1_october.pdf.

Residents voiced concern over whether houses would be demolished as part of the process, to allow for widening the railway track. Network Rail do not yet know if any houses will be demolished or which, but the priority would be to avoid residential property. They are working with the Department for Transport (DfT) to agree which land should be safeguarded, but this is a lengthy process and the decision lies with the DfT. There is a statutory process for anyone who feels they cannot sell their home or business because of safeguarding.

Crossrail 2 cannot be built before Network Rail and TfL have formal consent from the Government, the funds to pay for it and the necessary land has been acquired. The process of applying for consent will involve a public examination of the scheme and consideration of objections before any decision can be made.

Network Rail and South West Trains are working to ensure that existing infrastructure continues to function and be maintained, including maintaining Raynes Park station.

Network Rail said it would welcome the opportunity to talk with the developers of the Rainbow Estate. When the application for the estate was submitted, Network Rail did not know if they would need the land, and since it is unclear if Crossrail 2 will definitely happen, other developments cannot be stopped in the meantime.

A station at St George's Hospital is not in the plan, but residents are welcome to raise it as a suggestion during the consultation. Raynes Park is currently included in the base scheme but, as Crossrail 2 is at the early stages of development and has not been funded by the Government, this may be subject to change.

Residents can find out more at www.crossrail2.co.uk, where they can also be added to a mailing list for up-to-date information on the consultation.

Proposed Bushey Road Development

Stewart Underwood, from developers Shearer Property Group, presented on the proposals for Bushey Road. The presentation can be viewed at http://www.merton.gov.uk/rp_forum_bushey_road_presentation.pdf.

The scheme represents a £20m investment in a key gateway site, replacing unsightly buildings that have been derelict for several years and creating jobs for 500 people.

The overwhelming response to the consultation has been extremely positive: with 74% of responses in support, and only 8% saying they do not support the proposals. Traffic was mentioned in around 20% of consultation responses. Shearer Property Group has appointed transport experts as part of its submission to look at the matter.

The proposals incorporate a principal vehicle access point, in the same place as the existing site access. Customers will also be able to access the retail park via the neighbouring Next Home & Fashion store, which already has planning permission. No additional access points onto Bushey Road are being proposed.

To help mitigate against an increase in traffic, the scheme incorporates and builds upon the local junction improvements proposed as part of the Next store development. The project team is working closely with LB Merton and TfL to ensure that the access arrangements are suitable.

The site will also benefit from improved pedestrian links, including a new surface level pedestrian crossing on Bushey Road.

A travel plan will be agreed with Merton Council as part of the application; there are currently three bus stops near the site to allow for access by public transport.

Healthwatch Merton – Introduction and Update

Jade Fairfax introduced herself as the new Information and Outreach officer for Healthwatch Merton, which is an independent consumer champion for health and social care issues.

Over the past few months Healthwatch has worked on a number of projects:

- GP access – consultation was carried out to obtain people’s views on accessing GPs. A report was subsequently sent to Merton’s Clinical Commissioning Group, recommending training for frontline staff, which is now being carried out.
- Healthy High Street, Mitcham – Healthwatch spoke to residents in Mitcham about possible restrictions to fast food, alcohol and betting shops in the town centre. A report has been written on this, the outcome of which is awaited.
- CAMHS – 7-17 year-olds and parents have been spoken to as part of a review of CAMHS, Child and Adolescent Mental Health Services.
- General outreach work has been done with the homeless, primary schools and local communities, and Healthwatch is also working on an Urgent Care event to get views on what works well. This will feed into the Clinical Commissioning Group’s review of urgent care.

Current and anticipated planning applications

The council has resolved to grant planning permission to the Rainbow, which the developers have three years to implement; however the plan is now with the Mayor of London for consideration and he may call it in.

Travelodge works are ongoing but no opening date has been announced yet.

The proposed new cycle route between New Malden, Raynes Park and Wimbledon is a Kingston Council project and it is unclear if a planning application would be required for Merton. Should one be required, residents would be able to give comments to Merton Council as it would consult the public on the application. An ecology and safety workshop for residents is taking place at the end of October; it is hoped Kingston will carry out consultation with the public in January 2016. Residents are able to object about the plans to Kingston Council.

Open Forum

Residents are encouraged to vote for Raynes Park in the Great British High Street Awards <http://thegreatbritishhighstreet.co.uk/finalist-london>.

Dates of future meetings all at 7.15pm, in the Library Hall:

Tuesday 1 December 2015

Thursday 3 March 2016

This page is intentionally left blank

Wimbledon Community Forum 10 June 2015 Chair's Report

The meeting was held in the Mansel Road Centre, and chaired by Councillor James Holmes. More than 20 residents attended, as well as eight other Merton Councillors, and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Crossrail 2

Jennifer Bryden, Transport for London (TfL), and Stuart Bugg, Network Rail (NR), provided an update on the plans for Crossrail 2 and the impact it will have in Wimbledon. The presentation can be found at <http://www.merton.gov.uk/community-living/communityforums/wimbledoncommunityforum.htm>

Crossrail 2 will see 30 trains an hour travel from Wimbledon to London. A consultation in the autumn will ask for views on the proposed locations of stations, vents and worksites based on the regional route that was preferred in a previous consultation. There will drop-in sessions and an online survey for residents to get involved. There will be leafleting in the safeguarding and construction zones, advertising, and online promotion.

In response to questions Jennifer and Stuart said that proposals are not fixed and will take into account major developments like the one proposed at Plough Lane. More detailed designs, including station designs, will be subject to further consultation in 2016. Factsheets will be available in the consultation will address some of the concerns about noise but engineers will also be available to answer questions at the drop-in sessions. TfL/NR will not have any control over any intensification of housing not on their lands and it would be up to councils to exploit other development opportunities.

In response to question about Safeguarding land Jennifer and Stuart explained that the current arrangement allowed them to comment on any proposed development but powers to purchase land would need to be approved by Parliament. Land that is subject to compulsory purchase will not be the same as safeguarded land as more work is needed to understand land needs. TfL has a hierarchy of land usage and residential land is the lowest priority for them to use.

There will be no changes to Thameslink services over the next 3 years as the work at London Bridge continues. Trams will increase in frequency at Wimbledon once the current work at the station is completed.

Ask the Leader

The Leader of Merton Council, Councillor Stephen Alambritis explained that whilst it is a privilege to lead the council these are challenging times. The council is looking to work with like-minded neighbouring boroughs to share services and to seek greater powers from government. These powers are around skills, buses and business rates.

Whilst councillors take decisions they are reliant on staff, often working with volunteers and local communities to implement changes. For example the excellent volunteers in our libraries and those who have adopted the space around the war memorial.

Merton is keen to explore growth opportunities and is working with the Mayor of London's Crossrail 2 Growth Commission, chaired by Sir Merrick Cockel, to identify how we can make the most of this development. We are also working closely with the AELTC on developing new training facilities and a roof on Court 1 and we welcome the arrival of Close Brothers to Wimbledon.

In response to questions about congestion Councillor Alambritis said that TfL has responsibility for the sequencing of traffic lights and pelican crossings but we can apply pressure where there are problems. There is a significant problem with car use for school drop off. In response the Council has increased enforcement and is working with schools on their travel plans.

When asked about the AFC Wimbledon/Galliard Homes planning application Councillor Alambritis said that in current planning laws there is a presumption in favour of development and developers can put in an application at any point they wish. There has only been one application for the Plough Lane site which has to be considered by the Council's Planning Applications Committee in light of the sporting intensification designation made for that site. Developers also have a right of appeal and decisions by Merton can be overturned by the Planning Inspectorate in Bristol.

Councillor Alambritis said he would need to check on whether the details of licenses issued by Highways could be put online and how the impact of increased tram frequency on Kingston Road would be managed. Councillor Alambritis has met with TfL about the tramline extension to Sutton but there is no funding available at the moment.

Healthwatch Merton

Jade Fairfax from Healthwatch Merton provided an update on their work. Jade joined Healthwatch in the summer and replaced Adele who attended the forum in 2014. Healthwatch is an independent champion for consumers of health and social care services and aims to make sure providers and commissioners listen and understand the voice of users. Merton is part of a network of 152 local Healthwatch organisations that are linked to a national body, Healthwatch England.

Some of the current projects being supported by Healthwatch Merton include:

- GP access – spoke with residents across the borough and put recommendations to the Clinical Commissioning Group including training for frontline staff. The report is available on the Healthwatch Merton website
- Patient Participation Groups – every surgery should have one of these but quality varies hugely. Working with two surgeries (Morden Hall and James O'Riordan medical centres) to develop best practice that can be shared across the 24 practices in Merton
- High Street Health – spoke to 192 people in Mitcham about the town centre for Public Health. Identified public toilets as a key issue.
- Child and Adolescent Mental Health Service (CAMHS) – spoke to users and parents about the services to feed into a review.
- Outreach work – met with homeless drop-in group; Chinese Cultural Group; YMCA residents; and Celebrating Age Festival attendees.
- Enter and View – a programme of visits to residential homes will begin in November
- Urgent care – meeting on 30 September to look at services as part of a review

Motions to council

From the issues identified at the last meeting further information is available on two of them – energy efficiency for local businesses and cycling provision. Residents were asked to look at the information available and this would be discussed further at the next meeting. The briefings are available from <http://www.merton.gov.uk/community-living/communityforums/wimbledoncommunityforum.htm>

In addition Thames Water have agreed to attend the meeting in December to discuss smart metres.

Soap box

Cycling:

- No money has been made available to Merton from the mini-Hollands programme
- Cycle Maps are provided by TfL but their distribution needs to be checked
- Cycle training for both adults and children is available from Merton Council. Please see <http://www.merton.gov.uk/transport-streets/roads-highways-pavements/roadsafety.htm> for details

P4 site: no information on the sale of the site is currently available.

Lights on Wimbledon station forecourt not working, this will be taken up with NR.

Traffic lights:

- Why is there no noise for pedestrian crossing?
- Why are signals covered by blinds that restrict the view?

More litter/recycling bins are needed on Kingston Road/Haydons Road near the shops.

Dates of future meetings:

Wednesday 2 December 2015; at Wimbledon Methodist Church, Griffiths Road, Wimbledon, SW19 1SP

Monday 14 March 2016 at The Mansel Road Centre, Trinity United Reformed Church, Mansel Road, London SW19 4AA

This page is intentionally left blank

COUNCIL MEETING – WEDNESDAY 18 NOVEMBER 2015

NOTICE OF MOTION

Merton Council must listen to residents more and resolves to engage with their concerns through Twitter to achieve this. #Mertonlisten

Cllr Hamish Badenoch

Cllr Daniel Holden

Cllr Linda Taylor

This page is intentionally left blank

COUNCIL MEETING – WEDNESDAY 18 NOVEMBER 2015

NOTICE OF MOTION

This Council resolves to ask the Overview and Scrutiny Commission to review the weightings used to determine departmental savings targets and their appropriateness in relation to the previously approved “July principles” in detail at its next meeting on 24 November 2015, and thereafter on an annual basis regardless of which administration is in office.

Cllr Stephen Crowe

Cllr Suzanne Grocott

Cllr David Simpson

This page is intentionally left blank

Committee: Council

Date: 18 November 2015

Wards: All

Subject: Change to Council Tax Support Scheme

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: David Keppler, Head of Revenues and Benefits

Recommendations:

1. To agree to the uprating changes for the 2016/17 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.
 2. For Council to agree the adoption of the new 2016/17 scheme
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report details the proposed minor changes to Merton's adopted council tax support scheme to ensure that the level of support awarded stays in line with the old council tax benefit scheme had it continued and therefore residents are not worse off due to the new scheme.
- 1.2. That Cabinet has considered and endorsed the report for Council's approval
- 1.3. That Council agrees to implement recommendation 1 above.

2 DETAILS

- 2.1. As part of the Spending Review 2010, the Government announced that it intended to localise council tax benefit (CTB) from 1 April 2013 with a 10% reduction in expenditure. These plans were included as part of the terms of reference for the Local Government Resource Review and as it currently stands, the Welfare Reform Bill contains provisions to abolish CTB.
- 2.2. Following a formal consultation exercise full Council agreed on the 21 November 2012 to absorb the funding reduction and adopt the prescribed default scheme in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.
- 2.3. Council have subsequently agreed to continue with the same scheme on an annual basis for 2014/15 and 2015/16.
- 2.4. Each year the Government "uprate" the housing benefit scheme and the new council tax support scheme for pensioners. This is where state pensions and benefits are increased by a set percentage and the Government also increase the applicable amounts and personal allowances (elements that help identify how much income a family or individual requires each week

before their housing benefit starts to be reduced) and also non dependant deductions (the amount a non child who lives with the claimant is expected to contribute to the rent and or council tax each week).

- 2.5. The Government have stated that under the new local council tax support scheme pensioners must not be worse off and that existing levels of support for them must remain and this protection will be achieved by keeping in place existing national rules, with eligibility and rates defined in Regulations broadly similar to those that previously existed. This is known as the Prescribed Pensioners scheme.
- 2.6. When full Council adopted the Governments default scheme in November 2012 it was not clear what would happen with regards to the uprating of the default scheme from April 2014 onwards. Advice received from the Department of Communities and Local Government (DCLG) at the end of September 2013 stated that if a Council did not formally agree a revised scheme for the following financial year which would include any “uprating” then its local scheme for the previous year would automatically become its default scheme and as a consequence the “uprating” would not take place and many residents would face an increased council tax bill.
- 2.7. This means that if Merton wants to continue with its council tax support scheme which is broadly similar to the old council tax benefit scheme it would have to formally consult and agree on the “uprating” each year. Merton have subsequently agreed this approach in prior years and is now seeking agreement to the same for 2016/17.
- 2.8. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral. Increases in payments for non-dependants living in households would not be applied and some residents receiving disability benefits or premiums could face higher council tax bills. However, the exact detail will not be known until December 15 when the details for the housing benefit and Prescribed Pension Scheme are issued.
- 2.9. The Government will uprate the housing benefit scheme from the 4 April 2016 and the detail of this process is unlikely to be known until early December. The Government will also uprate the Prescribed pensioner scheme for council tax support from 1 April 2016. Once the detailed information is known it is proposed to use the data from these to uprate the council tax support scheme.
- 2.10. The uprating of the council tax support scheme will be effective from the 1 April 2016.
- 2.11. A formal consultation exercise regarding the change of the scheme was undertaken between 8 July 2015 and 16 October 2015. Only 20 responses were received, 10 opted to apply the uprating, 8 opted not to apply the uprating and 2 did not say. Only one comment was received – *“Adopting option 2 would severely disadvantage Merton residents”* No reasons or comments were received from those opting not to apply the uprating. The Citizens Advice Bureau fully supported the option to apply the uprating.
- 2.12. Specific comments on the consultation were;-

“I haven't had a work payment increase in years, why would someone who isn't even working get one, so why should they get even less council tax bills, which I'm paying towards too.”

“I support a few families across Merton (voluntarily) who are working hard but struggling due to low incomes - I sit down with them and help them cut costs and increase their income - this might mean additional help through WTC, HB and CTB. Every penny counts at the moment so a reduction would not be good for them at all. This point relates to the 10 families I have supported over the last 3 months, all of whom do not approach CAB or other advice services, for various reasons.”

- 2.13. This level of response is in stark contrast to the consultation exercise undertaken in the summer of 2012 when the Council first proposed to absorb the funding reduction and ensure that no Merton residents would be worse off due to the change in scheme. Then there were 1,007 responses of which 820 opted to retain the same level of support as council tax benefit and keep the level of contribution towards the council tax down for eligible applicants. Only 69 opted to implement a new council tax support scheme that's offers less assistance and means that certain groups of people would have to pay more council tax.
- 2.14. The Council has also consulted with our major precepting authority, the Greater London Authority. The GLA has no further specific comments on these proposals at this stage as it regards them as being a legitimate matter for local determination, notwithstanding the need for the Council to consider the equalities impact of its final decision and the potential impact on vulnerable groups.

3 ALTERNATIVE OPTIONS

- 3.1. The only alternative option would be not to undertake the uprating of the scheme and continue with the existing scheme. This would result in some of the poorest residents facing increased council tax bills from April 2016 and go against the wishes of those responding to the consultation.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. A consultation exercise has been undertaken and the results of this are detailed in 2.11 above and shown in Appendix 1 attached.

5 TIMETABLE

- 5.1. The key milestones for the Council are detailed below:

Task	Deadline
Consultation with public and precepting authority on proposed change to the scheme	August/October 2015
Report to full Council for agreement to	18 November 2015

proposed change to the scheme	
Detailed analysis of the housing benefit and Prescribed Pensioner schemes uprating to establish exact parameters to be applied for the uprating of the council tax support scheme	December 2015 – or as soon as the information is available from the Department of Work and Pensions
Deadline for agreement of amended scheme	31 January 2016
Testing of IT software for amended scheme	February 2016
Implement amended scheme	1 April 2016

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Based on current expenditure for 2015/16 it is estimated that £11.2 million will be granted in council tax support for 2016/17 assuming there is no change in the council tax. This continues the downward trend in each year that the scheme has been operating for an initial figure of £13.4m.
- 6.2. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral.
- 6.3. The council has recently submitted its Council Tax Base Return (CTB) to Government. This is based as at October 2015 and incorporates the latest information on council tax support and discounts and exemptions. This will be used to calculate the Council Tax Base for 2016/17 and the MTFs 2016-20 will be updated as appropriate during the budget process.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Council must formally agree its council tax support scheme for 2016/17 by the 31 January 2016.
- 7.2. If a new scheme is not agreed by this date then the scheme the council administered for the previous year (2015/16) would become the default scheme for 2016/17.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. A formal consultation exercise has been undertaken. The results of this are detailed in 2.11 above and attached at Appendix 1.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. Any changes to the council tax scheme which results in reductions of support will mean some residents facing an increase in their council tax bills. Some of these residents, due to the yearly uprating undertaken by the

Department of Work and Pensions, would not have previously been faced with increased council tax bills. In the past it has sometimes proved difficult in collecting council tax or community charge from residents who are on limited income and or benefits.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. The Council will need to continue to closely monitor the cost of the council tax support scheme to ensure it is affordable for future years. Although in previous years we have not seen an increase in caseload, it is possible that the full impact of the welfare reform could result in more families located in inner London moving into Merton which would result in an increase in council tax support expenditure.

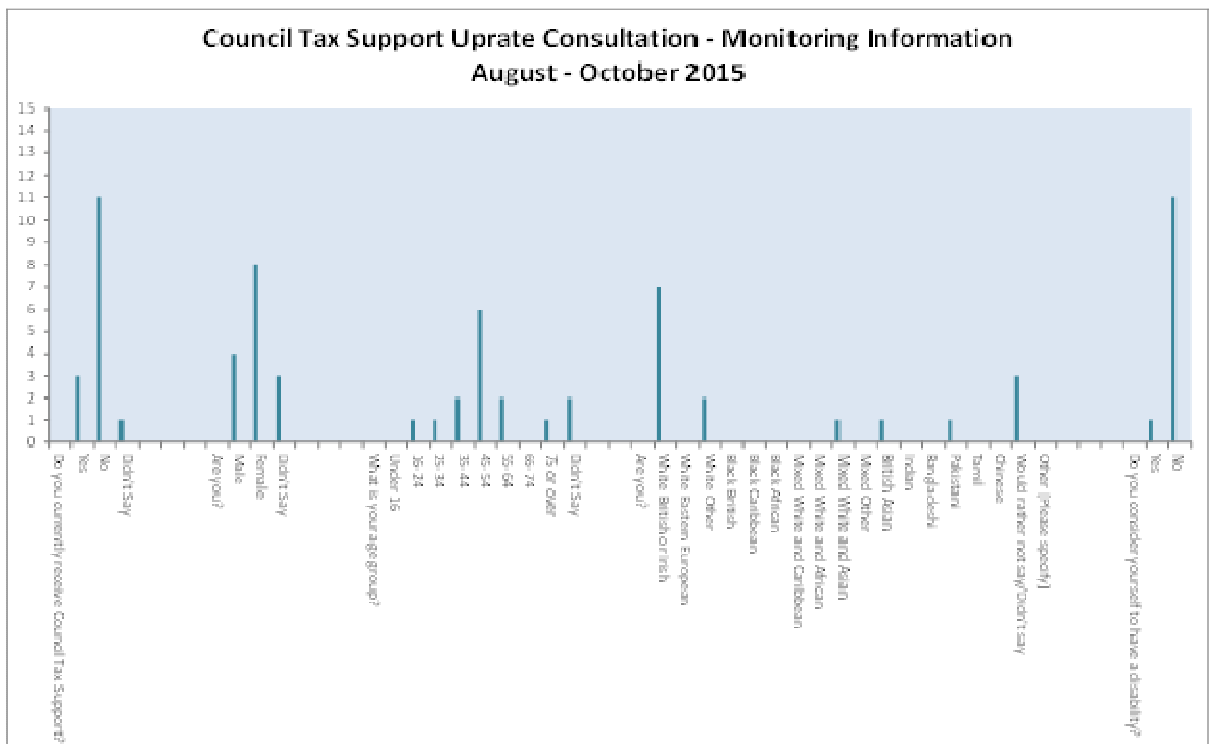
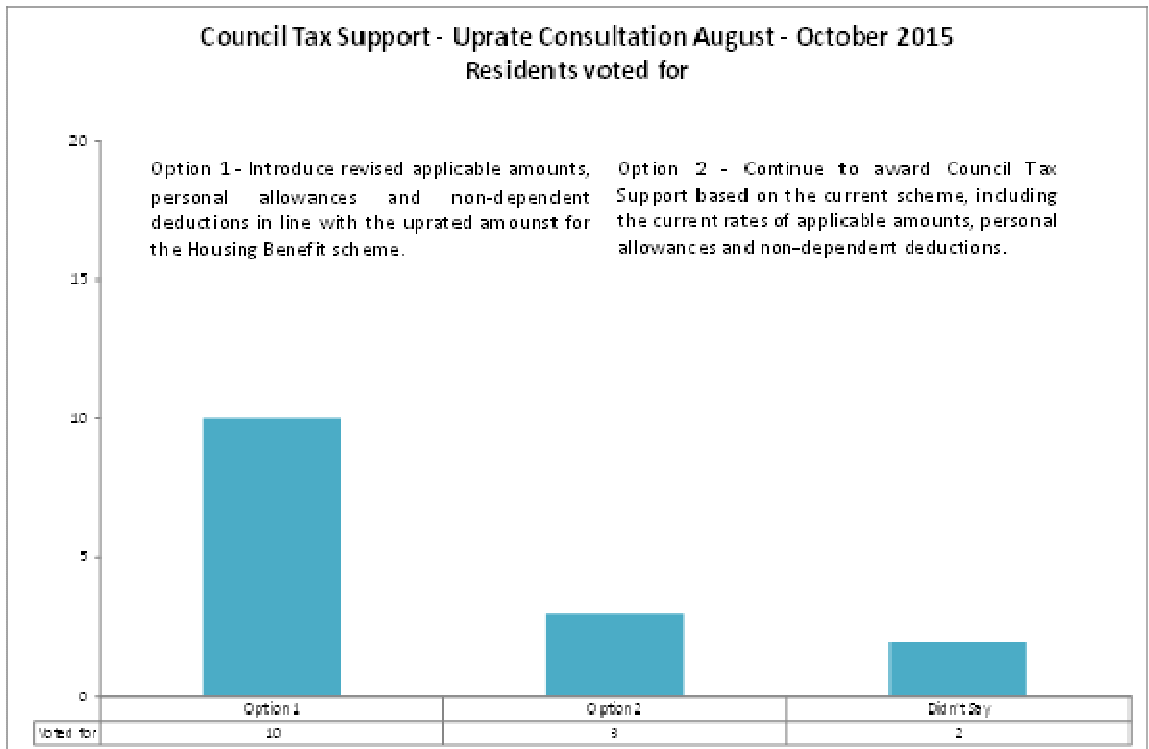
11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix 1. Consultation results and equalities breakdown

12 BACKGROUND PAPERS

- 12.1. None

APPENDIX 1



Council

Date: 18th November 2015

Wards: Village, Raynes Park, Cannon Hill

Subject: Review of Polling Places

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Andrew Robertson, Head of Electoral Services

Recommendations:

- A. That the Council agrees the designation of Christ Church as the polling place for polling district KB in Village Ward and polling district LA in Raynes Park Ward.
 - B. That the Council makes no change to the polling place for polling district SD in Cannon Hill Ward.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 A new polling place is required in Village Ward and Raynes Park Ward due to the loss of the currently designated building.
- 1.2 The Council is also asked to consider whether Hillcross Primary School should remain as the designated polling place for polling district SD in Cannon Hill Ward in light of a recent consultation.
- 1.3 The General Purposes Committee of 4th November 2015 fully endorsed the above recommendations.

2 DETAILS

- 2.1 **Village Ward and Raynes Park Ward:** The current polling place for polling district KB in Village Ward and polling district LA in Raynes Park Ward is the Christchurch Hall, 2 Cottenham Park Road. This building is due to be demolished in early 2016 with a new community building being built in its place. Christ Church, which is adjacent to the Christchurch Hall, has adapted the rear of the church for use as a meeting place and is agreeable to this area being used as a polling place. The church has also agreed that no services would be held on polling day and that the venue would be used exclusively for polling purposes. Following a site visit the church has been assessed as meeting the requirements of a polling place. It is adjacent to the church and so is well known to electors, has step free access, and sufficient space for two polling stations. This proposal would involve the minimum of disruption to electors.
- 2.2 **Cannon Hill Ward:** The current polling place for polling district SD is Hillcross Primary School on Ashridge Way. There is currently some opposition from parents who have children at the school to the school being used as a polling place, because Hillcross Primary School is required to close on polling day.

Due to building works, there were also some accessibility issues for electors when the school was used at the general election in May 2015. After the election, the Cannon Hill Ward councillors received some complaints about the use of Hillcross Primary School as a polling station, and as such requested that the polling place be reviewed ahead of the next scheduled elections in 2016.

3 ALTERNATIVE OPTIONS

- 3.1 **Village Ward;** In Village Ward, the Westside Lawn tennis club is located over the road from Christ Church at 20 Woodhayes Road, SW19 4RF. Following a site visit, the tennis club was not judged to be as suitable a venue as the Church. The polling station would be located in the clubhouse, which is accessed through quite a long walk past the tennis courts. The clubhouse does not have level access, and entry is up two fairly steep steps. The clubhouse would also remain open on polling day to club members and contains a bar. However the polling station would be separated from the main clubhouse by wooden screen doors.
- 3.2 **Raynes Park Ward;** The Norwegian school is located on the other side of polling district LA at 28 Arterberry Road, SW20 8AH. Following a site visit, the school office staff were helpful and were cautiously positive about the school making itself available as a polling station. However, the school did have some access issues. Access to the main building is up an unlit 50 metre uphill driveway, and the building itself does not have level access. There is also the issue of separating the public from the children at the school; this would be very difficult and in all likelihood the school would probably have to close if it were to be used as a polling station. The school is not under local authority control so the final decision on whether it could be used would be entirely up to the Head Teacher.
- 3.3 **Cannon Hill Ward;** The alternative to Hillcross Primary School being used as a polling place is the Central Ward Residents and Sports Club, also on Ashridge Way. In 2012 the Central Ward Residents and Sports Club was proposed as an alternative polling station for polling district SD, but it was the view of the council and the Returning Officer that Hillcross Primary School should remain the designated polling place.
- 3.4 In 2012, the Cannon Hill Ward councillors were firmly against the proposal despite the disruption caused to the school and to parents. They saw the school as a longstanding historic polling place, which is easily accessible to voters from both the Ashridge Way and Monkleigh Road sides of the school. They believed that if the polling place moved to the Central Ward Residents and Sports Club, the school would form a barrier for those on the western side of the polling district and turnout on that side may suffer.
- 3.5 The location of the club is in Ashridge Way, almost opposite the driveway to the school. The club has been inspected and its management have been helpful in enabling the building to be used by the local community for polling purposes. The club has also indicated that it will be willing to close to patrons

on election day, so that the sole use will be for polling purposes. The club also has ample parking facilities.

3.6 The main advantage of using the Central Ward Residents and Sports Club is that Hillcross Primary School would no longer have to close to serve as a polling place, which would avoid disruption for parents and pupils. However, the club does have some disadvantages:

- The building is approached by an unlit 40 metre driveway into an unlit car park. The driveway would have to be illuminated by temporary lighting.
- Access into the polling station room would be by a shallow permanent ramp and surround that has some wear and tear. A wooden ramp would also need to be constructed to get over the lip in the doorway.
- This door to the polling station would remain open, with any party tellers having to remain outside.
- The club can only be accessed by Ashridge Way, whilst the school can be accessed by Ashridge Way and Monkleigh Road on its opposite side.

4 CONSULTATION UNDERTAKEN AND OUTCOMES

4.1. **Village Ward and Raynes Park Ward;** all councillors for both Wards have been consulted and are in agreement with the proposal to designate Christ Church as the polling place for polling district KB in Village Ward and polling district LA in Raynes Park Ward in lieu of the Christ Church Hall.

4.2. Political party agents have also been consulted on the proposal. Both the Labour and Conservative group are in support designating the Church as the polling place.

4.3. It is the view of the Returning Officer that the General Purposes Committee recommends that the full council agrees the designation of Christ Church for polling district KB in Village Ward and polling district LA in Raynes Park Ward, until the Christchurch Hall has been rebuilt.

4.2 **Cannon Hill Ward;** Electoral Services conducted a consultation exercise with members of the public on whether the school should continue to be used as a polling place. The consultation was open from 14 September to 9 October and was published on the Electoral Services and Consultations pages of the council website. The Cannon Hill Ward councillors also publicised the consultation to their e-mail list of residents. The survey was completed by 16 people, with the majority of respondents being parents who have a child at the school.

- Only 6 people completing the survey had visited the school as a voter. All respondents reported that they were satisfied with the facilities at the school as a polling station, however 2 of those respondents commented on the disruption to parents caused by the school being used.

- In answer to the question: 'Should Hillcross Primary School be used as a polling station?' 4 people answered yes and 11 people answered no.
- Looking at the comments giving reasons for the decision, it is clear that the people against the use of the school are the parents of children at the school and most do not visit the school in order to vote.
- Two comments are in support of the school being used.

Detailed responses to the Hillcross Primary School consultation can be found in Appendix C.

4.3 The Cannon Hill Ward councillors and political party agents have also been consulted on whether to continue to use Hillcross Primary School as a polling place for polling district SD.

4.4 It is the view of the Cannon Hill Ward councillors that whilst it would be preferable to avoid using a school as a polling station that is required to close on election day; the primary concern needs to be whether the electors in the polling district will be adversely affected if the polling station were to be moved. Therefore, whilst being sympathetic to the consultation responses of parents who have children at the school, it is their view that the polling place should remain at the school as that is the most convenient option for the majority of electors in the polling district.

4.5 The Merton Conservative Group is against the proposal to move the polling place from Hillcross Primary School to the Central Ward Residents and Social Club. Whilst they acknowledge the inconvenience for parents and hope that an arrangement can be made where the school can remain partly open, they state that:

- Hillcross Primary School is the longstanding historic polling station for this polling district and is well known and recognised in the local community. No compelling argument is being made as to why a change is necessary, or how this will make voting easier for local residents
- It is clear from the consultation results that there is no appetite for change among electors in polling district SD. The consultation only received 19 responses and there was no unanimous opinion overall. Moreover, amongst the 6 respondents who had visited the school to vote, satisfaction with the polling place overall was high, suggesting that the electors in SD are content with the existing arrangements.
- The proposed alternative is further away from the centre of the polling district, and the current polling place (Hillcross Primary School) would create a barrier electors would have to walk a considerable distance around to reach.
- Accessibility to Hillcross Primary School is significantly better than for the Central Ward and Residents Social Club, where temporary modifications would have to be made each time it was used as a polling station. These temporary modifications, along with the hire charge

levied by the social club, would undoubtedly prove more costly to the council than the £40 heating and hire charge that is levied by the school as a council owned building.

- 4.6 The school has also been consulted and it is their opinion that despite not wishing to lose any learning days, they accept that the school is a long standing polling place and they will not object to the school being used as a polling station for future elections.
- 4.7 It is the view of the Returning Officer that Hillcross Primary School should be retained as the polling place for polling district SD.
- 4.8 Building works at the school have now been completed so accessibility will not be an issue for future elections. The Central Ward Residents and Social Club has less than ideal access, with adjustments needing to be made if it was to be used on polling day. The school is also in a more advantageous location in the centre of the polling district, with access via Ashridge Way to the east of the polling district and Monkleigh Road to the west.
- 4.9 The response to the consultation on whether Hillcross Primary School should remain as a polling station was very low, and was also split. Only 11 respondents voted against the school being used as a polling station, with 4 people voting for the school to remain as the polling place. Most of the respondents who did not want the school to be used were not voters at the school. Of those respondents who had used the school as a polling place, all were satisfied with the facilities.
- 4.10 As a result of the split response to the consultation and the low numbers of people responding as a whole; moving the polling station into the Central Ward Residents and Social Club risks causing confusion for, or inconveniencing, the majority of voters in the polling district, (around 2150) based on the opinion of a very small number of respondents, the majority of which are not electors at the polling place.
- 4.11 Taking all the above factors into account, the Returning Officer therefore recommends that the council makes no change to the polling place for polling district SD in Cannon Hill Ward.

5 TIMETABLE

- 5.1 The Council meeting on 18th November must make the decision on these proposals so that all polling districts have a designated polling place for the elections on 5th May 2016.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 Provision for the hire of buildings for use as polling places is included within the budget for the elections to be held on 5th May 2016. It is estimated that the proposal to use the Central Ward Residents Club would add around £500 extra cost to the election budget in 2016. This would consist of additional accommodation costs of using a building not funded out of the public purse.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Council has a duty under the Representation of the People Act 1983 (RPA 1983) to divide its area into polling districts for parliamentary and local government elections, to designate a polling place for each polling district, and to keep these under review. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 18 of the RPA1983 as one of the functions that are not to be the responsibility of an authority's executive. This function has not been specifically delegated by the Council.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:
- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;

¹ SI 2000/2853

- The extent to which it is practicable for the service provider to take the steps;
 - The financial and other costs of making the adjustment;
 - The extent of any disruption which taking the steps would cause;
 - The extent of the service provider's financial and other resources;
 - The amount of any resources already spent on making adjustments; and
 - The availability of financial and other assistance.
- 8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity.
- 8.4 As indicated above, the principles have been followed of seeking to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances, and seeking to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. There is a commitment to ensure that all polling places are accessible.
- 8.5 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to make voting in person as easy as possible for residents of all communities.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 Integrity plans are maintained for elections. These involve working closely with Merton Police on operational matters, together with liaising with the Metropolitan Police Service officer specifically delegated with responsibility for potential election offences.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1 In reviewing polling places, the reasonable facilities for staff at polling stations during elections have been considered. The physical fabric of possible polling places has also been considered to reflect the need for members of the public to visit their polling station.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

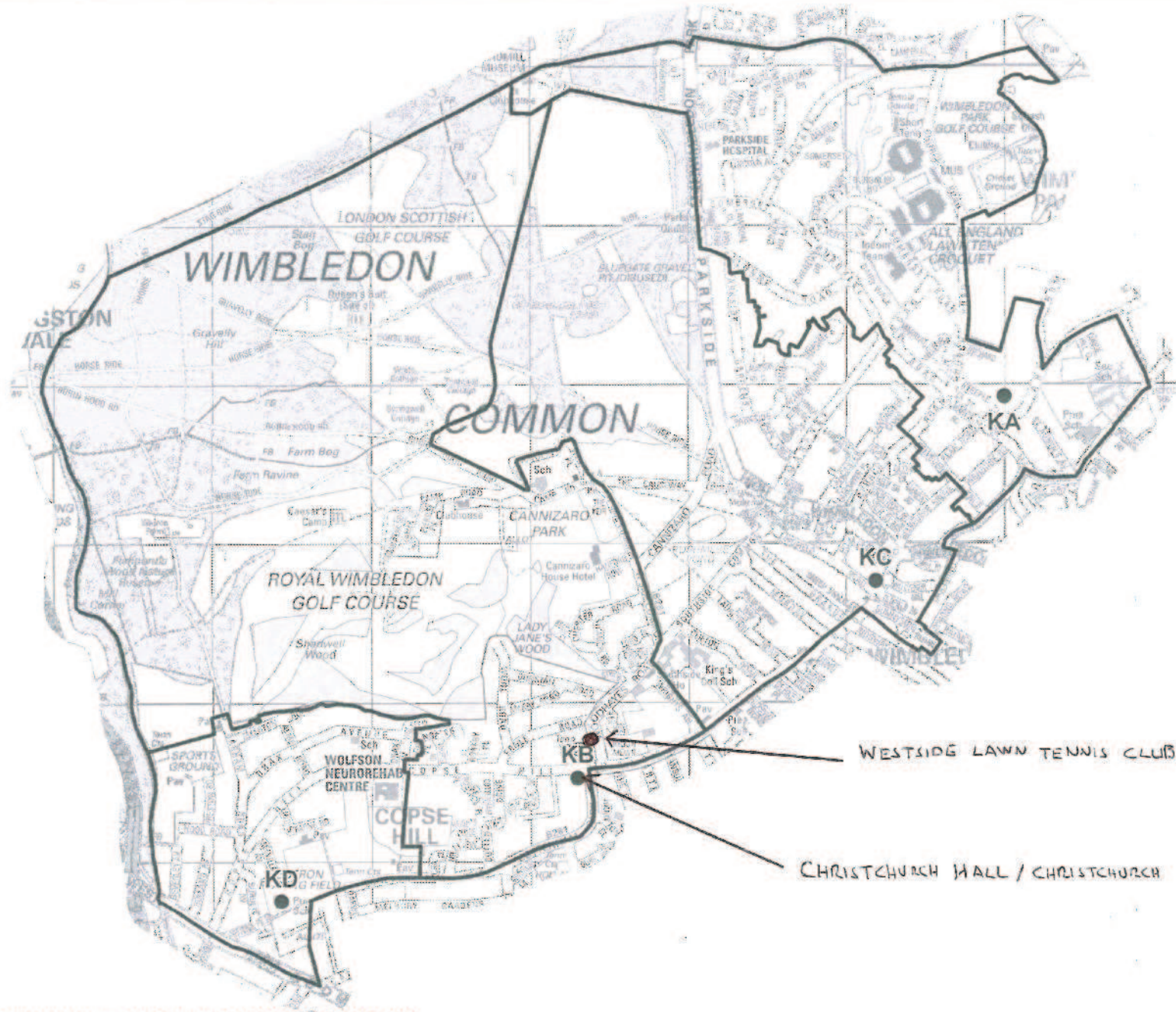
- a) Maps of Village Ward and Raynes Park Ward with location of Christ Church.
- b) Map of Cannon Hill Ward with location of Hillcross Primary School and Central Ward Residents Club.
- c) Detailed responses to Hillcross Primary School consultation.

12 BACKGROUND PAPERS

- Reports on polling stations made by Electoral Services staff, by presiding officers and polling station inspectors at past elections.

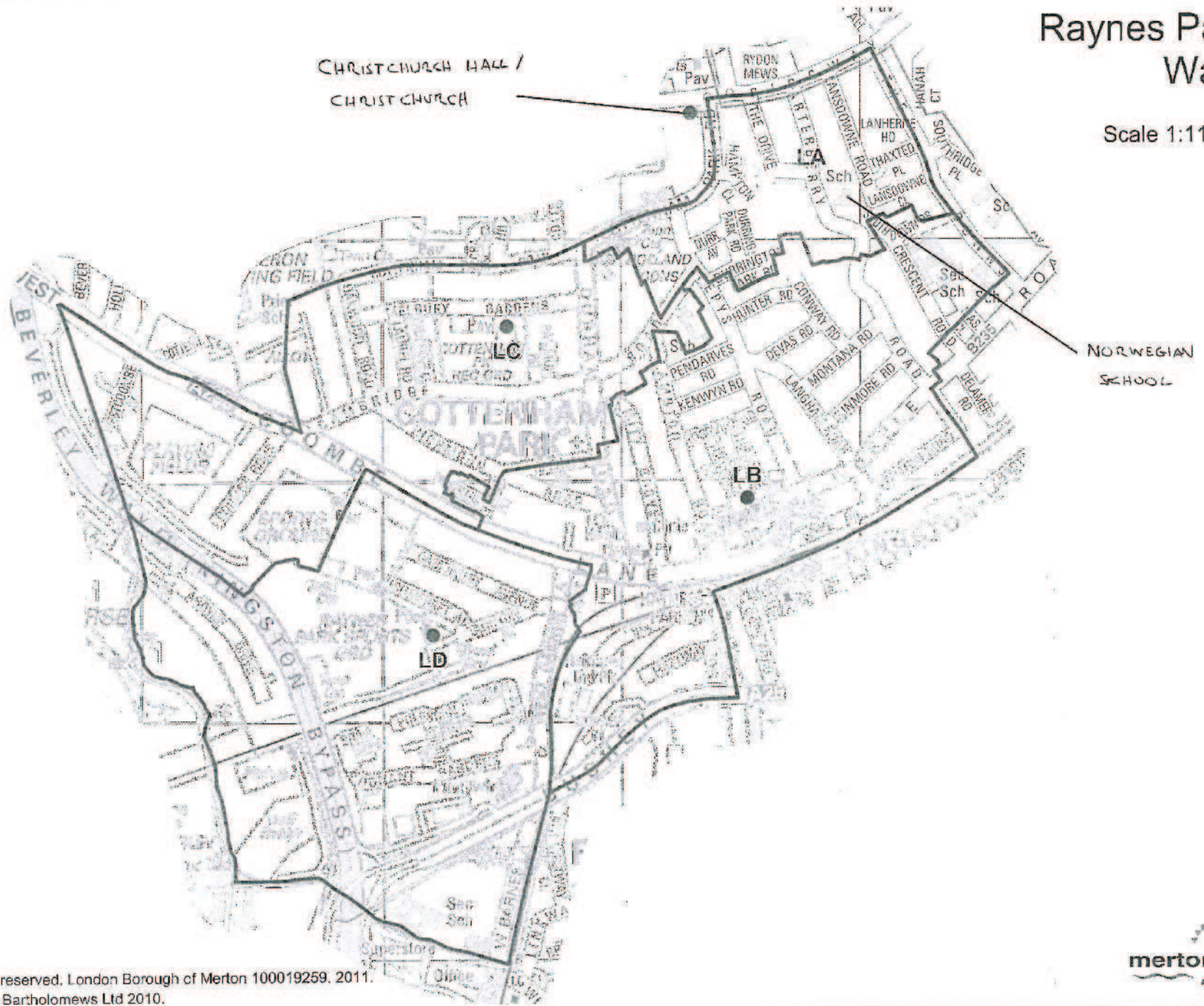
Village Ward

Scale 1:17,500



Raynes Park Ward

Scale 1:11,000



Cannon Hill Ward

Scale 1:11,000

CENTRAL WARD
RESIDENTS CLUBS

HILLCROSS
PRIMARY
SCHOOL



Crown Copyright. All rights reserved. London Borough of Merton 100019259. 2011.
Digital Map Data @ Collins Bartholomews Ltd 2010.

16 respondents accessed the campaign

Step 1:1.00-1:Who is completing

This multiple response question was answered by 16 respondents.

Response	Number of Respondents	Percentage of Respondents
I am an Elector who visits Hillcross Primary School to vote	4	25%
I am a parent who has a child at Hillcross Primary School	13	81.25%
Other	2	12.50%

Step 1:1.01-1:Please Specify

This open response (Free text) question was answered by 2 respondents.

Response	Number of Respondents
concerned voter	1
resident on Hillcross Avenue	1

Step 1:2.00-1:Have visited Hillcross

This single response question was answered by 16 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	6	37.50%
No	10	62.50%

Step 1:3.00-1:satisfaction with polling station (Step free access)

This single response question was answered by 6 respondents.

Response	Number of Respondents	Percentage of Respondents
Very satisfied	4	66.67%
Satisfied		
Neither satisfied or dissatisfied	1	16.67%
Dissatisfied		
Very dissatisfied		
Don't know	1	16.67%

Step 1:3.00-2:satisfaction with polling station (Parking)

This single response question was answered by 6 respondents.

Response	Number of Respondents	Percentage of Respondents
Very satisfied	4	66.67%
Satisfied		
Neither satisfied or dissatisfied	1	16.67%
Dissatisfied		
Very dissatisfied		
Don't know	1	16.67%

Step 1:3.00-3:satisfaction with polling station (Public transport links)

This single response question was answered by 6 respondents.

Response	Number of Respondents	Percentage of Respondents
Very satisfied	4	66.67%
Satisfied		
Neither satisfied or dissatisfied	1	16.67%
Dissatisfied		
Very dissatisfied		
Don't know	1	16.67%

Step 1:3.00-4:satisfaction with polling station (Location)

This single response question was answered by 6 respondents.

Response	Number of Respondents	Percentage of Respondents
Very satisfied	4	66.67%
Satisfied	1	16.67%
Neither satisfied or dissatisfied		
Dissatisfied		
Very dissatisfied		
Don't know	1	16.67%

Step 1:4.00-1:Currentpollingplacecomments

This open response (Free text) question was answered by 2 respondents.

Response	Number of Respondents
Everything about it is fine. My only objection is that with mor and more pupils attending it is no longer appropriate to disrupt a whole day of education and force the parents to seek alternative childcare arrangements for something that actually takes up so little space. You could put a portocabin on the playing field and still keep the school open!	1
It is very inconvenient to have the whole school shut down for voting: could it not be done e.g. in Martin Way Methodist Church's Hall which is pretty similar in terms of location, is a large and convenient space and could easily accommodate voting for the day?	1

Step 1:5.00-1:Should Hillcross be used?

This single response question was answered by 15 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	4	26.67%
No	11	73.33%
Don't know		

Step 1:6.00-1:Why used or not used

This open response (Free text) question was answered by 15 respondents.

Response	Number of Respondents
As a full time working parent i believe in is not appropriate for a school to close for children in random day of the week an parents left with not option/alternative but taking time. Surely there many more places that could be used for polling stations	1
As a working parent with children at the school i would prefer it not to be used as a polling station as it is causes childcare issues and im sure there are plenty of halls (including church halls) or centers that can be used instead	1
because schools are well known in the area they serve. It is well known that pooling stations are generally in local schools, churches or community halls.	1
Hillcross school is more a neutral venue and easier to access for residents in this ward. Moving it to a biased venue (central ward club) is an affront to democracy and should be refused.	1
Hillcross should not be used as a polling place as children are losing a days education each time the school is used as a polling station. That day is not made up for in the school calendar. If there are other viable possible venues that could be used as a polling station then I would rather Hillcross not be used for polling days.	1
I am a parent at Hillcross school and I object to the school being closed to become a polling station. As working parents it is hard enough through the year to cover school holiday and inset days. Closing a whole large school for polling as well is not acceptable to education or working life. Why should our children miss out on a days teaching, when parents are threatened with fines for keeping children out of school at all? With the increased size of the school for 3 form entry, this now has an even greater impact on the c.350 families in the school community. I understand that the nearby The Central Ward Residents and Sports Club, is a viable option instead. I'm sure previously considered issues of lighting in the car park, and ramp access can surely be accommodated or should be in place as health and safety factors, for a building that is open to members anyway ?	1

I don't believe that 500+ children should miss a whole day of their schooling for the purpose of voting. It is not only unfair on the children it is also extremely inconvenient and expensive for all working parents who need to make childcare arrangements.	1
I don't believe that any school should be closed for the day to be used as a polling station, education is precious. It also impacts working parents who have to take a day off work to cover the day that the school is closed.	1
It creates childcare problem for many parents. There are other places in Morden such as community halls, church halls etc that stay empty all day and can easily be used for that purpose. The school is growing and has more children than ever, so the disruption is greater and greater each year.	1
It is an extremely convenient location	1
It is in a very central location to many houses/properties	1
It seems very contradictory that Merton Council threaten to fine parents for taking their kids out of school due to the "loss of learning hours etc etc" yet somehow this gets forgotten when it suits the council ??? Hillcross have done the last few years but think now it's time to find another place	1
It's another day taken out of a child's education with extra cost and problems for the parents to find childcare.	1
Please see previous comment: shutting down the whole school is very inconvenient.	1
The polling station takes up one room. The use of this room disrupts the whole school and results in a loss of education and pushes childcare back onto the parents for this time. The school is too large now for this disruption to be considered acceptable.	1

Step 2:7.00-1:alternativevenueyesorno

This single response question was answered by 15 respondents.

Response	Number of Respondents	Percentage of Respondents
yes	7	46.67%
no	8	53.33%

Step 2:9.00-1:Alternaitvetype

This single response question was answered by 7 respondents.

Response	Number of Respondents	Percentage of Respondents
school		
church hall	1	14.29%
church		
community building	5	71.43%
other	1	14.29%

Step 2:9.01-1:Please Specify

This open response (Free text) question was answered by 1 respondents.

Response	Number of Respondents
Sports club	1

Step 2:10.00-1:Alternative owner

This open response (Free text) question was answered by 5 respondents.

Response	Number of Respondents
Church	1
Don't know but is already a polling station and is 300yards away from hillcross	1
Not sure. There also a Community Centre almost opposite Hillcross School on Ashridge Way.	1
residents / members? Here is the web link. Right oposite Hillcross School on Ashridge Way: http://www.central-ward.co.uk/	1
Unknown	1

Step 2:11.00-1:alternative suitable

This multiple response question was answered by 7 respondents.

Response	Number of Respondents	Percentage of Respondents
step free access	6	85.71%
parking	6	85.71%
public transport links	7	100%
is accessible for disabled voters	6	85.71%

Step 2:12.00-1:alternative other comments

This open response (Free text) question was answered by 7 respondents.

Response	Number of Respondents
It has a big hall	1
it is directly across the road from Hillcross Primary school so would have the same catchment but choosing it as a venue would disrupt far less people / families than are currently disrupted by using Hillcross	1
It is located immediately opposite the school in Ashridge way, near bus stops, it has parking and disabled access. Part of the club can function while part of the club can be used for polling. Electoral Services officers reviewed this site in 2012. Previous issues determined of lighting, heating and access could be addressed in conjunction with the club to improve, for it's own success and health and safety standards and attraction to new members.	1
It's already a polling station and is 300 yes from hill cross	1
it's location is right opposite Hillcross school, so centrally located.	1
large hall that is plenty big enough for a polling station	1
Not sure on Step Free Access / dissabled accessible.	1

Step 3:13.00-1:organisation response

This open response (Free text) question was answered by 2 respondents.

Response	Number of Respondents
Myself	1
n/a	1

Step 3:14.00-1:Gender

This single response question was answered by 15 respondents.

Response	Number of Respondents	Percentage of Respondents
Male	5	33.33%
Female	10	66.67%

Step 3:15.00-1:AGE (5 BANDS, ADULTS)

This single response question was answered by 15 respondents.

Response	Number of Respondents	Percentage of Respondents
18 - 29		
30 - 44	13	86.67%
45 -64	2	13.33%
65 and over		

Step 3:16.00-1:Disability

This single response question was answered by 15 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes		
No	15	100%

Step 3:17.00-1:Ethnicity

This single response question was answered by 14 respondents.

Response	Number of Respondents	Percentage of Respondents
White British or Irish	11	78.57%
White Eastern European	2	14.29%
White Other	1	7.14%
Black British		
Black Caribbean		
Black African		
Mixed White & Caribbean		
Mixed White and African		
Mixed White and Asian		
Mixed Other		
British Asian		
Indian		
Bangladeshi		
Pakistani		
Tamil		
Chinese		
Other		

This page is intentionally left blank

Meeting: Council

Date: 18 November 2015

Agenda item:

Wards: All.

Subject: Adoption of the Council's new draft Statement of Principles under the Gambling Act 2005.

Lead officer: Chris Lee, Director of Environment and Regeneration.

Lead member: Councillor Nick Draper, Cabinet Member for Community and Culture.

Forward Plan reference number: N/A

Contact Officer: Barry Croft, Licensing Manager, London Boroughs of Merton and Richmond upon Thames Joint Regulatory Services Partnership and Guy Bishop Senior Lawyer Litigation and Planning Team.

Recommendations:

- A. To adopt the revised draft Statement of Principles under the Gambling Act 2005, this was approved by Members of the Licensing Committee on the 20 October 2015.
-

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 There is a statutory requirement under section 349 of the Gambling Act 2005 for the Council to review and republish its Statement of Principles under the Gambling Act 2005 every three years.

2. DETAILS.

- 2.1 This is the fourth Statement of Principles in respect of the Gambling Act; the third having been adopted by the Council in 2013.
- 2.2 The public consultation of the draft Statement of Principles under the Gambling Act 2005 took place between 22 June and 14 September 2015. An electronic copy of the draft document was published on the Council's website. All responsible authorities, a number of interested parties, residents associations and Ward Councillors were notified of the public consultation. The Council's consultation team also circulated details of the public consultation.
- 2.3 During the consultation period the Licensing Authority received a total of three responses. Copies of responses received were presented to Members of the Licensing Committee for their consideration at the meeting held on Tuesday 20 October 2015. Having considered the comments received Members of the Licensing Committee decided to approve the draft Statement of Principles under the Gambling Act 2005 with a recommendation for adoption by full Council. A copy of the final draft is attached at **Appendix "A"**

- 3. Alternative options.**
- 3.1 None for the purposes of this report.
- 4. Consultation undertaken or proposed.**
- 4.1 A twelve week (three month) public consultation was undertaken on the proposed revisions the (draft) Statement of Principles under the Gambling Act 2005 between 22 June and 14 September 2015.
- 5. Timetable.**
- 5.1 Following adoption by full Council the revised Statement of Principles under the Gambling Act 2005 will be published on the Council's website for use from the 31 January 2016.
- 6. Financial, resource and property implications.**
- 6.1 None for the purposes of this report.
- 7. Legal and statutory implications.**
- 7.1 None for the purposes of this report.
- 8. Human rights, equalities and community cohesion implications.**
- 8.1 These are statutory functions and are applied globally.
- 9. Crime and Disorder Implications.**
- 9.1 The service has a statutory duty to contribute to the reduction of crime and disorder within the London Borough of Merton under Section 17 Crime and Disorder Act 1988.
- 10. Risk management and health and safety implications.**
- 10.1 All risk and health and safety implications have been considered when compiling this report. None are apparent.
- 11. Appendices – the following documents are to be published with this report and form part of the report.**
- 11.1 Appendix "A" Draft Statement of Principles under the Gambling Act 2005.
- 12. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report.**
- 12.1 The Gambling Act 2005; and
- 12.2 Gambling Commission Guidance to Local Authorities 5th Edition published on 30 September 2015.

London Borough of Merton

**STATEMENT OF PRINCIPLES
under the Gambling Act 2005**

From January 2016 to January 2019

INDEX

- 1 Statement of Principles under the Gambling Act 2005**
 - 1.1 Introduction
 - 1.2 The London Borough Of Merton
 - 1.3 Glossary of Terms
 - 1.4 Licensing Objectives
 - 1.5 Licensable Premises
 - 1.6 General Principles
 - 1.7 Consultees
 - 1.8 Information Exchange

 - 2 Legislation, Policies and Strategies**
 - 2.1 Legislation
 - 2.2 Relationship with Planning Policies
 - 2.3 National Strategies
 - 2.4 Local Strategies and Policies
 - 2.5 Integrating Strategies

 - 3 Decision Making**
 - 3.1 Terms of Reference
 - 3.2 Allocation of Decision Making Responsibilities
 - 3.3 Licensing Reviews

 - 4 Local Standards**
 - 4.1 Applications
 - 4.2 Assessment of Need
 - 4.3 Conditions
 - 4.4 Enforcement
 - 4.5 Casinos
 - 4.6 Bingo
 - 4.7 Betting Offices
 - 4.8 Family Entertainment Centres (Licensed)
 - 4.9 Family Entertainment Centres (Un-licensed)

 - 5 Prevention of Crime and Disorder Objective**

 - 6 Ensuring that Gambling is Conducted in a Fair and Open Way Objective**

 - 7 Protection of Children and Other Vulnerable Persons Objective**
 - 7.1 Access to Licensed Premises
 - 7.2 Vulnerable Persons

 - 8 Complaints against Licensed Premises**
-
- | | |
|-------------------|--------------------------------------|
| Appendix A | Table of Delegations |
| Appendix B | Categories of Gaming Machines |
| Appendix C | Enforcement Concordat |

1 STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

1.1 Introduction

London Borough Of Merton is the Licensing Authority under the Gambling Act 2005 and is responsible for granting premises licences in the Borough in respect of: -

- ❖ Casino premises;
- ❖ Bingo premises;
- ❖ Betting premises, including tracks;
- ❖ Adult Gaming Centres;
- ❖ Family Entertainment Centres;
- ❖ Club Gaming Permits;
- ❖ Club Machine Permits;
- ❖ Small Lotteries;
- ❖ Temporary Use Notices;
- ❖ Occasional Use Notices; and
- ❖ Alcohol licensed premises permits and notifications.

The Gambling Act 2005 requires the Licensing Authority to prepare and publish a “Statement of Licensing Policy” that sets out the policies that the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

This “Statement of Licensing Policy” has been adopted having regard to the provisions of the revised Guidance issued by the Gambling Commission, responses from consultees and the licensing objectives of the Gambling Act 2005.

The formal Statement of Licensing Policy is available on Merton’s website at www.merton.gov.uk/licensing/Gambling

This policy came into effect on 31 January 2016 and has been reviewed in accordance with statute. The Policy will be reviewed as necessary, and at least every three years from the date of its adoption.

A consultation on this policy took place between 22 June and 14 September 2015.

The London Borough of Merton will aim to permit the use of premises for gambling as set out in the Act.

1.2 The London Borough of Merton

The London Borough of Merton is one of the metropolitan boroughs located in South West London and is predominantly urban in character. The Borough is composed principally of five town centres rather than a single, dominant centre and these form the basis of the Council’s community focus. The town centres are Wimbledon, Raynes Park, Mitcham, Colliers Wood and Morden.

At the last count the population of the borough was just under 200,000. As far as the economy is concerned, Merton is still heavily reliant on leisure and service industries, which form almost 60% of total employment within the borough.

Merton is also densely populated. In contrast, the Borough has one of the highest proportions of parks and open spaces within the London area, some one third of them being green field sites.

1.3 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.6 below
Licensing Authority:	London Borough Of Merton
Licences:	As stated in section 1.5 below
Applications:	Applications for licences and permits as defined in section 1.5 & 1.6 below
Notifications:	Means notification of temporary and occasional use notices
Act:	The Gambling Act 2005 (as amended)
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place, including a vehicle, vessel or moveable structure
Code of Practice:	Means any relevant code of practice made under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by the Council
Provisional Statement:	Means an application made prior to construction or extensive building work is undertaken to ascertain whether the grant of a licence is likely.
Responsible Authority:	For the purposes of this Act, the following are responsible authorities in relation to premises: 1. The London Borough Of Merton; 2. The Gambling Commission; 3. Metropolitan Police at Wimbledon Police Station;

4. **Planning Department;**
5. **Environmental Protection** (the authority which has functions in relation to pollution of the environment or harm to human health)
6. **Merton Local Safeguarding Children Board (LSCB) & LBM's Safeguarding Adults Service;**
7. **HM Customs and Excise;**
8. **The London Fire and Emergency Planning Authority; and**
9. **Any other person prescribed in regulations made by the Secretary of State**

Interested Party:

For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, that person:

- a) **Lives sufficiently close to the premises to be likely to be affected by the authorised activities;**
- b) **Has business interests that might be affected by the authorised activities;**
- c) **Represents persons who satisfy a) or b) above.**

1.4 Licensing Objectives

This document sets out the policies that the Licensing Authority will apply when making decisions upon applications or notifications made for: -

1. Premises Licences;
2. Temporary Use Notices;
3. Permits as required under the Act; and
4. Registrations as required under the Act.

1.5 Licensable Premises and Permits

This policy relates to all those licensable premises, notices, permits and registrations identified as falling within the provisions of the Act, namely: -

1. Casinos;
2. Bingo Premises;
3. Betting Premises;
4. Tracks;
5. Adult Gaming Centres;
6. Family Entertainment Centres;
7. Club Gaming Permits;

8. Prize Gaming Permits;
9. Occasional Use Notices
10. Temporary Use Notices;
11. Registration of small society lotteries; and
12. Alcohol licensed premises

1.6 General Principles

Section 153 of the Gambling Act 2005 governs how the Licensing Authority or Licensing Committees will consider and determine applications for Premises Licences applications and other applications under the Gambling Act 2005. A Licensing Authority or Committee will aim to permit the use of premises for gambling in so far as the authority think it in accordance with any relevant Code of Practice, any relevant Guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this statement. A Licensing Authority or Committee will not consider expected demand for the facilities being considered.

The Licensing Objectives are as follows:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

Nothing in this Statement of Policy will: -

1. Undermine the rights of any person to apply under the Act for a variety of permissions, other than casinos, and have the application considered on its individual merits in accordance with the Act; or
2. Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

The starting point in determining applications will be to grant the application without conditions, other than the mandatory conditions or default conditions laid down by the Secretary of State or reject the application. Conditions, where allowed, will only be considered where they are needed to meet the requirements of the licensing objectives and the criteria above in Section 153 of the Gambling Act 2005, and any conditions applied will be proportionate. Conditions will be considered unnecessary if they are already adequately covered by other legislation or in the Default or Mandatory Conditions.

When determining an application to grant a Premises Licence or review a Premises Licence, the Licensing Authority will have regard to the proximity of the premises to schools, vulnerable adult centres and residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will be considered on its merits. We would expect the applicant

to effectively demonstrate how they might promote the licensing objective, address any relevant guidance issued by the Gambling Commission under section 25 of the Act and be in accordance with any relevant code of practice issued under section 24 of the Act. We would therefore expect a premises risk assessment taking into consideration the locality where the premises are situated.

When considering any conditions to be attached to licences, the Licensing Authority will primarily focus on the impact of the authorised activities taking place at licensed premises on interested parties and/or in the context of the Licensing Objectives.

Interested Parties

The Licensing Authority will form an opinion as to whether a person is an Interested Party, based on whether that person represents those that have or live sufficiently close to the premises to be likely to be affected by the authorised activities or has business interests that might be affected by the authorised activities. Factors the Licensing Authority may take into account to determine whether or not an interested party is within the proximity of the premises are as follows:

1. the nature of the activities;
2. the size of the premises;
3. the proposed hours of operation of the premises; and
4. the distance of the premises (eg town centre, residential, rural) from the location of the interested party making the representation.

This list is not exhaustive and the Licensing Authority may take into account any other factors that they consider to be relevant in deciding whether or not someone is an interested party.

In all cases, each application will be determined on its individual merits.

In determining any application the Licensing Authority may not have regard to the expected demand for the facilities, which it is proposed that the premises intend to provide.

The Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues that can occur away from licensed premises that may give rise to objections including:

1. Planning controls;
2. Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;
3. Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
4. The power of the Police, other responsible authorities or local residents and businesses to seek a review of the licence.

Objectors will be required to relate their objection to one or more of the Licensing Objectives for Gambling, listed at 1.6 above, before the Licensing Authority will be able to consider it. An application for a review of a licence must be made on the prescribed

form but must also relate to the 3 Licensing Objectives for Gambling, listed at 1.6 above.

The Licensing Authority, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups and to promote equality of opportunity for people with disabilities.

1.7 Consultees

The Statement of Licensing Policy has been subject to formal consultation with:

- The Borough Commander of the Metropolitan Police at Wimbledon Police Station;
- Persons who appear to the Authority to represent the interests of those carrying on gambling businesses in the authority's area
- Businesses who are, or will be, holders of a premises licence
- Organisations named as Responsible Authorities in the Act
- Persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act; e.g. representatives of residents associations currently notified to the Licensing Authority, Wimbledon Civic Forum, Local Trade Associations etc
- Other organisations including faith groups, voluntary and community organisations working with children and young people, organisations working with people who are problem gamblers, medical practices or primary care trusts, and advocacy organisations (such as the Citizen's Advice Bureau and trade unions)

1.8 Information exchange

In fulfilling its functions and obligations under the Gambling Act 2005 the Licensing Authority will exchange relevant information with other regulatory bodies (like the Gambling Commission) and will consider the establishment of protocols where it considers this necessary. In exchanging such information, the Licensing Authority will conform to the requirements of Data protection and Freedom of Information legislation in accordance with the Council's existing policies. The authority will act in accordance with the relevant legislation and guidance from the Gambling Commission and will adopt the principles of better regulation.

Details of those persons making representations will be made available to applicants and other interested parties, to allow for negotiation and in the event of a hearing will form part of a public document. Anyone making representations or applying for the review of a premises licence will be informed that their details will be disclosed.

2 LEGISLATION, POLICIES AND STRATEGIES

2.1 Legislation

In undertaking its licensing function under the Gambling Act 2005, the Licensing Authority is also bound by other legislation, like the Human Rights Act 1998.

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators and the licensing authority, like.

1. Health and Safety at Work Act 1974;
2. Section 17 of the Crime and Disorder Act 1988;
3. Environmental Protection Act 1990;
4. The Anti-Social Behaviour Act 2003; or
5. The Race Relations Act 1976 (as amended);

2.2 Relationship with Planning Policies

When determining an application, the Licensing Authority cannot take into account “irrelevant matters” such as the likelihood of the applicant obtaining planning permission or building control approval.

A decision by the licensing authority under this Act shall not constrain any later decision by the authority under the law relating to planning or building.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

2.3 National Strategies

The Licensing Authority will also seek to discharge its functions identified by other Government Strategies, in so far as they impact on the objectives of the licensing function.

2.4 Local Strategies and Policies

Where appropriate, the Licensing Authority will consider applications with reference to other adopted local strategies and policies.

2.5 Integrating Strategies

There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case, the Licensing Authority will aim, as far as possible, to co-ordinate them.

The Licensing Authority recognises in particular the importance of the co-ordination and integration of the Gambling policy with other plans aimed at the management of town centres and the night-time economy.

Relevant plans and strategies include:

- ❖ Crime and Disorder Strategy – The Licensing Authority will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. As far as possible, licensing decisions will aim to contribute to the targets set in the Crime and Disorder Strategy and conditions attached to licences and certificates will reflect local crime prevention strategies.

Racial Equality – The Licensing Authority is required under race relations legislation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups.

- ❖ Human Rights – The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Licensing Authority will have particular regard to the following provisions of the European Convention on Human Rights, in particular: -
 - Article 6 that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
 - Article 8 that everyone has the right to respect for his home and private and family life;
 - Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
- ❖ Proper integration will be assured by the Licensing Authority's Licensing Committee providing reports, when appropriate, to the Planning Committee on the situation regarding licensed premises in the area, including the general impact of gambling related crime and disorder, to enable the Planning Committee to have regard to such matters when taking its decisions.
- ❖ Tourism and Town Centre Management – The Licensing Authority aims to promote a high quality thriving nighttime economy.

- ❖ The Licensing Authority will ensure that the Licensing Committee receives reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations.
- ❖ Economic Strategies – The Licensing Authority will ensure that the Licensing Committee is apprised of the employment situation in the area and the need for new investment and employment where appropriate.
- ❖ Enforcement Policy – All licensing enforcement will be conducted in accordance with the regulatory compliance code.

In order to avoid duplication with other statutory regimes, the Licensing Authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

3 DECISION MAKING

3.1 Terms of Reference

A Licensing Sub-Committee of three Councillors will sit to hear applications where representations have been received from interested parties and/or responsible authorities.

A clear statement of the reasons for the decision shall accompany every determination of a licensing decision by the Licensing Sub-Committee. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable in the form of a Notice of Determination.

The Council's Licensing Officers will deal with all other licensing applications where either no representations have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Licensing Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Sub-Committee. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case. The Gambling Act 2005 provides no right of appeal in these circumstances, although other avenues of legal challenge, for example Judicial Review, may be available.

3.2 Allocation of Decision Making Responsibilities

The Licensing Authority has established a Licensing Committee to discharge all Licensing functions.

The Licensing Committee has delegated responsibilities for determining certain administrative functions in respect of the Licensing Authority's approach to this Policy. Therefore the Licensing Committee may decide to adopt the following:

- Regulators Code;

- Information Sharing Protocol;
- Charges for Pre-application Advice; and
- Other matters relating to the administration of the Licensing Authority's functions under this Act.

The Committee has delegated certain decisions and functions and has established a Sub-Committee to deal with them.

Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to the Director of Environment & Regeneration.

Appendix A sets out a table showing the agreed delegation of functions & decisions in respect of the full Council, Sub-Committee and Officers.

Such delegation does not preclude Officers from referring any application to the Licensing Sub-Committee if they consider it appropriate.

3.3 Licensing Reviews and Applications

Regulations have been made by the Secretary of State under Section 160 of the Act that will require applicants for premises licences to notify the responsible authorities and other persons.

Whilst these authorities will have legitimate interests in aspects of the application, the Licensing Authority must ensure that it does not take into account concerns from these bodies if they are not relevant to the application for a premises licence under the Act.

Examples of representations from such bodies that may not be taken into account are as follows (but these examples are not exhaustive):

- There are already too many gambling premises in the locality
- The proposed premises are a fire risk
- The location of the premises is likely to lead to traffic congestion

The Licensing Authority will carry out a review of a premises licence where it has received a formal application for review in accordance with the Act that is relevant to one or more of the Licensing Objectives.

Due consideration will be given to all relevant representations unless they fit the following:

- a) The grounds are frivolous
- b) The grounds are vexatious
- c) The grounds are irrelevant

- d) The grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence
- e) The grounds are substantially the same as the grounds cited in a previous application relating to the same premises
- f) The grounds are substantially the same as representations made at the time the application for a premises licence was considered and there has been no change in the circumstances.

The Act permits the Licensing Authority to review a premises licence if it considers it appropriate.

Representations may include issues relating to the following:

1. Use of licensed premises for the sale and distribution of class A drugs and/or the laundering of the proceeds of drugs crimes;
2. Use of licensed premises for the sale and distribution of illegal firearms;
3. Use of licensed premises for prostitution or the sale of unlawful pornography;
4. Use of licensed premises as a base for organised crime activity;
5. Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
6. Use of licensed premises for the sale of smuggled tobacco or goods;
7. Use of licensed premises for the sale of stolen goods;
8. Children and/or vulnerable persons being put at risk.

4 LOCAL STANDARDS

4.1 Applications

An application for a premises licence can only be made by a person who either holds an operating licence authorising him to carry on the activity in respect of which a premises licence is sought, or, has made an application for an operating licence which has not yet been determined, or, in the case of an application for a track betting licence the applicant may not be required to have an operators licence.

The applicant may ask the Licensing Authority for advice as to the scope of information to be provided. The Licensing Authority may levy a charge where more in depth or complex advice and assistance is requested.

The level of detail to be provided will be advised by the Licensing Authority and will be proportional to the scale and nature of the application made.

Definitions of “Responsible Authorities” and “Interested Parties” who are able to make representations under this Act can be found in the glossary of terms in section 1.3.

4.2 Assessment of Need

Unmet demand for gambling establishments or facilities is not a criterion that will be taken into consideration when determining an application for a Premises Licence under the Gambling Act 2005. Demand is specifically precluded within the Act. There is no legal obligation to demonstrate that any demand exists.

4.3 Conditions

Conditions will only be applied to licences that are proportionate and appropriate to the business, organisation or individual concerned. The Licensing Authority will draw upon the advice issued by the Gambling Commission and attach conditions relative and proportionate to the given circumstances of each individual case.

4.4 Enforcement

The Licensing Authority intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises be monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the Act and in compliance with any licence conditions. It will also be important to monitor the Borough for unlicensed premises.

The Licensing Authority will seek to work actively with the Police in enforcing licensing legislation and intends to establish protocols with the Metropolitan Police on enforcement issues to ensure an efficient deployment of police and council officers.

Such protocols will be agreed by the Licensing Committee.

4.5 Casinos

There are currently no casinos operating within the Borough.

On 21 November 2012 Merton re-adopted a resolution under Section 166 of the Act not to issue casino licences within Merton or allow operators to make applications for premises licences for casinos.

4.6 Bingo

The Licensing Authority may issue a Bingo premises licence, which will authorise the following gaming machines:

- 1 20% of the total number of gaming machine of Category B3 or B4 machines
- 2 An unlimited number of Category C & D machines

4.7 Betting Offices

The Licensing Authority may issue a premises licence to Betting Offices, which will authorise the following gaming machines:

- 1 A maximum of 4 machines of Category B, C or D

4.8 Family Entertainment Centres (Licensed)

The Licensing Authority may issue a premises licence to Family Entertainment Centres which will authorise the following gaming machines:

- 1 An unlimited number of Category C & D machines
- 2 Category C machines must be located in an adult area only

4.9 Family Entertainment Centres (Unlicensed)

It should be noted that the term “unlicensed” in this definition means premises that do not require an operator’s licence to be granted by the Gaming Commission.

The Licensing Authority may issue a premises licence, which will authorise the following gaming machines: -

- 1 Unlimited numbers of Category D machines

5 PREVENTION OF CRIME AND DISORDER OBJECTIVE

Merton’s Licensing Authority places considerable importance on the prevention of crime and disorder, and will fulfil its duty under s17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. A high standard of control is expected to be exercised over licensed premises.

Merton’s Licensing Authority will, when determining applications, consider whether the grant of a Premises Licence will result in an increase in crime and disorder.

Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council’s Licensing Officers and The Licensing Sergeant at Wimbledon Police Station before making a formal application.

In considering licence applications, the Licensing Authority will particularly take into account the following: -

1. The design and layout of the premises
2. The training given to staff in crime prevention measures appropriate to those premises
3. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed
4. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks

5. The likelihood of any violence, public order or policing problem if the licence is granted

6 ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY OBJECTIVE

Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence). As the Gambling Commission grants Personal Licences and Operating Licences, enforcement of these matters is the responsibility of the Gambling Commission.

7 PROTECTION OF CHILDREN AND OTHER VULNERABLE PERSONS OBJECTIVE

7.1 Access to Licensed Premises

With limited exceptions, the access of children and young persons to those gambling premises, which are adult only environments, will not be permitted.

The principle used to designate the following bodies to advise the Authority on the protection of children and vulnerable persons from harm is that they are the acknowledged experts in this specialised field within this Authority.

The Licensing Authority formally recognises Merton's Local Safeguarding Children Board and Community Care Services as the proper agencies in respect of the protection of children and vulnerable persons from being harmed or exploited by gambling.

The Licensing Sub-committee will judge the merits of each individual application before deciding whether to impose conditions to protect children and vulnerable persons on particular categories of premises. This may include such requirements as: -

1. Supervision of entrances;
2. Segregation of gambling areas from areas frequented by children;
3. Supervision of gaming machines in non-adult gambling specific premises.

The 2005 Act provides for a Code of Practice on access to Casino premises by children and young persons but Merton has adopted a policy not to permit casinos in the Borough.

7.2 Vulnerable Persons

The Licensing Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will follow the Gambling Commission's assumption that for regulatory purposes, "vulnerable persons" include:

1. People who gamble more than they want to;
2. People who gamble beyond their means;
3. People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

In addition to the responsible authorities and specifically with regard to the protection of vulnerable persons from being harmed or exploited by gambling, the Licensing Authority will consult with Community Care Services via a joint arrangement with the Merton Local Safeguarding Children Board & Safeguarding Adults Service.

8 COMPLAINTS AGAINST LICENSED PREMISES

The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the licensing committee consider their valid objections or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they fit the exceptions in 3.3 sub-paragraphs A – F.

FURTHER INFORMATION

Further information about the Gambling Act 2005, this Statement of Principles under the Gambling Act 2005 or the application process can be obtained from: -

Licensing Team
London Borough of Merton
Civic Centre
London Road
Morden
SM4 5DX

Tel: 020 8545 3969
E-mail: licensing@merton.gov.uk
Web page www.merton.gov.uk/licensing

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel: 0121 230 6666
Fax: 0121 230 6720
E-mail: info@gamblingcommission.gov.uk

Business opening hours: 9am to 5pm, Monday to Friday

Appendix A

DELEGATION OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	HEAD OF PLANNING & PUBLIC PROTECTION	HEAD OF CIVIC & LEGAL SERVICES
Three year Licensing Policy	X			
Policy not to Permit Casinos	X			
Validity of Applications or Representations			X	
Representations made by Licensing Authority			X	
Determination of Applications		X	When no hearing is required	
Dispensing with Hearings		Where all parties agree		Where all parties agree prior to hearing
Extending Times Limits		X		Where there is a need prior to hearing (consult with Licensing Committee Chair)
Consideration of Representations (opposing or supporting) and Notices (temporary use / occasional use)		X	X	
Procedure and Conduct of Hearings		X		
Issue of Notice of Hearing				X
Determining Relevance of Information		X		
Determination of Premises Licence Fees		X		

Appendix B

GAMING MACHINE CATEGORIES

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000 (with and option of a maximum £20,000 linked progressive jackpot on a premises basis only).
B2 <i>** See below for definition</i>	£100	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D	30p or £1 when non-monetary prize	£8 cash or 50 non-monetary prize
D money prize	10p	£5
D non-money prize (other than crane grabe machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machines)	20p	£20 (of which no more than £10 may be a money prize)

*** These machines are “Fixed odds betting terminals (FOBTs)”*

The government is satisfied that FOBTs should comprise a separate sub-category (B2) of gaming machine offering a maximum prize of £500 with a maximum stake of £100 per game (£15 per chip) and that they should only be available in Casinos and Licensed Betting Offices.

The Government remains concerned about a possible connection between FOBTs and problem gambling.

However a report on 6 July 2009 from the Gambling Commission has recommended that no immediate action be taken. It suggests that further research into regulatory measures need to be part of a wider prevention and harm mitigation framework which addresses risk mitigation in the context of machine and other gambling more generally. The Government continues to keep the matter under review.

Appendix C

REGULATORS COMPLIANCE CODE & ENFORCEMENT POLICY

This document sets out what business and others being regulated can expect from enforcement officers. It commits us to good enforcement policies and procedures.

This document can be accessed by the following web link:

http://www.merton.gov.uk/working/tradingstandards/enforcement_policy-4.pdf

This page is intentionally left blank

Meeting: Council

Date: 18 November 2015

Wards: All.

Subject: Adoption of the Council's new draft Statement of Licensing Policy, Cumulative Impact Zone for Mitcham Town Centre and the surrounding area.

Lead officer: Chris Lee, Director of Environment and Regeneration.

Lead member: Councillor Nick Draper, Cabinet Member for Community and Culture.

Forward Plan reference number: N/A

Contact Officer: Barry Croft, Licensing Manager, London Boroughs of Merton and Richmond upon Thames Joint Regulatory Services Partnership and Guy Bishop Senior Lawyer Litigation and Planning Team.

Recommendations:

- A. To adopt the new draft Statement of Licensing Policy and a Cumulative Impact Zone (CIZ) for Mitcham Town Centre and the surrounding area as approved by Members of the Licensing Committee on the 20 October 2015.
-

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 There is a statutory requirement under section 5 (1) of the Licensing Act 2003 (as amended) for the Council to review and re-publish its Statement of Licensing Policy every five years.
- 1.2 Combined with the review and re-publication of the Council's Statement of Licensing Policy, consideration is to be given to the adoption of a new Cumulative Impact Zone (CIZ) for Mitcham Town Centre and the surrounding area.

2. DETAILS.

- 2.1 The public consultation of the draft Statement of Licensing Policy took place between 22 June and 14 September 2015. An electronic copy of the draft document was published on the Council's website. All responsible authorities, a number of interested parties, residents associations and Ward Councillors were notified of the public consultation. The Council's consultation team also circulated details of the public consultation.

2.2 During the consultation period the Licensing Authority received thirteen responses. Copies of the responses received were presented to Members of the Licensing Committee for their consideration at the meeting held on Tuesday 20 October 2015. Having considered the comments received Members of the Licensing Committee decided to approve the draft Statement of Licensing Policy with a recommendation for adoption by full Council. A copy of the final draft is attached at **Appendix “A”**.

2.5 **Consideration of a proposed Cumulative Impact Zone (CIZ) to be introduced for Mitcham Town Centre and the surrounding area.**

At the previous Licensing Committee meetings held on the 24 February 2015 and on the 9 June 2015 a section of the reports published covered a proposal to introduce a Cumulative Impact Zone (CIZ) for Mitcham Town Centre and the surrounding area.

The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

There are currently two CIZs in the borough, one in Wimbledon Village, the other in the Wimbledon town centre area.

The adoption of a CIZ requires that it be included in the Statement of Licensing Policy, following the procedure described in this report, meaning that the matter must effectively be decided by Full Council.

The steps that must be followed when considering the adoption of a CIZ are governed by Chapter 13 of the Guidance issued under Section 182 Licensing Act 2003. Those steps are as follows:

1. Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm;
2. Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm;
3. If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent;
4. Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise); and

Consult those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.

Paragraph 13.23 stipulates that “ ... *There must be a clear evidential basis for the decision to include a special policy within the statement of licensing policy ...*” The Guidance then goes on to list the information from which the necessary evidence can be gleaned, which includes crime and disorder statistics; complaints made to the police and local authorities regarding anti-social behaviour and environmental health issues; complaints made to the local authority by local residents; residents’ questionnaires; evidence from local councillors and evidence obtained from local consultation.

The Guidance also states that the authority can also take into consideration such matters as trends in licensing applications, for example the type of application and terminal hours; changes in terminal hours to premises and the capacity of premises at various times of the day.

The Guidance also states that where the local authority believe that where there are problems in an area resulting from the cumulative impact of licensed premises, and where the information to support that assertion is insufficient or not readily available, it can consider undertaking or commissioning a specific study to assess the position.

The consultation process involves contacting various parties, namely:

- The Chief Officer of Police for the Licensing Authority’s area;
- The Fire and Emergency Planning Authority for that area;
- Such persons as the Licensing Authority considers to be representative of holders of premises licences issued by that authority;
- Such persons as the Licensing Authority considers to be representative of holders of club premises certificates issued by that authority;
- Such persons as the Licensing Authority considers to be representative of holders of personal licences issued by that authority; and
- Such other persons as the Licensing Authority consider being representative of business and residents in its area.

During the twelve week (three months) public consultation process a number of residents wrote in support and offered comments for the proposed introduction of a CIZ for Mitcham Town Centre and surrounding areas. The Public Health Team, as part of their submission to the consultation document, provided further evidence which helped Members of the Licensing Committee in their deliberations. Having considered the

comments received during the consultation period, the Licensing Committee decided to approve the new CIZ to cover new and variation applications for sales of alcohol for consumption off the premises only, with a recommendation it be adopted by full Council as part of the revised Statement of Licensing Policy.

Attached to this report at **Appendix “B”** is a map showing the area of the CIZ for Mitcham Town Centre, the surrounding area as well as the roads which are proposed to be covered, these include:

- London Road (north) to junction of Armfield Crescent to include retail premises on Monarch Parade;
- London Road to Seely Road as far as Tooting National Rail Station and borough boundary;
- The top end of Streatham Road where it joins Seely Road;
- London Road south from Raleigh Gardens up to Mitcham Tram Stop;
- Western Road and Church Road;
- Streatham Road Shopping Parade between Rustic Avenue and Elmhurst Avenue (one side) and Ashbourn Road and St Barnabas Road;
- Gorringe Park Avenue and Seely Road at the junction of Eastbourne Road;
- Holborn Way;
- UpperGreen;
- Cricket Green;
- Maderia Road; and
- Common Side West.

3. Alternative options.

3.1 None for the purpose of this report.

4. Consultation undertaken or proposed.

4.1 A twelve week (three month) public consultation was undertaken between the 22 June and the 14 September 2015 on the proposed revisions to the Statement of Licensing Policy and the proposed Cumulative Impact Zone for Mitcham Town Centre and surrounding area.

5. Timetable.

- 5.1 Following adoption by full Council the Statement of Licensing Policy including the new CIZ for Mitcham Town Centre and the surrounding area will be published on the Council's website from 5 January 2016.

6. Financial, resource and property implications.

- 6.1 None for the purposes of this report.

7. Legal and statutory implications.

- 7.1 None for the purposes of this report.

8. Human rights, equalities and community cohesion implications.

- 8.1 These are statutory functions and are applied globally.

9. Crime and Disorder Implications.

- 9.1 The service has a statutory duty to contribute to the reduction of crime and disorder within the London Borough of Merton under Section 17 Crime and Disorder Act 1988. The prevention of crime and disorder is also one of the licensing objectives as defined in the Licensing Act 2003 and in the Council's current Statement of Licensing Policy.

10. Risk management and health and safety implications.

- 10.1 All risk and health and safety implications have been considered when compiling this report. None are apparent.

11. Appendices – the following documents are to be published with this report and form part of the report.

- 11.1 **Appendix "A"** Draft Statement of Licensing Policy.

- 11.2 **Appendix "B"** Map showing the Cumulative Impact Zone for Mitcham Town Centre and surrounding area.

12. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report.

- 12.1 The Licensing Act 2003; and

- 12.2 Revised guidance issued under section 182 of the Licensing Act 2003.

This page is intentionally left blank

LONDON BOROUGH OF MERTON



STATEMENT OF LICENSING POLICY

6th JANUARY 2016

Index of Sections	
Section 1 The Licensing Act 2003 – Policy and Scope	3
Section 2 Types of Licenses	4
Section 3 The Policy	4
Section 4 Integrating Strategies	10
Section 5 Promotion of Racial and Gender Equality	15
Section 6 Live Music, Theatre & Dancing	15
Section 7 Cumulative Impact	16
Section 8 Crime and Disorder	22
Section 9 Public Safety	24
Section 10 Prevention of Nuisance	24
Section 11 Prevention of Harm to Children	26
Section 12 Tourism, Employment, Planning & Building Control	29
Section 13 Licensing Hours	30
Section 14 Conditions	31
Section 15 Applications for Premises Licences	35
Section 16 Operating Schedule (Licensed Premises and Registered Clubs)	36
Section 17 Enforcement	38
Section 18 Applications for Personal Licences to Sell or Supply Alcohol	38
Section 19 Temporary Event Notices	39
Section 20 Registered Clubs	40
Section 21 Reviews and Dealing with Complaints about Premises	41
Section 22 Administration, Exercise and Delegation of Functions	43
Publication of the Policy	43
Appendix 1 Responsible Authority Contact Details	45
Appendix 2 Maps showing Cumulative Impact Zone Boundaries	46

1. The Licensing Act 2003 – Policy and Scope

- 1.1 The Licensing Act 2003 (“the Act”) gained Royal Assent on 10 July 2003 and established a single integrated scheme for licensing premises which are used for the sale or supply of alcohol, to provide regulated entertainment, or to provide late night refreshment. These activities are known as “licensable activities”. The Act came into force in November 2005.
- 1.2 Merton Council became the Licensing Authority responsible for authorising and regulating licensable activities in the London Borough of Merton. All licence applications received under the Act are published on Merton’s website (www.merton.gov.uk/licensing). For the purposes of this policy, reference to Merton is in relation to its function as a licensing authority unless otherwise specified.
- 1.4 The London Borough of Merton is situated in the South West of Greater London. Merton is generally “greener” and more suburban than most other London Boroughs. The Borough is predominantly a residential area. Its properties are both wide ranging in character and often of a high quality. The Council’s strategic objectives include improving the quality of life for residents and businesses alike. They will benefit from a cleaner and more attractive physical environment and improved access to high quality housing, transport systems, learning opportunities and jobs. The Council will also maintain our current position as a low crime Borough and our residents will continue to see Merton as a safe place to live, work and learn. Relationships between Merton’s many diverse communities will be positive.
- 1.5 The Borough has five principal areas namely Raynes Park, Colliers Wood, Mitcham, Morden and Wimbledon. At present, the Council is responsible for the licensing of some 500 premises for the sale or supply of alcohol (e.g. off-licences, restaurants, public houses, bars, registered clubs etc). In addition, the licensing authority is responsible for granting personal licences to individuals wishing to sell or supply alcohol. Some licensed premises are in residential areas. A greater number are located in town centres which are often on a single main road with commercial uses backing onto residential streets. In addition, town centre buildings may contain flats on their upper floors. Customers of licensed premises may often park their vehicles in residential streets.
- 1.6 The busiest of these areas is Wimbledon (comprising the Town Centre and Village, the former being approximately twice the size of the latter), which has the highest density of leisure and entertainment venues in the Borough.
- 1.7 Of paramount importance, the Act requires the Licensing Authority to carry out its various licensing functions with a view to promoting the following licensing objectives:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Each of these licensing objectives is of equal importance.

- 1.8 Under the Act, the Licensing Authority is required to publish a Statement of Licensing Policy with respect to the exercise of its licensing functions. The London Borough of Merton's first Statement of Licensing Policy was prepared in accordance with the provisions of the Act and with regard to the Secretary of State's Guidance issued under Section 182 of the Act. It was adopted by the Council on 05 January 2005. In accordance with the Act, our Policy was reviewed and re-adopted by the Full Council on the 18 November 2015.
- 1.9 Licensing law and policy recognises that in a modern and vibrant society the licensable activities covered by the Act require a responsive and flexible system that balances the interests of commerce and its customers with the rights of residents to enjoy their homes and locality without being unreasonably disturbed. One of the purposes of this Policy is to ensure that local people and visitors to the London Borough of Merton will have better opportunities to enjoy their leisure time safely without fear of violence, intimidation or disorder. Another intention of the policy is to ensure that local residents are not unreasonably disturbed, whether in the street or at home, by activities within licensed premises or by customers arriving at, or leaving, licensed premises.
- 1.10 An effective Licensing Policy, alongside other initiatives, can work towards promoting positive aspects of the licensed economy, such as increasing the leisure industry provision for the community, encouraging regeneration of town centres and providing communal hubs, as well as controlling the negative impacts which affect residents, such as an increase in noise, nuisance, anti-social behaviour and crime and disorder.

2. Types of Licences

- 2.1 The types of licences and authorisations available under the Licensing Act 2003 include:
 - premises licences;
 - club premises certificates;
 - temporary events notices (standard and late);
 - provisional statements; and
 - personal licences in respect of the sale and/or supply of alcohol.

3. The Policy

- 3.1 This Statement of Licensing Policy serves 4 main purposes:
 - To guide elected Members sitting on the Licensing Committee and Sub-Committees, as well as Officers with delegated authority, on the boundaries and powers of the Licensing Authority, and to provide them with guidance when making decisions. Members and officers should be able to test any application against the criteria set out in this Policy;

- To inform and assist potential applicants for a licence of the expectations of the Licensing Authority and factors that will be considered when making licensing decisions;
- To inform and assist responsible authorities and other persons (including residents and residents' bodies) of the parameters under which the licensing authority will make licence decisions, and therefore how their needs and concerns can be addressed; and
- To inform a Court of Law of the policy considerations taken into account by the Licensing Authority when making a decision if it is challenged.

3.2 The Act covers these licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment;

3.4 Regulated entertainment is defined as follows:

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- A boxing or wrestling entertainment (indoor and outdoor);
- A contest, exhibition or display which combines boxing or wrestling with one or more martial arts ("combined fighting sports");
- A performance of live music;
- Any playing of recorded music;
- A performance of dance; and
- Entertainment of a similar description to performance of live music, any playing of recorded music or the performance of dance.

The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6th April 2015. Further de-regulation (in addition to the Live Music Act 2012) of regulated entertainment came into force after this date with changes as follows:

Live Music

- Live unamplified music deregulated between the hours of 08:00 and 23:00 on any premises.
- Live amplified music deregulated between the hours of 08:00 and 23:00 on any premises provided the audience does not exceed 500 persons.
- Live unamplified and amplified music can become licensable for on-licensed premises covered by a premises licence, if the Licensing Authority removes

the effect of deregulation following an application for review, which is determined by a Licensing Sub-Committee.

Recorded Music

- Recorded music deregulated between the hours of 08:00 and 23:00 for on-licensed premises covered by a premises licence provided the audience does not exceed 500 persons.
- Recorded music can become licensable for on-licensed premises covered by a premises licence, if the Licensing Authority removes the effect of deregulation following an application for review, which is determined by a Licensing Sub-Committee.
- Unlike live music, deregulation of recorded music does not apply to workplaces.

Local Authority Live and Recorded Music

- Live and recorded music played between the hours of 08:00 and 23:00 at a non-residential premises of a local authority is not a licensable activity provided that:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance on the relevant premises from the local authority concerned.
- Any regulated entertainment provided by or on behalf of a local authority on their own premises is deregulated between the hours of 08:00 and 23:00.

Health Live and Recorded Music

- Live and recorded music played between the hours of 08:00 and 23:00 on hospital premises is not a licensable activity provided that:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance on the relevant premises from the health care provider concerned.
- Any regulated entertainment provided by or on behalf of a health care provider on their own hospital premises is deregulated between the hours of 08:00 and 23:00.

Schools Live and Recorded Music

- Live and recorded music played between the hours of 08:00 and 23:00 on school premises not a licensable activities provided that:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance on the relevant premises from the owner of the school.

- Any regulated entertainment provided by or on behalf of a school proprietor on their own school premises is deregulated between the hours of 08:00 and 23:00.

Community Premises Live and Recorded Music

- Live and recorded music played between the hours of 08:00 and 23:00 in a:
 - Church Hall;
 - Village Hall; or a
 - Community Hall or other similar premises is not a licensable activity provided that the premises are not licensed to sell alcohol and the following:
 - The audience does not exceed 500 persons; and
 - The organiser gets consent for the performance from a person who is responsible for the premises.

Travelling Circuses

- Any entertainment is deregulated and no longer a licensable activity (excluding films, boxing or wrestling) when taking place at a travelling circus, provided:
 - It takes place within a movable structure that accommodates the audience; and
 - That the travelling circus has not been located on the same site for more than twenty-eight consecutive days.

Olympic Wrestling Disciplines

- A contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling deregulated between the hours of 08:00 and 23:00, provided that the audience does not exceed 1000 persons.

Incidental Film

- Incidental film – an exhibition of moving pictures if it is incidental to some other entertainment activity.

Exhibition of Films in Community Premises

- A premises licence will not be required for “not for profit” film exhibition held in a community premises between the hours of 08:00 and 23:00 provided that the audience does not exceed 500 persons and the organiser:
 - Gets consent to the screening from a person who is responsible for the premises; and
 - Ensures that each such screening abides by age classification ratings.

- Community premises are defined as:
 - Church Hall;
 - Village Hall; or a
 - Community Hall or other similar premises

The following will still be a licensable activity:

- Any entertainment activity which takes place after 23:00 hours;
- Most forms of entertainment activity which takes place before an audience of more than 500 persons (with a few exceptions); and
- Any sexual entertainment.

3.5 Main Principles

The following are the main principles underpinning this Policy:

- Nothing in this Policy restricts any person from making an application under this Act;
- Each application will be judged on its individual merits, having regard to this Policy, the Secretary of State's Revised Guidance issued under section 182 of the Licensing Act 2003 and the law of England and Wales;
- Nothing in this Policy restricts the right of any person to make relevant representations in response to an application or to seek a review of a premises licence or club premises certificate because of a matter arising at the premises in connection with any of the four licensing objectives;
- As well as responsible authorities, any person, body or business is entitled to make representations to the licensing authority in relation to applications for the grant, variation, minor variation or review of a premises licence or a club premises certificate, regardless of their geographical proximity to the premises. Appropriate weight will be given to all relevant representations by persons unless they are deemed frivolous, vexatious or repetitious by an officer of the Licensing Authority or the Licensing Sub-Committee;
- Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the London Borough of Merton.
- Conditions will only be imposed on a licence or other authorisation if they are appropriate for the promotion of the licensing objectives and are proportionate. Since licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events, any

conditions attached will be focussed on matters that are within the control of individual licence holders (i.e. the premises and its vicinity). Conditions will be tailored to the size, type, location, characteristics and activities taking place at the premises concerned and will be determined on a case-by-case basis. Standardised conditions will be avoided, although selection may be made from pools of conditions. All conditions must be expressed in unequivocal, enforceable, and unambiguous terms.

- The Licensing Authority expects applicants and licence holders to have due regard to the promotion of the licensing objectives and to take active measures to contribute to this aim. The operating schedule should be used to set out a detailed explanation of how applications will promote each of the four licensing objectives. The Licensing Authority would particularly encourage active involvement in best practice initiatives such as local pubwatch schemes and proof of age schemes as challenge 25. We would also expect all people applying for a licence to install and maintain a good quality close circuit television (CCTV) system in the interests of public safety and security.

3.6 This policy will be reviewed at regular intervals and, in accordance with the Act, no later than five years after the current policy has been adopted by the Council.

3.7 Consultation on Policy Document

Section 5(3) of the 2003 Act prescribes that the following must be consulted:

- The Borough's Chief Officer of Police;
- The Fire and Rescue Authority;
- The local authority's Director of Public Health;
- Persons/bodies representative of local premises licence holders;
- Persons/bodies representative of local club premises certificates holders;
- Persons/bodies representative of local personal licences holders; and
- Persons/bodies representative of businesses and residents in the area.

3.8 The following organisations or individuals have been consulted:

- Safer Merton;
- British Transport Police;
- Local Accident & Emergency Hospital Departments;
- The Musician's Union & Equity;
- Local Childrens Safeguarding Board;
- The Area Forums;
- All Ward Councillors; and
- Local Pubwatch organisations and local business organisations.

3.9 In addition, the Policy will be available on the Internet on the London Borough of Merton's web site (www.merton.gov.uk/licensing).

- 3.10 In determining this Policy appropriate weight will be given to the views of the persons and bodies consulted.
- 3.11 Duplication
- 3.11.1 This Policy seeks to avoid duplication with other regulatory regimes so far as is possible. This policy statement is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators in respect of employees or members of the public (e.g. Health & Safety at Work etc. Act 1974, Environmental Protection Act 1990, disability discrimination and equality legislation, Anti-Social Behaviour Act 2003, Anti-Social Behaviour, Crime and Policing Act 2014 and Fire Safety legislation).
- 3.11.2 Conditions will only be attached to licences if they are appropriate for the promotion of the licensing objectives and are proportionate. If a requirement is already imposed by other legislation, it will not generally be considered to be appropriate in the context of licensing law. However, the fact that a matter is covered by other legislation does not always mean that a condition will not be appropriate for the purposes of licensing. It may be that current legislation or regulations might not cover the particular circumstances that arise out of the type of activity at specific premises. In those situations it may be appropriate for conditions to be attached that reflect those particular circumstances. However, the licensing authority will not seek to duplicate a condition which is already provided for under other legislation.

4. Integrating Strategies

- 4.1. There are many organisations and bodies whose policies and strategies impact on, or involve, one or more of the licensing objectives. Where necessary, the Licensing Authority will liaise with such organisations to ensure proper integration of local crime prevention, planning, transport, tourism, equality schemes, economic development, cultural strategies and alcohol harm reduction initiatives.
- 4.2.1 Alcohol Harm Reduction Strategy

In 2004, the Government published its 'Alcohol Harm Reduction Strategy for England' ("the Strategy") in which they identified the problems associated with the consumption of alcohol and suggest measures to tackle those problems.

In June 2007, the government published a further report identifying the Next Steps in the National Alcohol Strategy. This strategy, known as "Safe. Sensible. Social", builds upon the foundations, which have been laid, and the lessons learnt since 2004. It will forge a clearer national understanding of what is acceptable drinking behaviour, in order to reduce the amount of harm that alcohol causes to individuals, families and communities. Safe, Sensible, Social outlines a concerted approach to support a change in drinking culture and shows

how the police, local communities, local authorities, the NHS, voluntary organisations, the alcohol industry and others all have a role to play.

The key measures contained within the policy are:

- Working with the drinks industry to ensure that advertising does not promote or condone irresponsible or excessive drinking. This would include creating a Social Responsibility Charter for drinks producers requiring them to put “sensible drinking” messages on packaging; information about units of alcohol on bottles and cans and ensuring that products are not created to appeal to under-age drinkers.
- The strategy states that at local level, there will be new “code of good conduct” schemes for retailers, public houses and clubs, which would be run locally by a partnership of the industry, police and local authorities. These will ensure that industry works alongside local communities that are of concern such as: underage drinking and making town centres safer and more welcoming at night. However any such scheme would be voluntary.
- The strategy contains measures for combating alcohol related disorder in town and city centres. These include an increase in the use of exclusion orders and fixed penalty fines and better enforcement of existing rules governing under-age drinking and serving people who are already drunk.
- The strategy identifies the social and health problems associated with the consumption of alcohol and propose to combat them by promoting greater awareness among health service workers, in schools and by information campaigns.

When carrying out its licensing functions, Merton will endeavour to complement the Governments Alcohol Strategy and the following are examples of how this may be achieved:

- monitoring the sale or supply of alcohol to minors
- where there are relevant representations the licensing authority may attach conditions requiring licensees to require customers who appear to be under 18 to provide evidence of their age

4.2.2 Crime and Disorder Strategy

The Crime and Disorder Act 1998 (as amended) places a duty on Local Authority Chief Executives and Borough Police Commanders, in partnership with other agencies, to work together to reduce crime and disorder in the Borough. Merton’s Crime and Disorder Strategy complements central Government strategies and other initiatives, as well as the plans of the other member agencies.

The Safer Merton group has agreed seven key objectives for the Merton Crime and Disorder Strategy (available at www.safermerton.org.uk or on request at the Civic Centre), and the licensing authority's Licensing Policy will integrate with those objectives in the following ways:

- promotion of the four statutory licensing objectives namely prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm
- where there are relevant representations, providing a pool of appropriate conditions to new licences or reviewing existing licences
- monitoring licensed and unlicensed activities
- prosecution of offences in accordance with the enforcement concordat and any other policies that may relate to enforcement
- the review of the licensing policy itself will also enable Merton to respond to changes in the types of crime and disorder in the Borough and take into account changes in this Council and central Governments strategies.

4.2.3 Metropolitan Police Drugs Strategy

- The Metropolitan Police drugs strategy has two strands, namely reducing supply and reducing demand, and this will be achieved by forging a partnership approach between the Police, Merton Council and the local community.
- The Police strategy supports the development, and use of, intelligence garnered from appropriate sources to target those involved in any form of drug dealing.
- The use, and sharing of, intelligence provided by all relevant organisations is emphasised as necessary to identify those areas of drug misuse that cause particular concern to the community.
- Merton is developing a protocol with the Metropolitan Police with regard to enforcement and part of the protocol will relate to the sharing of information generally and specifically in the area of misuse of drugs.
- Merton Council through the promotion of the licensing objectives and the carrying out of its licensing function will contribute to achieving the aims stated in this section.
- In this way, Merton's Licensing Policy will integrate with both the Police and Courts in seeking to properly address the "Crime & Disorder" objective of the Licensing Act 2003.

4.2.4 Door Supervisors

The Security Industry Authority (SIA) exists to manage the licensing of the private security industry as set out in the Private Security Industry Act 2001 (“PSIA 2001”). Their aims include:

- Increasing public confidence in the private sector security industry
- Improving training, standards and professionalism
- Promoting and spreading best practice
- Strengthening the Metropolitan Police and other enforcement agencies by encouraging and supporting further engagement of the private security industry

Under the PSIA 2001, door supervisors are required to be licensed by the SIA. Door supervisors are employed at many licensed premises in Merton, either by the proprietor or when conditions have been attached to a licence by Merton with regards to the provision of door supervisors. Merton’s Licensing Policy integrates with and is compatible with the SIA strategy by requiring such persons to be SIA licensed.

4.2.5 Health and Wellbeing Strategy (Public Health).

Merton’s Health and Wellbeing Strategy is developed and updated by the Health and Wellbeing Board (HWB) as part of its statutory function, facilitating partnership working between the London Borough of Merton , Merton Clinical Commissioning Group and the voluntary and community sector. Updated in 2015, the strategy sets out a clear vision to create opportunities for all Merton residents enjoy a healthy and fulfilling life.

The strategy has five key themes:

- Best start in life;
- Good Health;
- Life skills, lifelong learning and good work;
- Community participation and feeling safe; and
- A good natural and built environment.

Creating an environment and culture that prevents problem drinking and tackling the harms resulting from alcohol misuse is central to achieving the outcomes of the strategy. Promotion of the licensing objectives therefore has a direct impact on the strategy’s aims in the following ways:

- The prevention of alcohol-related crime and anti-social behaviour and the protection of public safety all contribute to the building of strong

communities in Merton, enabling individuals to feel safe and engage fully with local activities, increasing community cohesion across the borough.

- Protecting children from alcohol-related harm is vital if we are to ensure that every child has the best start in life. To achieve this aim, we need to address factors that contribute to the misuse of alcohol by parents in Merton, in addition to the problem of underage drinking.

4.5 The “Merton Partnership” brings together a range of key players from the public, private and voluntary sectors in Merton, including the council, health bodies, and police, to co-ordinate the delivery of local services.

Merton Partnership brings together a range of key players from the public, private and voluntary sectors in Merton, including the council, health and police, to co-ordinate the delivery of local services.

The Partnership developed a Community Plan in 2009 setting out the overall direction and vision for the Borough until 2019, and a set of commitments and activities to achieve this vision. The Community Plan was refreshed in 2013 to take into account demographic, legislative and policy changes. It now sets out a vision, and pledges to deliver the vision with details of achievements to date, under the following six key headings:

- Merton: A place to work;
- A healthy and fulfilling life;
- Better opportunities for youngsters;
- Keeping Merton moving;
- Being safe and strong; and
- Contributing to your community.

Underpinning all this is the concept of ‘Bridging the Gap’, that is to say to address the significant differences between those living in the east and west of our Borough, for example average salary, life expectancy or educational attainment.

The Community Plan sits above each partner’s own Business Plan and sets the context for how each organisation delivers its business.

The Director of Public Health became a Responsible Authority in 2012 following changes to the 2003 Licensing Act. In this role, the Public Health team is consequently able to bring data and evidence from the health sector and on the wider determinants of health into the licensing process in order to support the promotion of the licensing objectives. In Merton, the Director of Public Health now chairs bi-monthly partnership meetings that bring together all Responsible Authorities, providing a forum for the sharing of data and the discussion of best practice in the licensing process.

Notwithstanding other Council objectives set out in separate Plans, Policies and Strategies, the Licensing Objectives are overriding objectives in the context of this Policy Statement. The Licensing Authority, in promoting the four Licensing Objectives, may also take into account the Council's policy on neighbourhood renewal. Examples of how this can be achieved are:

- attaching conditions to licences which are appropriate and proportionate, subject to evidence to support such conditions; and
- reviewing the Policy and reflecting changes in Council and central Government strategies concerning renewal.

4.6 Test Purchases for the Sale by Retail of Alcohol.

A Code of Best Practice concerning test purchases has been compiled by the Department of Business Innovation and Skills, Better Regulation Delivery Office, Code of Practice on Age Restricted Products This Code has been approved by Central Government and this Council has signed up to this code as a means to gather evidence and prosecute persons for unlawful sales of alcohol where appropriate. The Code (published in April 2014) can be accessed here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/299373/13-537-code-of-practice-age-restricted-products.pdf

5. Promotion of Equality

- 5.1. The Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. This Policy complies with that legal obligation.

In complying with our Equality Duty, this Statement of Licensing Policy will be taken into account.

6. Live Music, Theatre & Dancing

- 6.1. In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community. The Council is particularly concerned to increase cultural opportunities for children.
- 6.2. When considering applications for such events and the imposition of conditions on licences or certificates, the Licensing Authority will carefully balance the cultural needs with the promotion of the licensing objectives.

- 6.3. Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.
- 6.4. As a Local Authority, the London Borough of Merton, has been granted premises licences for a number of properties and sites owned by the Council. The granting of such premises licences means that those individuals or organisations who may wish to use these venues to provide regulated entertainment have been relieved of the requirement to apply for a licence or other authorisation. Further information can be found at www.merton.gov.uk
- 6.5. The Licensing Authority will monitor the impact of licensing on regulated entertainment, particularly music and dancing, to ensure that inappropriate restrictions are not being placed on the development of entertainment activities in the Borough.

7. Cumulative Impact

- 7.1 The Council as licensing authority cannot take 'need' (i.e. commercial demand) into account when considering an application for a premises licence or a club premises certificate..
- 7.2. Cumulative impact means the potential impact upon the promotion of the licensing objectives by a significant number of licensed premises concentrated in one area. The Council recognises that the cumulative impact of the number, type and density of licensed premises in a given area, may lead to serious problems of nuisance and disorder outside and within the locality of these premises. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises and it may not be possible to distinguish a specific premises as being the sole cause, or even a major contributing factor of a particular problem. It is acknowledged that it is the "Cumulative Impact" of all of the premises that causes problems for a wider area.
- 7.3 It may become apparent to the Council by way of representations made to it by responsible authorities and/or other persons or bodies that an area has or is becoming saturated with premises, making it a focal point for many/or large groups of people to gather and circulate around the locality or further away from the licensed premises, creating exceptional problems of disorder and nuisance over and above the impact from the individual premises.
- 7.4 In these circumstances the Council may consider that the attachment of conditions is unlikely to address these problems and it may then consider the adoption of a special policy of refusing new premises licences or club premises certificates because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.

- 7.5 When consulting upon its original Statement of Licensing Policy, the Council took the following steps in considering whether to adopt a special policy:
- Identification of concern about crime and disorder or public nuisance;
 - Consideration of whether it can be demonstrated that crime and disorder and nuisance are arising and are caused by the customers of licensed premises and if so identifying the area from which the problems are arising and the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent;
 - Consultation with those specified by section 5(3) of the 2003 Act as part of the general consultation required in respect of the whole statement of licensing policy;
 - Subject to that consultation, inclusion of a special policy about future premises licence or club premises certificate applications from that area within the terms of the Guidance in the statement of licensing policy;
 - Publication of the special policy as part of the statement of licensing policy as required by the Act.

The Council still considers these steps to be appropriate for reviewing existing Special Policy areas and for contemplating new ones.

There are a number of measures that licence holders of existing premises within the current Cumulative Impact Zones can take to further promote the licensing objectives. These include the use of door supervisors, radio schemes and participation in local pubwatch or responsible retailer schemes.

- 7.6 In 2005, the Council considered that the evidence available justified two specific areas in Merton where a special policy was appropriate and necessary. Those areas were Wimbledon Town Centre (part of this area is also a Controlled Drinking Zone) and Wimbledon Village. Having regard to the evidence currently available the Council considers that it is appropriate to continue the special policies in these two areas and add a further special policy for Mitcham Town Centre and the surrounding area. The evidence has been examined, indicating that the special policy is working and ought to be continued.

Wimbledon Town Centre

There has been a significant increase in the number and scale of licensed premises in Wimbledon Town Centre over recent years. This has resulted in a significant number of alcohol related crimes and of complaints being made to the Council concerning nuisance. The Police have provided evidence regarding alcohol related crime and disorder and the connection between the offences and licensed premises. Anti-social behaviour has led to the Metropolitan Police designating part of the town centre as a dispersal area

under the Anti -Social Behaviour Act 2003. Residents and Residents Associations in Wimbledon Town Centre have made representations that the Town Centre is at saturation point. The Police support the designation of Wimbledon Town Centre as a cumulative impact zone.

Wimbledon Village

Wimbledon Village has not experienced the same development pressures as Wimbledon Town Centre. However, the usage and opening hours of existing public houses and conversion of shops to restaurants has impacted on the locality. There are fewer crimes recorded in the Village as compared to the Town Centre. However, it is clear from the significant number of responses received from residents and Residents Associations to the original consultation that many people experience regular disturbance and nuisance as a result of the proximity of a large number of licensed premises. The Police again supported the designation of Wimbledon Village as a cumulative impact zone. By designating these areas as cumulative impact zones, the Council is promoting the licensing objectives and complying with its statutory duty under Section 17 of the Crime and Disorder Act 1998 to prevent crime and disorder in its area.

Mitcham Town Centre and the Surrounding Area

There has been a significant increase in the number and scale of licensed premises in Mitcham Town Centre over recent years. This has resulted in a significant number of alcohol related crimes and of complaints being made to the Council and/or Police concerning disorder and nuisance involving street drinkers, litter, urination in the street, and the proliferation of alcohol off licence premises. The Police have provided evidence regarding alcohol related crime and disorder and the connection between the offences and licensed premises. The Public Health Team has also undertaken research on these issues by way of a survey which supports a special policy. This special policy has been approved and adopted by the Council to cover sales of alcohol for consumption off the premises (off sales) only.

- 7.7 The areas subject to the special policy are as shown in the plans attached to this policy.

The Wimbledon Town Centre cumulative impact zone applies to the following roads and areas:

- Wimbledon Hill Road from the junction with Mansel Road and Woodside Road to the Broadway including Wimbledon Bridge;
- The Broadway to its junction with Merton Road;
- Kings Road from its junction with The Broadway to South Park Road;
- Stanley Road from its junction with The Broadway to South Park Road;

- Merton Road from its junction with The Broadway to its junction with Griffiths Road and Quicks Road;
- Hartfield Road from its junction with Wimbledon Bridge to Sir Cyril Black Way;
- Sir Cyril Black Way;
- Gladstone Road from its junction with The Broadway to Sir Cyril Black Way;
- The forecourt and platforms of Wimbledon Station;
- Hartfield Crescent to number 31 – commercial premises;
- Worples Road from Wimbledon Hill Road to its junction with Raymond Road and Francis Grove; and
- Centre Court Shopping Precinct.

The Wimbledon Village cumulative impact zone applies to the following roads:

- High Street (including Hampton House), from its junction with Marryat Road to Wimbledon Hill Road
- Church Road from its junction with the High Street to its junction with Belvedere Square; and
- The Ridgway from its junction with the High Street to its junction with Hillside including 120 Wimbledon Hill Road (120 Wimbledon Hill Road has frontage on the Ridgway).

The Mitcham Town Centre and surrounding area cumulative impact zone applies to the following roads (for sales of alcohol for consumption off the premises only):

- London Road (north) to junction of Armfield Crescent to include retail premises on Monarch Parade;
- London Road to Seely Road as far as Tooting National Rail Station and borough boundary;
- The top end of Streatham Road where it joins Seely Road;
- London Road south from Raleigh Gardens up to Mitcham Tram Stop;
- Western Road and Church Road;

- Streatham Road Shopping Parade between Rustic Avenue and Elmhurst Avenue (one side) and Ashbourn Road and St Barnabas Road;
- Gorrington Park Avenue and Seely Road at the junction of Eastbourne Road;
- Holborn Way;
- UpperGreen;
- Cricket Green;
- Maderia Road; and
- Common Side West.

7.8 The Council considers that it is appropriate and proportionate to continue a special policy within the designated cumulative impact zones and add an additional cumulative impact zone for Mitcham Town Centre. Where relevant representations have been received the policy will affect applications for new premises licences or club premises certificates or variations of existing licences or certificates. It will be for applicants to show in their operating schedules that their proposals will not add to the cumulative impact already being experienced. Failure to provide such information to the Council is likely to result in a refusal of the application if the matter proceeds to a hearing before the Licensing Sub-Committee. Responsible authorities and/or other persons will need to consider the steps proposed by an applicant in order to decide whether to submit representations. The effect of the cumulative impact policy is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the licensing objectives. However, the process allows applicants to rebut the presumption of refusal in their applications, and to make the case before a Licensing Sub-Committee why their application should be granted as an exception to our cumulative impact policy. Where an application engages the special policy the burden of proof lies on the applicant to rebut the presumption.

7.9. The presumption of a refusal does not, however, relieve responsible authorities or other persons of the need to make a relevant representation, as the special policy can only lawfully be considered by a Licensing Sub-Committee, which has been convened in response to valid representations made in relation to the specific application. If no representations are received then it would remain the case that any application must be granted in terms that are consistent with the application and operating schedule submitted.

Responsible authorities, such as the Police, or other persons, can make a written representation maintaining that it is appropriate to refuse the application

in order to promote the licensing objectives. In doing so they may wish to refer to the special policy and, if appropriate, any other relevant information supporting the representation.

7.10 This special policy is not absolute. The circumstances of each application will be considered on its own individual merits. Where the applicant can demonstrate that their proposed operation will have no negative impact on any of the licensing objectives then it is possible for licences and certificates to be granted. As a consequence of the presumption that underpins the special policy applications must directly address the underlying reasons for this policy in order to demonstrate why an exception should be made in any particular case. Following receipt of representations in respect of a new application for, or a variation of, a licence or certificate, the Licensing Authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. Notwithstanding the significance of the special policy the Licensing Sub-Committee must give reasons for any decision to refuse or grant an application. An exception may be made where the application proposes, for example:

- To substitute one type of premises with another which is likely to have a lesser impact on the licensing objectives;
- To substitute one licensable activity with another of less or equal impact;
- To effect a real reduction in capacity;
- To replace vertical drinking with seated consumption and/or condition alcohol sale or supply as ancillary to substantial food;
- To make alterations to the premises that maintain the status quo or enhances the premises without negatively impacting on the licensing objectives; or
- Where a reduction in hours of operation is proposed.

This list is not intended to be an exhaustive or prescriptive list of when exceptions may be found as each case will be determined on its individual merits. There are other factors that might contribute to an application being considered as an exception, such as the licensable activities sought, the hours of operation, management standards applied or to be applied to the operation inside and outside of the premises, including door supervision, acoustic controls, CCTV coverage inside and outside the premises, smoking controls, safe capacities, management of exterior spaces, and neighbour considerations.

7.11 This special policy cannot be used at a review hearing as a ground for revoking an existing licence or certificate when relevant representations are received about problems with those premises.

7.12 The special policy relating to cumulative impact deliberately does not include provisions relating to any specific terminal hour in a particular area. The Council does not intend to attempt to fix a terminal hour in any area which may undermine a key purpose of the 2003 Act.

7.13 This special policy does not seek to impose quotas either on the number of premises or the capacity of those premises. Quotas that indirectly have the

effect of pre-determining the outcome of any application will not be used because they have no regard to the individual characteristics of the premises concerned. Public houses, night clubs, restaurants, hotels, theatres, concert halls and cinemas all could sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be given to those differences and the differing impact they will have on the promotion of the licensing objectives.

- 7.14 If the Licensing Sub-Committee decides that an application should be refused it will still need to conclude that in light of the cumulative impact policy the grant of the application would undermine the promotion of one or more of the licensing objectives and that the imposition of conditions would be ineffective or disproportionate in preventing any cumulative impact.
- 7.15 Notwithstanding the special policy the Council will continue to work with all appropriate partners to help meet the licensing objectives through local initiatives and good practice, including the provision of CCTV surveillance, police enforcement of general law, ongoing measures to create a safe and clean environment, and working in partnership with licensees.
- 7.16 This special policy will be reviewed to assess whether it is needed any longer or whether it needs expanding.

8. The Prevention of Crime and Disorder

- 8.1 Under section 17 of the Crime and Disorder Act 1998, the London Borough of Merton, as a Local Authority, has a duty to do all that it reasonably can to prevent crime and disorder within the Borough. As previously stated the prevention of crime and disorder is also one of the four licensing objectives that this Licensing Authority has a duty to promote.
- 8.2 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a significant source of crime and disorder.
- 8.3 In determining licence applications where relevant representations have been made, it will be the policy of the Council to consider the adequacy of measures proposed to deal with the potential for crime and disorder having regard to all the circumstances of the case. In particular the authority may consider the following:
- the levels of crime and disorder in and around the venue;
 - the level of compliance with conditions on existing licences;
 - the measures to be put in place to prevent underage drinking;
 - the measures proposed to prevent the consumption or supply of illegal drugs, including search procedures, provision of CCTV, design of premises, monitoring of toilets, surrender and seizure procedures;

- the measures proposed to discourage binge drinking and drunkenness and to promote sensible drinking including the use of low % ABV conditions on licences or certificates;
 - the measures proposed to prevent violence on the premises, including the threat of violence to staff and the use of polycarbonate drinking vessels to avoid injury to staff and customers;
 - whether door supervisors are to be provided and, if so, how many and the hours of employment;
 - measures to be put in place to react to any situations of disorder should they occur;
 - in the case of premises selling alcohol on the premises, any measures to be put in place to prevent glass or bottles from being taken into the street;
 - any steps that are to be taken to reduce thefts from patrons using the premises; and
 - for new applications, the extent to which the layout has been designed to minimise crime and disorder; and any steps that are to be taken to reduce the risk of spiking of drinks.
- 8.4 The London Borough of Merton will expect an applicant's operating schedule to satisfactorily address these issues from the design of the premises through to the daily operation of the business.
- 8.5 Applicants are recommended to seek advice from the Council's Licensing Officers and the Metropolitan Police, as well as taking into account, as appropriate, local planning policies, tourism, cultural and crime prevention strategies, when preparing their plans and operating schedules. In general, conditions will, so far as possible, reflect local crime prevention strategies.
- 8.6 The London Borough of Merton, where appropriate, will consider attaching conditions to licences to deter and prevent crime and disorder both inside and within the locality of the premises, and these may include use of the model conditions that are in the Schedule of Model Conditions available on the Council's website.
- 8.7 The London Borough of Merton also recognises that there are a number of other mechanisms available to address the impact of crime and disorder and anti-social behaviour. Examples of these are as follows:
- ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
 - designation of the Borough as a place where alcohol may not be consumed publicly where people are causing, or likely to cause, a

nuisance, It should be noted that the whole Borough is currently designated as a Controlled Drinking Zone;

- regular liaison with local Metropolitan Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk; confiscation of alcohol from adults and children in designated areas and instantly closing down licensed premises or temporary events on the grounds of likely or imminent disorder, or excessive noise nuisance from the premises;
- the power of the police, other responsible authorities, Ward Councillors or a local resident, as well as operators of local or businesses, to seek a review of the licence or certificate; and
- Similar liaison is also available via Safer Merton who are the co-ordinating body in respect of the Merton Crime and Disorder Strategy.

9. Public Safety

- 9.1 The Licensing Act 2003 covers a wide range of premises that require the authorisation of a premises licence or a club premises certificate, including, cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and fast food outlets/takeaways.
- 9.2 These types of premises present the potential for a variety of safety concerns, some of which are common to all premises and others that may be unique to specific operations. It is essential that premises are constructed or adapted and operated so as to address potential and identified risks and safeguard occupants against them.
- 9.3 The Council will expect the applicant's Operating Schedule to fully address these issues. Applicants are advised to seek advice from the Council's Licensing team, Building Control Officers, the London Fire and Emergency Planning Authority, the Police, Public Health Merton, and Health & Safety (both the Executive and the Council's department) before preparing and submitting their application, plans and supporting documents.
- 9.4 The London Borough of Merton, as the Licensing Authority, will consider attaching conditions to licences to promote public safety where appropriate, and these may include conditions that are listed in the Schedule of Model Conditions or from other sources or officers.

10. The Prevention of Public Nuisance

- 10.1 Licensed premises, especially those operating late at night and in the early hours of the morning, may cause a range of public nuisances impacting on people living, working or sleeping in the locality of the premises.
- 10.2 The concerns often relate to noise nuisance, light pollution and noxious smells. The London Borough of Merton will expect applicants' operating schedules to

address these issues. Applicants are advised to seek advice from the Environmental Health Pollution Team before preparing their plans and supporting documents.

- 10.3 The Council recognises that it is necessary to actively protect residents, members of the public and businesses in the locality of licensed premises from disturbances linked to licensed premises or their customers that amount to a public nuisance. Such a nuisance can impact on the quality of life of residents and the ability of other businesses to operate effectively. The applicant must demonstrate within their operating schedule how they intend to promote the licensing objective relating to the prevention of public nuisance.
- 10.4 The London Borough of Merton, where appropriate and necessary, will consider attaching conditions to licences to promote avoidance of public nuisance, and these may include conditions that are listed in the Schedule of Model Conditions or from other sources or officers.
- 10.5 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. The following are some examples of problems that may give rise to concern and should be addressed where appropriate:
- noise and vibration escaping from the premises, including
 - music, noise from ventilation equipment, and human voices;
 - disturbance by customers arriving at or leaving the premises;
 - queuing, either by pedestrian or vehicular traffic;
 - parking by patrons and staff;
 - the provision for public transport in the locality (including taxis and private hire vehicles) for patrons;
 - the level of likely disturbance from associated vehicular movement;
 - the use of licensed premises' gardens and other open-air areas;
 - littering or glass dispersal in the immediate vicinity;
 - the delivery and collection areas and times e.g. early morning refuse collection;
 - the siting of external lighting, including security lighting that is installed inappropriately;

- the impact on refuse storage and litter (including fly posters and illegal placards);
- the generation of odour, e.g. from the preparation of food; and
- any other relevant activity likely to give rise to nuisance.

11. The Protection of Children from Harm

11.1 Access to licensed premises may present a risk of physical, moral or psychological harm to children, therefore the Licensing Authority expects applicants to consider measures to protect children from harm where relevant to the type of premises and activities relating to the licence.

11.1.1 The wide range of premises that require a licence means that children and young persons may visit many of these, sometimes on their own, for food and/or entertainment.

11.1.2 Where licences cover the sale of alcohol, the Licensing Authority expects strict controls to be in place to prevent underage sales. Measures that should be considered by applicants to manage this include refusal logs, training of staff on use of identification and age verification schemes.

11.1.3 The Licensing Act 2003 creates, among others, the following two offences:

- to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under authorisation of a premises licence, club premises certificate etc.
- to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate etc. Outside these hours, this offence does not prevent the admission of unaccompanied children under 16 to various types of premises where the consumption of alcohol is not the exclusive or primary activity at those venues. It should also be noted that between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and those pubs where the main activity is the consumption of both food and drink.

11.1.4 Subject to the provisions of the Licensing Act 2003 and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The Licensing Authority will not attach conditions requiring the admission of children.

11.1.5 The Licensing Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.

11.1.6 Each application will be considered on its merits. However, there may be particular areas of concern in respect of children including the following examples:

- premises where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- premises with a known association with drug taking or dealing;
- premises where there is a strong element of gambling on the premises (but not, for e.g. the simple presence of a small number of fruit machines, slot machines or any other cash prize gaming machines);
- premises where entertainment or services of an adult or sexual nature are commonly provided; and
- premises where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided.

11.1.7 The following options are possible alternatives which the The Licensing Authority may consider attaching as conditions for limiting the access of children where it is appropriate for the prevention of harm to children:

- Limitations on the hours when children may be present;
- Limitations on ages below 18;
- Limitations or exclusion when certain activities are taking place;
- Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);and
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

These alternatives can be adopted either individually or in combination in order to promote this licensing objective.

11.1.8 The Licensing Authority recognises the Safeguarding Children Board as being competent to act as the responsible authority in relation to the protection of children from harm objective and can make relevant representations. As a responsible authority, the applicant is required to copy details of their applications to the Safeguarding Children Board when an application is made. The Board may be contacted at Children, Schools & Families Department, London Borough of Merton.

11.2 Access to Cinemas.

11.2.1 Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.

- 11.2.2 In the past, films that have been shown at cinemas or film exhibitions in the London Borough of Merton have been classified by the British Board of Film Classification (BBFC). It is not anticipated that this will change.
- 11.2.3 Applicants for licences in relation to premises showing film exhibitions will be expected to address arrangements for restricting children from viewing age-restricted films (as classified by the BBFC) in their operating schedules.
- 11.2.4 The Licensing Act 2003 also provides a mandatory condition to be included in all premises licences and club premises certificates authorising the exhibition of films for the admission of children to the exhibition of any films to be restricted in accordance with the recommendations given to films by the BBFC or the licensing authority if it so desires.

11.3 Children and Public Entertainment.

- 11.3.1 Many children go to see and/or take part in an entertainment arranged especially for them, for example children's film shows and dance or drama school productions.
- 11.3.2 In order to promote the protection of children, the Licensing Authority may attach conditions where it is appropriate and necessary to safeguard them whilst they are on the premises.

Examples of such conditions may be:

- concerning the presence of adult staff at places of public entertainment to control the access and egress of children and to protect them from harm; and
 - age restrictions of children or young persons if unaccompanied by a responsible adult.
- 11.3.3 The Licensing Authority expects, where relevant, that submitted operating schedules will address the licensing objective relating to the protection of children and public safety.
- 11.3.4 The Licensing Authority will consider attaching Conditions to licences and permissions to promote these licensing objectives and these may include include conditions that are listed in the Schedule of Model Conditions or from other sources or officers.
- 11.3.5 The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks is commended.

The following are conditions that this Licensing Authority may also attach where it is appropriate:

- (i) Where a regulated entertainment is specially presented for children, the Council may require the following arrangements when necessary in order to control their access and egress and to ensure their safety:
- Age restrictions attached to children being admitted to any entertainment unless such child is accompanied by and is in the charge of a responsible adult person
 - no child unless accompanied by an adult to be permitted in the front row of any balcony
 - no standing to be permitted in any part of the auditorium during the performance
 - an adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof

In addition to the staff members required to be stationed at any exit or head of any staircase there shall be on duty no less than 2 other attendants who shall take charge of and safeguard young children who are not accompanied by a responsible adult and as far as conditions allow, shall arrange for such young children to sit together in groups

- attendants wearing a conspicuous white armband not less than 4" wide with the wording "CHILDRENS ATTENDANT" marked thereon
 - Police checks of staff that are dealing with children for relevant offences that may make them unsuitable to be dealing with children.
- (ii) The following are also conditions that may be attached with regards to prevention of harm to children
- Limitations on the hours when children may be present
 - Limitations on ages below 18
 - Limitations or exclusion when certain activities are taking place
 - Requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult)

Full exclusion of people under 18 from the premises when any licensable activities are taking place.

12. Tourism, Employment, Planning & Building Control

- 12.1 Planning, Building Control and the Licensing functions will be properly separated in order to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters.

Licensing committees are not bound by decisions made by a planning committee, and vice-versa.

12.2 However, it should be noted that under the Licensing Act 2003, the local Planning Authority is a “responsible authority” that must be notified of licensing applications and is entitled to make representations to the Licensing Authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate.

12.3 Arrangements will also be made for the Licensing Committee to receive reports where appropriate on the following matters to ensure members are aware of them when making decisions:

- the needs of the local tourist economy and cultural strategy for the Borough; and
- the employment situation in the Borough and the need for investment and employment.

13. Licensing Hours

13.1 In the Secretary of State’s Guidance, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application

13.2 Fixed trading hours within designated areas (Zoning) will not be adopted in this Borough. One reason for this is that it could lead to significant movements of people to areas within the Borough at particular times either seeking premises or going to premises that have longer opening hours and provide either alcohol and/or other regulated entertainment. This movement of people may give rise to a concentration of disturbance and noise.

13.3 All applications will be considered on their merits. In considering whether to restrict licensing hours in order to promote the licensing objectives, the Licensing Authority will consider the following matters (among others):

- whether the licensed activity is likely to result in an increase in crime, disorder or anti-social behaviour in the area;
- whether the licensed activity is likely to lead to a public nuisance disturbing residents or other businesses in the vicinity, and what measures will be put in place to prevent it;

- whether there will be an increase in any cumulative adverse effect from the activity on local residents or other businesses in the vicinity; and
- the level of public transport accessibility to and from the premises for the hours requested, or whether other effective methods of dispersal will be put in place that will prevent the licensing objectives being undermined..

13.4 The Licensing Authority will consider the imposition of conditions in relation to the design, operation and management of premises which reflect any licensing hours allowed. In particular consideration may be given to imposing stricter conditions in respect of noise control where premises are below or adjacent to residential premises.

13.5 Particular areas of concern that may be taken into account by the Licensing Authority when considering appropriate operating hours include:

- Noise emanating from the premises itself, including external areas, that may affect residents;
- Noise caused by patrons leaving the premises;
- Noise caused by patrons queuing at the premises prior to admission;
- Behaviour of patrons in the vicinity that may result in public nuisance and/or crime and disorder; and
- Noise caused by delivery vehicles, waste vehicles and operatives collecting empty bottles and other waste products.

Shops, Stores and Supermarkets

13.6 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. e.g. police representations relating to crime and disorder and/or representations relating to public nuisance.

13.7 If there is more than one business trading from the same premises (e.g. hypermarkets, malls etc) which require separate premises licences the Licensing Authority, where appropriate, will assign a nominal unit number or sub-division of the address to accommodate and individually identify such premises and issue a premises licence accordingly.

14. Conditions

14.1 Mandatory Conditions

14.1.1 Section 19, 20 and 21 of the Act, provides for certain mandatory conditions to be included in a premises licence.

- 14.1.2 Under section 19, the Licensing Authority will be required to attach to any premises licence authorising the supply of alcohol the conditions that at any time when such supplies under the premises licence are made
- There must be a 'designated premises supervisor' who is the holder of a valid personal licence, and
 - Every supply of alcohol under the premises licence must be made by a personal licence holder (although not necessarily by the designated premises supervisor) or an individual authorised by a personal licence holder.
- 14.1.3 Where a premises licence authorises the exhibition of a film, section 20 makes it mandatory for a condition to be included in the premises licence requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 or by the licensing authority itself. When the Licensing Act 2003 was passed the only body designated under section 4 of the Video Recordings Act 1984 was the British Board of Film Classification.
- 14.1.4 Section 21 applies where the provision of door supervision is a requirement of the premises licence. It requires the licence to provide that anyone carrying out such a security function must be licensed by the Security Industry Authority established under the Private Security Industry Act 2001. However, s.21(2) specifies some exceptions to the requirement (e.g. theatres). The provisions of the Private Security Industry Act 2001 are amended by paragraph 118 of Schedule 6 to the Act.
- 14.1.5 In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of

undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1—

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where –

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

“relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

“value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The admission of children to the exhibition of any film is to be restricted in accordance with any recommendation made by the relevant film classification body or relevant licensing authority.

No condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under a licence that permits the performance of plays.

14.2 Prohibited conditions

14.2.1 Under section 22, in the case of any premises licence authorising the performance of a play, the Licensing Authority will not be able to attach conditions relating to the nature of the play performed or the manner of its performance, unless they are justified as a matter of public safety.

15. Applications for Premises Licences

15.1 Any person (if an individual, aged 18 or over) who is carrying on or who proposes to carry on a business which involves the use of premises (which includes any place including one in the open air) for licensable activities may apply for a premises licence either on a permanent basis or for a time limited basis.

15.2 Furthermore, a wide range of other individuals and bodies set out in section 16 of the 2003 Act may apply for this type of licence e.g. government departments, local authorities, hospitals, schools and police.

15.3 An application for a premises licence or a club premises certificate must be on the prescribed form and served on this Licensing Authority and be copied to each of the responsible authorities (see Section 13 of the 2003 Act) or online where it will be copied to this Licensing Authority and each of the Responsible Authorities (that are listed in Appendix 1) and it must be accompanied by:

- The required fee;
- An completed operating schedule (see below);
- A plan of the premises in a prescribed form to which the application relates or to a scale agreed by the licensing authority; and
- If the application involves the supply of alcohol, a form of consent from the individual who is to be specified in the licence as the designated premises supervisor.

15.4 If the application form is not completed correctly the application may be returned to the applicant.

15.5 Further, the Licensing Authority will not determine an application which has not been properly made, for example by failing to provide material information requested by the form, or failing to advertise or notify responsible authorities as required by regulations.

15.6 The Licensing Authority recommends that applicants for premises licences, club premises certificates or for major variations of such licences to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications.

- 15.7 The Licensing Authority Merton has a policy whereby valid applications will automatically be referred to the Building Control, Health & Safety or other appropriate departments and it will be for them to decide whether an inspection of the premises is required. If any breaches are found these will be dealt with under other relevant legislation.
- 15.8 There will not be a routine inspection of premises carried out by Officers of the Licensing Authority but inspections may take place for example in the following circumstances:
- Where applications are received for new premises where there are concerns that arise out of the operating schedule;
 - Where there have been complaints raising concerns with regard to the promotion of the licensing objectives;
 - If there is a level of risk associated with the type of entertainment to be offered at the premises;
 - In situations where relevant representations have been received to cause the London Borough of Merton's confidence in the management of the premises to be questioned;
 - The history of the premises;
 - Any other relevant factor; and
 - Where other regulating authorities (internal or external) recommend action.

16. Operating Schedule (Licensed Premises and Registered Clubs)

- 16.1 As part of an application for a premises licence (or club premises certificate) an operating schedule must be submitted. The operating schedule is required to include information that is necessary to enable the Licensing Authority (or an interested party/responsible authority) to assess whether the steps to be taken to promote the licensing objectives are satisfactory. The following are a few examples of the type of information that would be useful:
- Descriptions of the style and character of the business to be conducted on the premises (e.g. supermarket, bar, restaurant etc.);
 - If alcohol were being sold for consumption on the premises, it would be valuable for the applicant to indicate the extent of seating available as research has shown that the amount of seating can be relevant to the prevention of crime and disorder; and
 - The type of activities available in the premises whether licensable under the 2003 Act or not e.g. if there is dancing it would be helpful for a brief description to be given of the type of dancing and whether it is members of the public or professional performers.

16.2 An applicant is required to ensure that the operating schedule sets out the following details:

- the relevant licensable activities to be conducted on the premises;
- the times during which it is proposed that the relevant licensable activities are to take place (including the times during each day of the week, during particular holiday periods and during particular seasons, if it is likely that the times would be different during different parts of the year);
- any other times when the premises are to be open to the public;
- where the licence is required only for a limited period, details of that period;
- where the licensable activities include the sale or supply of alcohol, the name and address of the individual (who must hold a valid personal licence) to be specified as the designated premises supervisor (“DPS”). (The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day to day responsibility for running the premises by the premises licence holder in a manner that promotes the licensing objectives);
- where the licensable activities include the supply of alcohol, whether the alcohol will be supplied for consumption on or off the premises or both
- the steps which the applicant proposes to take to promote the licensing objectives; and
- Such other matters as may be prescribed.

16.3 Applicants are reminded that the Licensing Act 2003 provides that where an operating schedule (or club operating schedule) has been submitted with an application and there are no relevant representations made with regards to the application, the premises licence or club premises certificate must be granted subject only to such conditions as are consistent with the operating schedule accompanying the application and any mandatory conditions required by the Licensing Act 2003.

16.4 Therefore, it is important that all schedules should be precise and clear about the measures that it is proposed to take to promote each of the licensing objectives, in particular in relation to the protection of children.

16.5 It is also important for the applicant to ensure that the steps suggested by the operating schedule are realistic and within the control of the applicant and management of the premises. If a premises licence or club premises certificate is granted with conditions attached requiring the implementation

of such steps, a failure to comply with the condition may amount to a criminal offence.

16.6 Applicants for new premises licences/club operating schedules and those seeking variations to existing premises licences, are advised to consult with the following organisations before preparing their schedules or at the earliest possible stage in order to avoid disputes:

- Police and local authority community safety officers in relation to crime and disorder;
- Local community groups- nuisance especially in relation to noise;
- Local environmental Health officers – nuisance including noise;
- Fire brigade – fire precautions and public safety;
- Health & Safety Team of the London Borough of Merton – public safety; and
- Any other organisations or groups interested in the promotion of the licensing objectives in the area concerned.

17. Enforcement

17.1 The Council has a enforcement policy, based around the principles of consistency, transparency and proportionality set out in the Department of Trade and Industry's Enforcement Concordat which also takes into account the Attorney General's Guidelines to Crown Prosecutors for bringing prosecutions.

17.2 Enforcement decisions will be taken in line with the principles contained in the concordat and our Enforcement Policy.

17.3 The Council will comply with all laws and standards that govern the way enforcement action is to be dealt with. (e.g. Licensing Act 2003 & Guidance, Police and Criminal Evidence Act 1984, Criminal Procedure and Investigations Act 1996, Data Protection Act 1998, Human Rights Act 2000, Regulation of Investigatory Powers Act 2000 etc).

17.4 The Licensing Authority will work in partnership with the Metropolitan Police on enforcement issues to ensure an efficient deployment of Police and Officers of the Licensing Authority engaged in enforcing licensing laws and inspecting licensed premises. This will provide for the targeting of agreed problems and high-risk premises that require greater attention. In turn a lighter touch will be adopted in respect of low risk premises.

18. Applications for Personal Licences to Sell or Supply Alcohol

18.1 In order to obtain a personal licence under Part 6 of the Licensing Act 2003 the requirements are that the applicant:

- Must be aged 18 years or over;
 - Must possess a licensing qualification accredited by the Secretary of State (or one which is certified as if it is such a qualification or is considered equivalent) or is a person of a description prescribed by the Secretary of State by regulations;
 - must not have forfeited a personal licence within five years of his or her application;
 - must produce a Criminal Record Bureau certificate;
 - must not have an objection notice from the police about the grant of a personal licence following notification of any unspent relevant offence or foreign offence;
 - must show that any unspent relevant offence should not be considered on crime and prevention grounds if an objection is received by the police; and
 - must pay the appropriate fee to the Council.
- 18.2 Applicants with unspent criminal convictions for relevant offences set out in the Licensing Act 2003 are strongly advised to first discuss their intended application with the Police and the Licensing Team before making an application.
- 18.3 A personal licence is valid for an indefinite period. A designated premises supervisor must hold a personal licence.
- 18.4 Further information about personal licences can be found on the London Borough of Merton's website (www.merton.gov.uk/licensing) in the Borough's Public Libraries or by contacting the Licensing team at the London Borough of Merton.

19. Temporary Event Notices

- 19.1 If the Licensing Authority receives a standard or late Temporary Event Notice ("TEN") and there are no representations made against it by the Police or Commercial Environmental Health department, then the Licensing Authority is obliged to issue the TEN subject to the statutory limits being complied with. Only the Police and Commercial Environmental Health team can object to a TEN and can do so in relation to any or all of the licensing objectives.
- 19.2 A **standard** TEN must be given to the licensing authority no later than 10 working days before the day on which the event period begins, and must be accompanied by the prescribed fee. An objection to a standard TEN must be made up to 3 working days following receipt by the Police or Commercial Environmental Health Team. If an objection is made to a standard TEN then the objection notice will be considered at a hearing and the licensing sub-committee will consider whether to issue a counter-notice.

- 19.3 A **late** TEN must be given to the licensing authority no later than 5 working days, but no earlier than 9 working days, before the day on which the event period begins, and must be accompanied by the prescribed fee. If the Police or Commercial Environmental Health Team object to a late TEN then a counter-notice must be issued without a hearing. This counter-notice must be issued at least 24 hours before the beginning of the event.
- 19.4 The working days run from the day after the notice is received by the Licensing Authority, as the day the notice is received is deemed to be day zero. Public holidays and weekends are not counted, as they are not working days. For example, if a TEN was served on Tuesday, 13 November, the working days would begin to run from Wednesday, 14 November to Tuesday, 27 November and the event could be no earlier than Wednesday, 28 November.
- 19.5 The Licensing Authority may attach conditions to a TEN, where there is an unwithdrawn objection and where it is appropriate for the promotion of the licensing objectives, but only if the conditions to be applied are already on a Premises Licence or Club Premises Certificate relating to the premises where the event will take place and are not inconsistent with the TEN. In any event, the notice giver is responsible for ensuring that the event complies with all relevant legislation, including the avoidance of a statutory nuisance, and that the event complies with all health and safety requirements.
- 19.6 Further information on temporary event notices can be found on the Merton web site (www.merton.gov.uk/licensing), in leaflets and in the guidance.

20. Registered Clubs

- 20.1 Part 4 of the 2003 Act deals with registered clubs.
- 20.2 The Licensing Authority can grant a Club Premises Certificate for the sale of alcohol and regulated entertainment to qualifying clubs.
- 20.3 There are various conditions that have to be complied with for a club to qualify e.g.
- Forty–eight hour wait before becoming a member; and
 - Club having at least 25 members.
 - There are also requirements concerning the supply of financial information to members and the keeping of financial records. The club also has to be managed by an elected Management Committee.
- 20.4 The provisions with regards to making an application for the Club Certificate are similar to those for a premises licence.
- 20.5 Further information can be found on the Merton web site www.merton.gov.uk/licensing, in leaflets at public libraries and in the guidance issued by the Government.

21. Reviews and dealing with complaints about premises

- 21.1 After the grant of a premises licence or a club premises certificate, responsible authorities (e.g. police, fire brigade, environmental health) and other persons (e.g. residents) may wish to make complaints about problems associated with crime and disorder, public safety, public nuisance or the protection of children.
- 21.2 The Licensing Act 2003 provides for a process whereby responsible authorities and/or other persons can make an application for a review of the licence and provide their written representations.
- 21.3 Written representations may be amplified upon at a subsequent hearing or may stand in their own right. However, generally, new representations in addition to those already made in writing may not be heard at a subsequent hearing. Therefore it is important that any representation made is clear, comprehensive, and to the point.
- 21.4 Furthermore, these representations must relate to particular premises for which a premises licence is already held and must be relevant to the promotion of one or more of the licensing objectives. The review process is not an opportunity to revisit the earlier representations made to the Licensing Authority when the original application for a premises licence was determined.
- 21.5 Representations from other persons will be considered by the Licensing Team to decide if they are frivolous, vexatious or repetitious. If it is determined that such representations fall within one of these categories then the application for review will not be accepted.
- 21.6 A representation is repetitious when it is identical or substantially similar to a representation made on a previous review or when the application for the licence was itself determined, and a reasonable interval has not elapsed since that time. In considering whether a reasonable interval has elapsed, the Licensing Authority will have regard to whether operation of the premises has begun or changed since the previous representation was made.
- 21.7 On receiving applications for a review from responsible authorities and/or other persons that are relevant, the Licensing Authority will arrange a hearing before the Licensing sub-committee in accordance with the regulations made under the Licensing Act 2003.
- 21.8 In circumstances where there are complaints by other persons (e.g. residents) the Licensing Authority will seek to encourage alternative methods of resolving the complaints before an application is made for a review. However this does not override the right of any person to seek a review of a licence or certificate.
- 21.9 In the first instance, persons are encouraged to raise the complaint directly with the licensee or business concerned. Responsible authorities are also encouraged to give licence holders early warnings of their concerns and of the need for improvement.

21.10 The Licensing Authority will take a particularly serious view where the grounds for review are substantiated and relate to the use of the licensed premises:

- for the sale and distribution of drugs and the laundering of the proceeds of drugs crimes;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music;
- for the illegal purchase and consumption of alcohol by minors;
- for prostitution or the sale of unlawful pornography;
- for unlawful gambling;
- as a base for organised criminal activity, particularly by gangs;
- for the organisation of racist, homophobic or sexual abuse or attacks;
- for the sale or storage of smuggled tobacco and alcohol;
- for the sale of stolen goods;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter.
- where Police are frequently called to attend to incidents of crime and disorder;
- where there has been prolonged and/or repeated instances of public nuisance;
- where there are serious risks to public safety and the management is unable or unwilling to address these matters; and
- serious risks to children.

This is not an exhaustive list and only provided by way of example.

21.11 Where the Licensing Authority considers that action under its statutory powers is appropriate it may take any of the following steps:

- to take no action and/or issue a warning
- issue a letter confirming an offence has been committed and agree a formal caution

- in a Review to modify the conditions of the premises licence;
- in a Review to exclude a licensable activity from the scope of the licence;
- in a Review to remove the designated premises supervisor;
- in a Review to suspend the licence for not more than 3 months;
- to prosecute; and
- in a Review to revoke the licence.

Review proceedings may take place in addition to criminal proceedings for any offence that arises out of the complaint that led to the review application. Review proceedings do not need to be delayed pending the outcome of those criminal proceedings.

22. Administration, Exercise and Delegation of Functions

- 22.1 A scheme of delegation has been agreed by the Licensing Committee and can be accessed on the website www.merton.gov.uk in the Council's Constitution.
- 22.2 The Licensing Committee may receive regular reports on decisions made by officers so that they maintain an overview of the situation.

Publication of the policy

The Licensing Policy is available on the Merton website: www.merton.gov.uk/licensing

The Licensing Policy will be available upon request in large type and audio. The Licensing Policy will be available upon request in the following languages:

Albanian
Arabic
Bengali
Chinese
Farsi
French
Greek
Gujarati
Hindi
Italian
Korean
Polish
Punjabi
Somali
Spanish
Tamil
Turkish
Urdu

The Council will endeavour to make the Licensing Policy available in other languages upon request.

Appendix 1 – Responsible Authorities Contact details

The Chief Officer of Police, The Licensing Officer, Wimbledon Police Station, 15 Queens Road, London, SW19 8NN

London Fire & Emergency Planning Authority, Fire Safety Regulation: South West Area 4, London Fire Brigade, 169 Union Street, London, SE1 0LL

Planning Manager, 14th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

Merton Local Safeguarding Children Board, 10th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

Chief Inspector of Weights and Measures, Trading Standards Service, 14th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

Environmental Health (Commercial) Manager, 14th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

Environmental Health (Pollution) Manager, 14th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

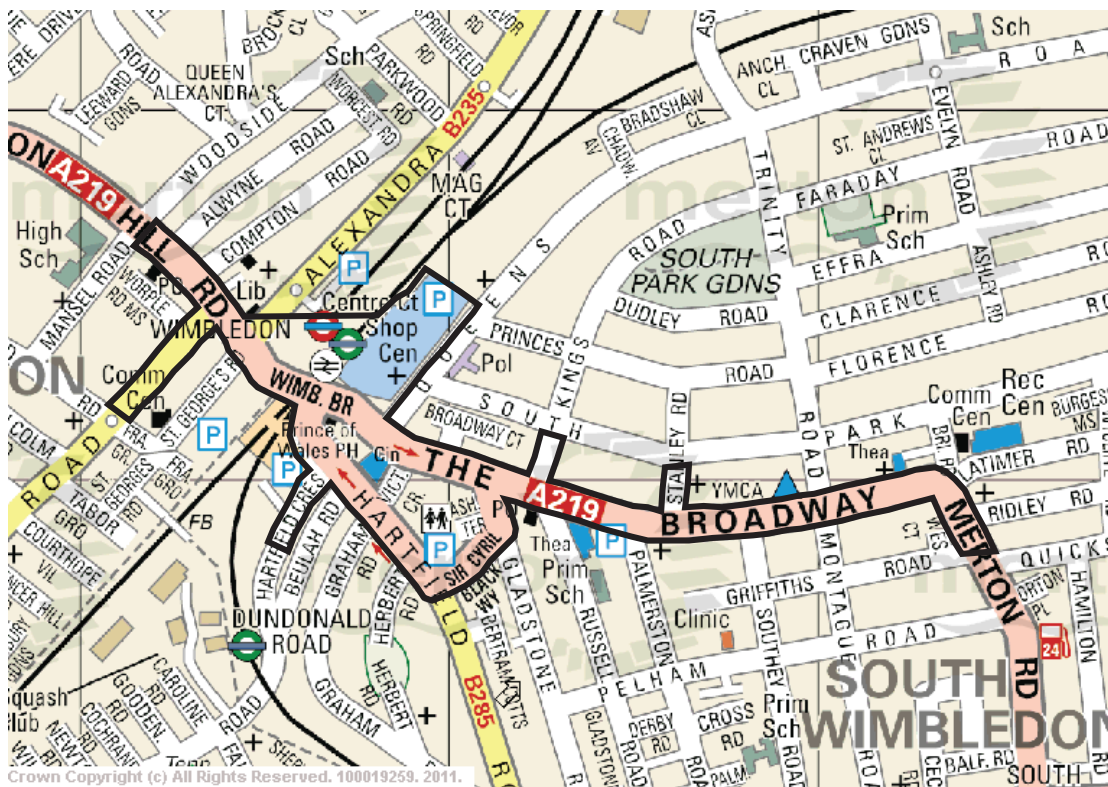
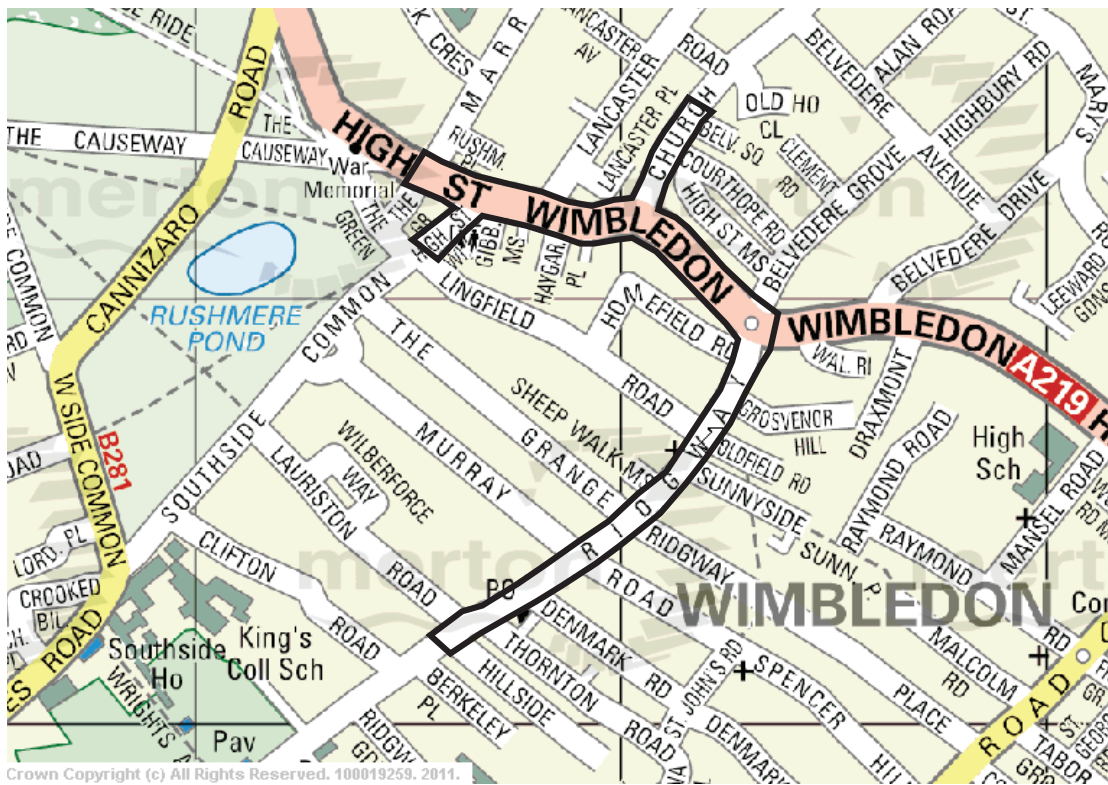
Environmental Health (Licensing) Manager, 14th Floor Merton Civic Centre, London Road, Morden, SM4 5DX

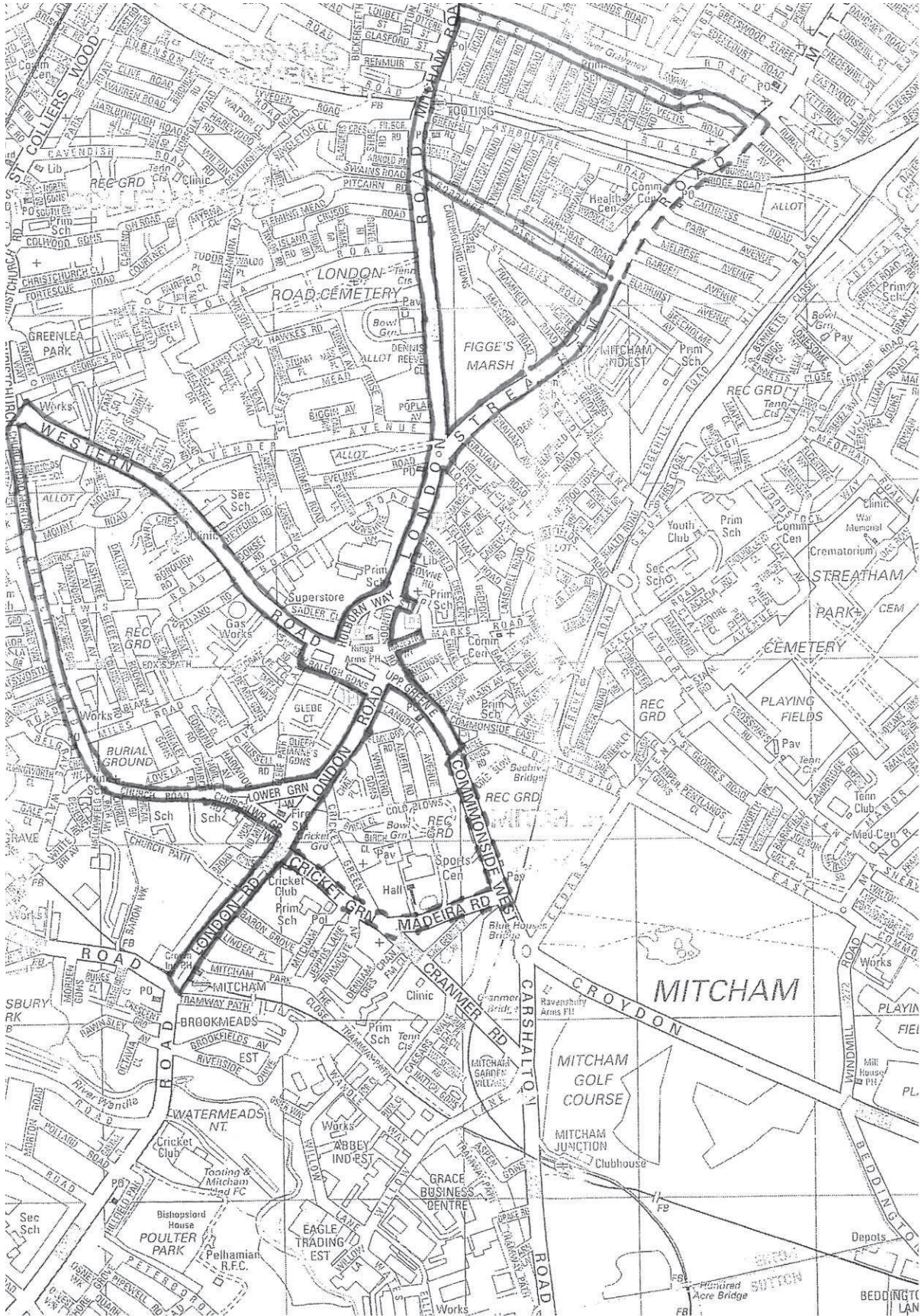
Director of Public Health, 3rd Floor Merton Civic Centre, London Road, Morden, SM4 5DX

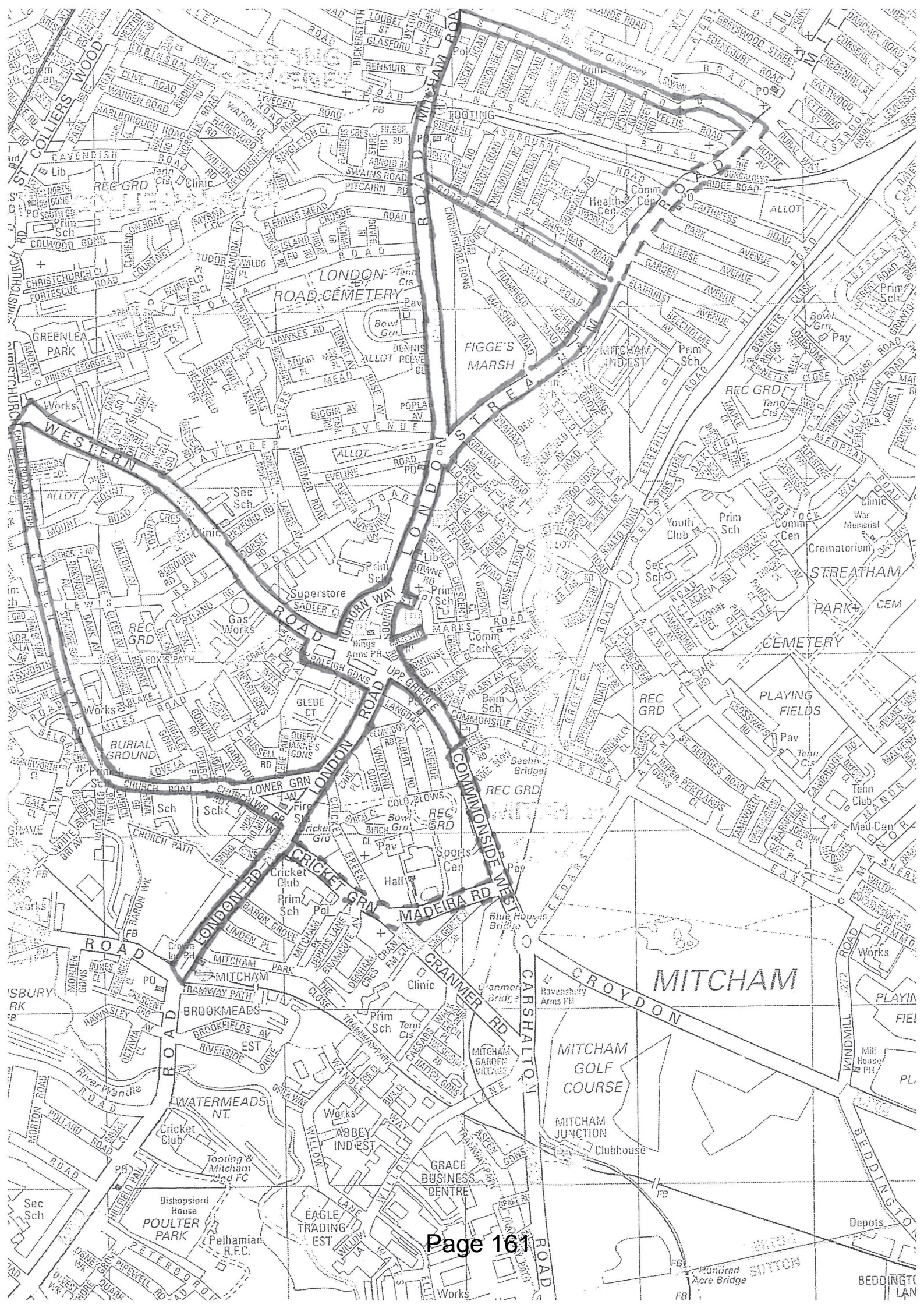
Any other licensing authority (Local Council), other than the relevant licensing authority, in whose area part of the premises is situated. (This would only apply to premises located on the boundary between Merton, Wandsworth, Kingston, Croydon, Lambeth or Sutton)

*[Health & Safety at Work Act 1974 matters are already covered by your sending a copy of the application to the Environmental Health (Commercial) Manager]
The addresses and contact details above are subject to change and an up to date version is available on the website www.merton.gov.uk/licensing.*

Appendix 2 – Maps showing Cumulative Impact Zone Boundaries







This page is intentionally left blank

Committee: Full Council

Date: 18 November 2015

Wards:

Subject: Managing Director, CHAS 2013 Ltd

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Sophie Ellis, Assistant Director of Business Improvement and Director of Chas 2013 Ltd

Recommendations:

- A. To approve an appointment to the post of Managing Director of CHAS 2013 Ltd on a salary not exceeding £120,000 per annum.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to request Council approval for the creation of a Managing Director post within CHAS 2013 Ltd. The salary is in excess of £100,000 and outside Council pay scales and this heightened level of transparency is therefore deemed appropriate.
- 1.2. The report sets out the rationale for both the creation of the post and the salary attached to it.

2 BACKGROUND

- 2.1. CHAS (Contractors Health and Safety Scheme), was formed into a company in May 2013 following Guidance issued by the Office of the Deputy Prime Minister (General Power for Local Authorities to Trade in Function Related Activities Through a Company).
- 2.2. The company is wholly owned by the London Borough of Merton – its sole shareholder.
- 2.3. As required by law the company is overseen by a Board of Directors, each of whom is a council employee. The current Directors are Caroline Holland, Director of Corporate Services; Sophie Ellis, Assistant Director of Business Improvement; and Fiona Thomsen, Head of Shared Legal Services.
- 2.4. At the point of the company's inception, there was a TUPE transfer of employees to the new company. All the CHAS staff are therefore employed directly by the company and all of the resources are controlled by the management team, though this is under the strategic control and stewardship of the Board of Directors.
- 2.5. The company makes use of a number of council services: HR, payroll, IT, legal services etc. which are controlled through Service Level Agreements between the council and CHAS 2013 Ltd.

- 2.6. When the company was created, the existing Head of Service retired, and shortly thereafter one of the two members of the senior management team resigned to take up a post elsewhere. This left a need for immediate additional management capacity. The Board therefore appointed an interim Business Manager – through the council’s employment framework – in December 2013 to establish and embed the new company and support recruitment to an appropriate management structure.
- 2.7. The company operates a performance reward scheme whereby all direct employees receive a bonus payment if the company achieves a growth in revenue. The payment is capped at 5% of the overall staffing budget and is distributed equitably amongst all employees.
- 2.8. The Local Government Pension Scheme is available to all company employees, new and existing.

3 DETAILS

- 3.1. The Board of Directors has determined that the appointment of a Managing Director would be appropriate for the company. It is good practice for any Board of Directors to be comprised of both Executive (directly employed by the company) and Non-Executive Directors (not directly employed by the company) to ensure all interests are well served. The Board is currently comprised of all Non-Executive Directors and therefore this appointment will bring balance to the board and an appropriate level of accountability.
- 3.2. In January 2014, through the Council’s executive search framework, the Board of Directors appointed Penna to support the development of a role description and salary evaluation exercise.
- 3.3. Penna undertook market research and salary benchmarking in order to establish the type of role required given the nature of the industry as well as the appropriate salary range.
- 3.4. On the basis of this research Penna confirmed to the Board that their proposal to create a Managing Director post was the most appropriate course of action. Having surveyed salaries for similar positions they advised that a salary of at least £120,000 would be necessary to attract candidates with the required skills.
- 3.5. Council will want to note that CHAS 2013 Ltd operates within a highly specialised, niche industry. A number of strong potential candidates declined to express their interest in the role unless the salary was increased significantly. For this reason the Board has sought to make the post as attractive as possible
- 3.6. Working in collaboration with Penna, the Board have undertaken a comprehensive recruitment exercise and identified a preferred candidate. Since the process began Merton’s Pay Policy Statement for 2015/16 was agreed which sets out that for any new appointment where the salary is £100k per annum or more approval should be obtained from full Council prior to the appointment being made.
- 3.7. As the salary package, which includes the CHAS benefit scheme (as set out in item 2.7) and membership of the Local Government Pension Scheme item 2.8 is in excess of £100,000 and outside of Council pay scales, it is

appropriate for the salary range to be transparent and to receive Council (shareholder) approval.

4 ALTERNATIVE OPTIONS

- 4.1. The company could continue with the existing interim arrangements; however these are more costly than the appointment of a Managing Director and therefore not recommended. This would also undermine the stability of the company and business continuity since there is a far shorter notice period for contractors appointed through the council's framework arrangements.
- 4.2. The company could consider the creation of a non-Director position; however this would not be in line with advice received from both the Institute of Directors and Penna.
- 4.3. Failure to introduce the necessary governance and leadership to ensure that CHAS 2013 thrives could decrease the profitability of the company; its ongoing growth and development of new products in a thriving, growing market is essential to its survival.

5 CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1. Penna undertook market research as set out in this report.

6 TIMETABLE

- 6.1. CHAS 2013 Ltd are looking to appoint a candidate to start in post in January 2016.

7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 7.1. The cost of the post is incorporated within the company's budget forecast and can be met within the current and anticipated income generated.

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1. A bespoke contract is being prepared by the South London Legal Partnership to reflect the specific accountabilities of this post. This will include the appropriate and relevant non-compete clauses.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1. None

10 CRIME AND DISORDER IMPLICATIONS

- 10.1. None

11 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 11.1. None

12 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- 12.1. None

13 BACKGROUND PAPERS

- 13.1. Penna's Salary Evaluation Exercise - Confidential

This page is intentionally left blank

Committee: Council

Date: 18 November 2015

Wards: All

Subject: The Use of Special Urgency for a Key Decision – The Award of a Contract for Temporary Accommodation Services (Hall Place)

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Stephen Alambritis, Leader of the Council

Contact officer: Chris Pedlow, Senior Democratic Services Officer, (020 8545 3616)

Recommendations:

- A. That Council note the taking of an urgent key decision and the waiving of the call-in procedure.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report appries Council of the taking of an urgent key decision in accordance with the provisions of Part 4 E, Section 17 of the Council's constitution.

2 DETAILS

- 2.1. The Constitution makes provision for the taking of an urgent decision i.e.

“Part 4 E, Paragraph 17(a) states that the call-in procedure ...shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

- 2.2. In accordance with paragraph 17(b) of the constitution the above titled report presented to The Chair of Overview and Scrutiny Commission was brought to the attention of the Chair of Overview and Scrutiny Commission who made the following statement:

‘having read the associated paperwork I accept that a decision needs to be taken without delay if the council's duties towards the homeless are not to be jeopardised. I therefore approve the use of Rule 15 – Special Urgency, including the exempting the decision from call-in and Rule 18 – Exempt Urgency procedures of the constitution, to allow Cabinet to take the decision on 14 September 2015 to ensure continuity of service provision at Hall Place’

- 2.3. Paragraph (c) of Section 17 requires that “Decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reason for urgency (the reason for urgency is identified at 2.2 above).

3 ALTERNATIVE OPTIONS

- 3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purpose of this report.

- 5 TIMETABLE**
5.1. None for the purpose of this report
- 6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**
6.1. None for the purpose of this report.
- 7 LEGAL AND STATUTORY IMPLICATIONS**
7.1. None for the purpose of this report.
- 8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**
8.1. None for the purpose of this report.
- 9 CRIME AND DISORDER IMPLICATIONS**
9.1. None for the purpose of this report.
- 10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**
10.1. None for the purpose of this report.
- 11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**
Appendix A - Notice of Decision
- 12 BACKGROUND PAPERS**
12.1. None.

CORPORATE SERVICES DEPARTMENT

Caroline Holland - Director



Notice is hereby given that a key decision will be taken by Cabinet at its meeting on 14th September 2015.

The Award of a Contract for Temporary Accommodation Services (Hall Place)

Where a key decision contains exempt information and would be considered in private session a 28 days notice period, prior to the date of that the decision is required. If this notice period has not been given, then the decision can still be taken by the Cabinet, if the provision contained within Rule 18 (Exempt Urgency Procedure) of the Access to Information Procedure Rules Part 4B of the Constitution has been sort.

Also when a matter is a key decision and has not been advertised 28 days prior to the date that the decision is required to be taken, and it has also not been possible to give five clear days notice, then the decision can still be taken Under Delegation if the provisions of Rule 15 (Special Urgency) of the Access to Information Procedure Rules Part 4B of the Constitution can be applied, once agreement, has been obtained by Chair of the Overview and Scrutiny Commission, that the decision cannot reasonably be deferred

Councillor Southgate in his capacity as Chair of the Overview and Scrutiny Commission, has approved the use of Section 15 - Special Urgency, and Section 18 - Exempt Urgency procedures for this decision, and acknowledged that the use of the former procedure exempts the decision from call-in.

The reason for urgency is the need to enter into a contract for temporary accommodation services with Rooms and Studios at Hall Place, Mitcham. Unless this is agreed, the provider has informed Steve Langley it would be his intention to offer the dwelling to another housing authority, which would mean disruption to homeless families and would affect the council's ability to discharge its legal duties towards homeless families.

The item is exempt due to Access to Information Rules, Part 4B section 3: information relating to the financial or business affairs of any particular person (including the authority holding that information).

This page is intentionally left blank

Committee: Council

Date: 18 November 2015

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

Contact officer: Chris Pedlow, Senior Democratic Services Officer, (020 8545 3616)

democratic.services@merton.gov.uk

Recommendations:

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

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council to appoint a member of the Standards Committee and note the membership changes made under delegated powers since the publication of the agenda for the Council meeting held on 9 September 2015.

2 DETAILS

- 2.1. The following membership changes have been made under delegated powers in accordance with section A4 of part 3F of the Constitution:
- 2.2.

Committee	Member resigning	Replaced by	Date
Borough Plan Advisory Committee	Councillor Najeeb Latif	Councillor David Williams	21 September 2015
Borough Plan Advisory Committee	Councillor David Williams	Councillor Najeeb Latif	30 September 2015
Licensing Committee	Councillor David Simpson	Councillor John Bowcott	13 October 2015
Licensing Committee	Councillor Greg Udeh	Councillor Nick Draper	20 October 2015
Licensing Committee	Councillor John Bowcott	Councillor David Simpson	21 October 2015
Licensing Committee	Councillor Nick Draper	Councillor Greg Udeh	21 October 2015
General Purposes Committee	Councillor Tobin Byers	Councillor Pauline Cowper	4 November 2015

General Purposes Committee	Councillor Pauline Cowper	Councillor Tobin Byers	6 November 2015
----------------------------	---------------------------	------------------------	-----------------

3 CONSULTATION UNDERTAKEN OR PROPOSED

3.1. N/A

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

4.1. None for the purposes of this report.

5 LEGAL AND STATUTORY IMPLICATIONS

5.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

8.1. N/A

9 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None.

10 BACKGROUND PAPERS

10.1. Documents from the authorised officer confirming approval of the membership changes agreed under delegated powers.

Committee: Council

Date: 18 November 2015

Subject: Petitions

Lead officer: Paul Evans, Assistant Director, Corporate Governance.

Lead member: Leader of the Council, Stephen Alambritis.

Contact officer: Democratic Services, democratic.services@merton.gov.uk

Recommendation: That Council

- 1) receives petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution; and
 - 2) note the response given by officers in respect of the petitions presented to the 9 September 2015 Council meeting.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report invites council to receive petitions in accordance with Part 4A, paragraph 18.1 of the Council's Constitution

2 DETAILS

- 2.1. At the meeting held on 9 September 2015, Council received the petition detailed below. Any petitions received by Council are referred to respective departments with responsible officers asked to advise the presenting member in each case of the way in which the petition is to be progressed.
- 2.2. Petition - '*On the noise nuisance from the Garden Shed Public House*' submitted by Councillor Abdul Latif.

In response to the petition received about noise from the Garden Shed Public House, I can confirm that I have spoken to the officers that have been dealing with this case to see where we are at this time, and what action can be taken, if possible.

Firstly it is important to note that the Pollution Team has a number of responsibilities surrounding noise from licenced premises. We generally deal with the issue of statutory nuisance, a 'statutory nuisance' is determined by a number of factors including; type of noise, time of day, volume, frequency, duration and reasonableness of the activity. The Pollution Team can also take action to review a premises licence where necessary, however it is important to note that as with any enforcement function of the local authority, we do need substantive evidence to formally pursue a case.

I note that Mr Spall has made complaints as far back as 2008, when the pub was called the Horse and Groom. I also note that in the past we have installed noise monitoring equipment within Mr Spall's property on a number of occasions, but unfortunately this did not show any actionable evidence.

Visits have also been made by officers during our night service, but unfortunately the level of noise from the pub did not warrant any enforcement action.

Recently officers visited on 5/9/15 during the evening and though the music was audible it was not considered to be a statutory nuisance, we have also recently written to the premises reminding them of the conditions on the licence and at the same time Mr Spall was asked to complete a diary of noise to provide us with evidence to help assess the problem.

I also note that officers have carried out random visits during recent Temporary Events, however there were no complaints received and no evidence for us to take action.

That said, I do understand the strength of feeling amongst residents and would suggest that a possible course of action would be for the residents to consider a licence review, the Licensing Act does provide residents with an embedded right to ask for a review of the premises, the process of which is quite straightforward.

We will continue to monitor the situation and respond to complaints and if we can gather evidence to take formal action we will do so.

3 ALTERNATIVE OPTIONS

3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purpose of this report.

5 TIMETABLE

5.1. None for the purpose of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. None for the purpose of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

11 APPENDICES

11.1. None.

12 BACKGROUND PAPERS

12.1. None.