

Merton Council

Council Annual 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, Mike Brunt, 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, 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, Jill West, Martin Whelton and David Williams

Date: Wednesday 18 May 2016

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 Annual meeting meeting

18 May 2016

- | | | |
|---|---|--------|
| 1 | Apologies for absence | |
| 2 | Declarations of Pecuniary Interest | |
| 3 | Election of Mayor for the 2016 / 2017 | |
| 4 | Mayor's Appointment of the Deputy Mayor | |
| 5 | Vote of thanks to the retiring Mayor | |
| 6 | Minutes of the previous meeting | 1 - 6 |
| 7 | Constitution of committees and other bodies | 7 - 30 |

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.

Agenda Item 6

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

6 APRIL 2016

(7.15 pm - 9.11 pm)

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, Peter McCabe, Oonagh Moulton, Ian Munn, Katy Neep, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor, Gregory Udeh, Jill West, Martin Whelton and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors Maxi Martin and Imram Uddin.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations of pecuniary interest were received.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting held on 2 March 2016 were agreed as a correct record.

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

The Mayor provided the Council with an update on his recent Mayoral duties including commenting on the success of the Mayor's Annual Charity Ball which had been held on 2 April 2016, at the All England Lawn Tennis Club. He also made a presentation to the South London SEN Commissioning Programme, which had recently won the LGC Award 2016 in the Efficiency Category.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting.

The Mayor then invited each of the questioners in turn to ask (if they wished) a supplementary question to the appropriate Cabinet Member.

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

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

The responses to the Members' ordinary priority questions were circulated prior to the meeting.

The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member.

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

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

The responses to the Members' strategic theme priority questions were circulated prior to the meeting.

The Mayor then invited each of those Councillors in turn to ask (if they wished) a further supplementary question to the Cabinet Member.

A copy of the supplementary questions and the responses will be included within the 'Strategic theme: Councillors' questions to Cabinet Members' published document.

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

The report was moved by Councillor Edith Macauley and seconded by Councillor Steve Alambritis.

Councillor Charlie Chirico also spoke on this item.

RESOLVED

That the Strategic Theme report is agreed.

7c STRATEGIC THEME: MOTIONS (Agenda Item 7c)

The Strategic Theme motion was moved by Councillor David Williams and seconded by Councillor David Simpson.

An amendment, as set out in agenda item 16 was moved by Councillor Mark Allison and seconded by Councillor Brenda Fraser.

Councillor Peter Southgate also spoke on this item.

The Labour amendment was then put to the vote and was carried – votes in favour 32, and votes against 24 with 1 abstention.

The substantive resolution as amended was then put to the vote and was carried – votes in favour 32, and votes against 24 with 1 abstention.

RESOLVED

This Council welcomes the decision of the Overview and Scrutiny Commission to consider the funding formula share between departments of the Council and its endorsement of the principle underlying the budget process since 2011 of ensuring less cuts to services for vulnerable people.

Council continues to endorse the "July principles" that it introduced in 2011 on a cross-party basis (albeit they were not supported by the Conservative group), and notes that at the time of their introduction the council was facing significant cuts in revenue funding from the government. However, it was hoped that such cuts would be time limited as the then Chancellor, George Osborne had stated that his intention was to clear the country's deficit by 2015.

Council is very disappointed that the Chancellor failed to clear the deficit by 2015, meaning that large cuts to Merton's funding have continued long beyond what could have been anticipated, and recognises that this means the Council faces some very difficult decisions in future in order to deal with further government spending cuts. Council also notes that the Chancellor has been criticised by colleagues such as Iain Duncan Smith, who said the Government "is in danger of drifting in a direction that divides society rather than unites it. And that I think is unfair." Council recognises that, in order to combat this division locally it will need to continue to play a role in tackling that unfairness.

This Council resolves to instruct the Cabinet to continue to review its approach to its budget making in framing the 2017/18 Budget - and associated implications for the Medium Term Financial Strategy - continuing to maintain the principles of equality; in particular between age, gender, religion/belief, disability and race, as has been comprehensively undertaken as part of every budget setting exercise since 2010 using detailed equality assessments, and to continue to access all available funding streams to meet actual and perceived needs.

8 REPORT FROM MITCHAM COMMUNITY FORUM (Agenda Item 8)

Councillor Ian Munn presented the report, which was received by the Council.

9 REPORT FROM MORDEN COMMUNITY FORUM (Agenda Item 9)

Councillor Philip Jones presented the report, which was received by the Council.

10 REPORT FROM RAYNES PARK COMMUNITY FORUM (Agenda Item 10)

Councillor Adam Bush presented the report, which was received by the Council.

11 REPORT FROM WIMBLEDON COMMUNITY FORUM (Agenda Item 11)

Councillor James Holmes presented the report, which was received by the Council. In doing so Councillor Holmes highlighted the two proposed motions arising from the Forum.

Councillor Judge in response confirmed that he would attend the next meeting of the Wimbledon Forum and update them on both issues as requested.

12 NOTICES OF MOTION - CONSERVATIVE 1 (Agenda Item 12)

The motion was moved by Councillor David Dean and seconded by Councillor Daniel Holden.

The Labour amendment, as set out in agenda item 17 was moved by Councillor Martin Whelton and seconded by Councillor Ross Garrod.

The Labour amendment was then put to the vote and was carried – votes in favour 32, and votes against 20 with 5 abstention.

The substantive resolution was then agreed.

RESOLVED:

This Council notes the importance of London's transport system to Merton's residents, many of whom commute into central London every day, paying exorbitant amounts on fares which are some of the most expensive of any major city. Council notes that:

- The current Conservative Mayor has increased fares every year since his election in in 2008, with a 42% increase overall

- Since 2008, under Boris Johnson, the cost of a return tube journey from Morden to central London in peak hours is now £7.80, a 56% increase since 2008
- The cost of a weekly zone 1-4 travelcard has increased by £11.90 or 34%
- The cost of a monthly travel card from Morden to Zone 1 has increased by 34% to £178.60 – a £45.70 rise since 2008 - and an annual season ticket from Morden to Zone 1 now stands at £1,860
- In addition, bus fares have risen from 90p to £1.50, a 67% increase, with weekly bus passes increasing by 63% from £13 to £21.20.
- Council is concerned that the Conservative candidate for Mayor of London, Zac Goldsmith, intends to continue his predecessor's policy of increasing tube, train, tram and bus fares.

In contrast, Labour's mayoral candidate Sadiq Khan has promised to freeze fares and to bring in a new one hour "hopper" bus ticket which will help low paid workers who need to take two buses to get to work. TfL Commissioner Mike Brown has publicly stated that the fares freeze will not damage TfL's investment programme and Sadiq has confirmed it will cost £465m, to come from increased efficiencies in Transport for London as follows:

- Merge engineering functions within TfL ensuring shared procurement and office functions save millions each year
- Halving the £383m TfL spent on consultancy and agency staff last year
- Seeking to establish a trading arm to sell TfL's expertise to other organisations both at home and abroad
- Generating revenue by developing spare TfL land
- Ending Conservative mayor's practice of spending Londoners money on expensive vanity projects such as the Greenwich cable car and the failing "new Routemaster" buses, neither of which bring any tangible benefit to over-charged Merton commuters.

We therefore call on all mayoral candidates to confirm how much extra Merton's residents will have to pay in tube, train and bus fares if they are elected. In particular we call on Zac Goldsmith to confirm that he is proposing a 17% increase in fares if elected, costing an extra £862 for commuters in Morden, for example.

13 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 13)

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

A point of order was raised regarding the validity of one of the delegated changes in membership. It was confirmed by the Monitoring officer that the process had been followed correctly in line with the constitution.

RESOLVED

1. That the changes to the membership of Committees that were approved under delegated powers since the last meeting of the Council are noted.
2. That Councillor Agatha Akyigyina be appointed as the Chair of Licensing Committee.

14 PETITIONS (Agenda Item 14)

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 the following petition presented by Councillor Judy Saunders relating to 'Amending the Mitcham Green Cricket Conservative Area'.

15 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 15)

That the Strategic Theme for the next ordinary meeting of the Council to be held on 13 July 2016 shall be Older People with a focus on Adult Social Care.

Committee: Annual Council

Date: 18 May 2016

Wards: All

Subject: Constitution of Committees and Other Bodies

Lead officer: Paul Evans – Assistant Director of Corporate Governance

Contact Officer: Chris Pedlow – Senior Democratic Services Officer (020 8545 3616)
democratic.services@merton.gov.uk

Recommendations:

That the Council:

- A.
 - i) approves the constitution of committees, sub-committees and scrutiny bodies set out in (Appendix A) and;
 - ii) agrees the allocation of seats, chair and vice-chair positions and the appointment of members to those seats; (Appendix A)
- B.
 - i) approves the constitution of consultative forums and other bodies set out in (Appendix B) and
 - ii) agrees the appointment of members to those seats; (Appendix B)
- C. agrees the allocation of seats and appointment to the outside organisations as detailed in (Appendix C)
- D. agrees the terms of reference for the new formed combined Standards and General Purposes Committee and an updated Borough Plan Advisory Committee (Appendix D),
- E. agrees the terms of reference of consultative and other bodies for which the Council is responsible and the Joint Health Overview and Scrutiny Committee – South West London as set out in (Appendix E),
- F. agrees to delegate to the Planning Applications Committee the authority to appoint a non-voting co-opted member if this is deemed appropriate.
- G. notes that the Executive Leader has made changes to appointments to his Cabinet or to their respective portfolios – (Appendix F).
- H. agrees that the Council's Constitution be amended to incorporate any changes resulting from the approval of recommendation A to E.

1. Purpose of report and executive summary

- 1.1 This report recommends that Council establish committees, sub-committees, scrutiny panels (Appendix A), together with other consultative bodies (Appendix B) for the year 2016-17, allocates the seats on those bodies to political groups represented on the Council in accordance with the statutory proportionality rules and agrees to the appointment of the groups' nominees;
- 1.2 The report recommends that the Council agrees the allocation of seats on outside organisations and agrees to the appointment of the political groups' nominees (Appendix C);
- 1.3 The report recommends the terms of reference of consultative and other bodies for which the Council is responsible and other bodies including the Joint Health Overview and Scrutiny Committee – South West London (Appendix E).

2. Alternative options

- 2.1 The Council must appoint at least one Overview and Scrutiny Committee, a Licensing Committee and a Health and Wellbeing Board. All other committees are constituted at the discretion of the Council.
- 2.2 The Council must allocate seats on the committees and sub-committees set out in Appendix B in accordance with statutory proportionality rules (with the exception of the Health and Wellbeing Board). All other seats may be allocated to groups at the Council's discretion.
- 2.3 The Council must establish a Standing Advisory Council on Religious Education and appoint members to it. The establishment of all other bodies set out in Appendix B is within the Council's discretion as are the terms of reference set out in Appendix D.
- 2.4 Participation in the outside organisations and allocation of seats set out in Appendix C is within the Council's discretion except where indicated as being within the executive leader's discretion.

3. Standards and General Purposes Committee and Borough Plan Advisory Committee terms of references

- 3.1 Following initial suggestions raised by Councillors at both General Purposes Committee and Standards Committee, and following agreement by Group Leaders, there is a proposal to merge the remit of both committees into one called Standards and General Purposes Committee. The rationale behind this approach was due to duplication of a number of reports being considered at both committees.
- 3.2 The proposed change to the Terms of Reference to Borough Plan Advisory Committee, is to include into its remit the consideration of Locally Listed Buildings. Thus enabling a more open, transparent and approach, which would involves councillors in decision-making on considering buildings and structures for the local list.

4. Consultation undertaken or proposed

- 4.1 Political groups have been invited to make their appointments to the seats allocated to them. The Council must agree to appoint members nominated by the political groups to the seats allocated to those groups. The complete list of nominations will be circulated at the earliest opportunity.

Timetable

- 4.2 The constitution of the committees set out here is for the year 2016-17 and takes immediate effect. Unless otherwise indicated all of these bodies will be established until the next annual meeting of the Council. The Council may review the committees it has established at any time. The Council must review the allocation of seats to political groups when there is a change in the political balance of the Council.

5. Legal and statutory implications

- 5.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. The Merton Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.
- 5.2 The Local Government Act 1972 contains provisions on the discharge of functions, meetings and proceedings of local authorities and access to information.
- 5.3 The Housing and Local Government Act 1989 contains provisions concerning the political balance on committees, the duty to allocate seats to political groups, and the duty to give effect to allocations.
- 5.4 The Licensing Act 2003 requires the Council to appoint a Licensing Committee.
- 5.5 The statutory requirement to have voting co-opted members for certain issues has been complied with by having 2 Church and 2 Parent Governors on the Overview and Scrutiny Commission (and the relevant education Panel).
- 5.6 The Council is under a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council.
- 5.7 Once the review has been completed there is a second statutory duty to make a determination as to political representation. This requirement to allocate seats must be made in accordance with the following statutory principles:
- a) All of the seats are not to be allocated to the same political group.
 - b) The majority of the seats go to the political group with a majority on the full Council.

- c) Subject to the above two principles, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to the proportion on the full Council.
- d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion on the full Council.

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

- 6.1 Appendix A – Committees and sub-committees to be constituted and allocation of seats to political groups (to follow)
- 6.2 Appendix B – Consultative and other bodies to be constituted and allocation of seats to political groups (to follow)
- 6.3 Appendix C – Allocation of seats on outside organisations. (to follow)
- 6.4 Appendix D – Terms of reference of Consultative and other bodies established by the Council including the Joint Health Overview and Scrutiny Committee – South West London
- 6.5 Appendix E – Terms of reference for Standards and General Purposes Committee and Borough Plan Advisory Committee (to follow)
- 6.6 Appendix F – Executive Leader's appointments to his Cabinet and their respective portfolios. (to follow)

Appendix D

Terms of Reference of Consultative and other Bodies

	Page
Corporate Parenting Group	2
Heritage Forum	3
Joint Consultative Committee with Ethnic Minority Organisations	4
Joint Health Overview And Scrutiny Committee – South West London	5
London Borough of Merton Pensions Board	11
Pension Fund Investment Advisory Panel	15
School Standards Panel	16
Standing Advisory Council on Religious Education	17
South London Partnership	18
South West London Joint Waste Management Committee	20

Corporate Parenting Group Terms of Reference

Understanding and championing the needs and ambitions of Looked After Children and Care Leavers across the Merton Partnership.

Ensuring joined up pathways in education, health, employability, leisure and recreation, for Merton LAC, LAC children overseen by the Virtual School and Merton Care Leavers.

Receiving direct feedback from Merton Children in Care Council and the wider Looked After Children/care leaver population, to improve council and partner service development and delivery.

Providing mutual challenge within and across the partnership to prioritise continuous improvement for services and outcomes.

Giving conspicuous care and attention to particularly vulnerable Looked After Children and Care Leavers such as young offenders, substance misusers and pregnant teenagers, to ensure effective risk assessment and appropriate service support.

Membership

Name	Job Title
Ged Curran (Chair)	Chief Executive
TBA	Lead member Children Services
TBA	Opposition Lead Member
Yvette Stanley	Director of Children, Schools and Families
Paul Angeli	Assistant Director of Children's Social Care & Youth Inclusion
Sarah Daly	Head of , LAC, Permanency & Placements
Kathy Goodman	Head of Virtual School
TBA	Merton CAMHS at South West London and St Georges Mental Health NHS Trust
Caroline Muller	Head of QA and Practice development/IRO Service
Kathy Goodman	Head of Virtual School
Liz Royle	Designated Nurse Safeguarding Children and Children Looked After Merton Commissioning Group
Lynn Street	Director of Quality, Merton CCG
Allison Jones	Service Manager, Early Years
Steve Langley	Head of Housing Needs and Strategy
Lynne Doyle	Deputy Research & Information Manager
Louise Doherty	Named Nurse for Children, CLCH
Other officers on request according to the agenda	

Heritage Forum – Terms of Reference

The Heritage Forum meets two to three times a year to review progress against the borough's Heritage Strategy and to discuss wider heritage matters pertaining to the London Borough of Merton. It is facilitated by the Library & Heritage Service and is chaired by the Cabinet Member for Community and Culture. It is an open meeting that can be attended by any resident with an interest in heritage.

Agenda items can be submitted by all members with a short supporting note or update paper if required. No formal reports will be prepared but notes of the meetings will be taken and made available on the Council's website.

The remit of the forum is to:

- Facilitate joint working within the council and with external bodies in order to achieve excellence in heritage related projects
- To coordinate funding opportunities and establish project teams to take bids forward and support partner bids
- To provide Heritage input into statutory planning policy documents
- To improve partnership working and communication between the various heritage providers in the borough
- To champion initiatives to raise standards of design and heritage provision within the borough
- To increase awareness of and public access to heritage resources and facilities in the borough
- To maintain an ongoing work programme for the group to be updated at each meeting

Joint Consultative Committee with Ethnic Minority Organisations

Membership: 5 Merton Councillors and representatives of Community Organisations

Constituted by: Council

Powers and Duties determined by: Council

Authority: Equality Act 2010 and Article 10 of the Constitution

Functions

- a) To advise and make recommendations upon strategic policy issues relating to:
 - (i) Issues of local concern to the ethnic minority communities
 - (ii) Provision of Council services and resources, with reference to the needs of local ethnic minority communities
 - (iii) The elimination of discriminatory practices and racial prejudice in the delivery of Council services
 - (iv) The promotion of equal opportunities and good relations between different groups
 - (v) Applications for financial grant from Merton Council, Central Government, EC and other external funding organisations in aid of projects affecting local ethnic minority people.

- b) To contribute to and monitor the Council's Equality and Diversity Statement and Policy and the Race Equality commitments of the Corporate Equality Scheme

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE – SOUTH WEST LONDON - TERMS OF REFERENCE

- 1.1 The South West London Joint Health Overview and Scrutiny Committee is established by the London Boroughs of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (constituent boroughs) in accordance with s.245 of the NHS Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 1.2 It will be a standing Joint Overview and Scrutiny Committee which will undertake scrutiny activity in response to a particular reconfiguration proposal or strategic issue affecting some, or all of the constituent Boroughs.
- 1.3 The length of time a specific matter / proposal will be scrutinised for will be determined by the Joint Committee.
- 1.4 The purpose of the Standing Joint Committee is to consider the following matters and commission sub-committees to carry out detailed scrutiny work as below:
 - (a) To engage with Providers and Commissioners on strategic sector wide proposals in respect of the configuration of health services affecting some or all of the area of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (the area.)
 - (b) Scrutinise and respond to the consultation process (including stakeholder engagement) and final decision in respect of any reconfiguration proposals affecting some, or all of the constituent Boroughs.
 - (c) Scrutinise in particular, the adequacy of any consultation process in respect of any reconfiguration proposals (including content or time allowed) and provide reasons for any view reached.
 - (d) Consider whether the proposal is in the best interests of the health service across the affected area.
 - (e) Consider as part of its scrutiny work, the potential impact of proposed options on residents of the reconfiguration area, whether proposals will deliver sustainable service change and the impact on any existing or potential health inequalities.
 - (f) Assess the degree to which any proposals scrutinised will deliver sustainable service improvement and deliver improved patient outcomes
 - (g) Agree whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of any proposal for reconfiguration to the Secretary of State for Health.
 - (h) As appropriate, review the formal response of the NHS to the Committee's consultation response.

- 1.5. The Joint Committee will consist of 2 Councillors nominated by each of the Boroughs and appointed in accordance with local procedure rules. Each Council can appoint named substitutes in line with their local practices.
- 1.6 Appointments to the Joint Committee will be made annually by each Borough with in-year changes in membership confirmed by the relevant authority as soon as know.
1. 7 A Chairman and Vice Chairman of the Joint Committee will be elected by the Committee at its first meeting for a period of one year and annually thereafter.
- 1.8 The life of the Joint Committee will be for a maximum of four years from its formation in July 2014.
- 1.9 For each specific piece of scrutiny work undertaken relating to consultations on reconfiguration or substantial variation proposals affecting all or some of the constituent borough areas, the Joint Committee will either choose to act as a full Committee or can agree to commission a sub-committee to undertake the detailed work and define its terms of reference and timescales. This will provide for flexibility and best use of resource by the Joint Committee.
- 1.10 In determining how a matter will be scrutinised, the Joint Committee can choose to retain decision making power or delegate it to a sub-committee.
- 1.11 The overall size of each sub-committee will be determined by the main Committee and must include a minimum of 1 representative per affected Borough.
- 1.12 Where a proposal for reconfiguration or substantial variation covers some but not all of the constituent Boroughs, in establishing a sub-committee, formal membership will only include those affected Boroughs. Non affected boroughs will be able to nominate members who can act as 'observers' but will be non-voting.
- 1.13 The Committee and any sub-Committees will form and hold public meetings, unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000, in accordance with a timetable agreed upon by all Boroughs and subject to the statutory public meeting notice period.

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

RULES OF PROCEDURE

1. Membership of Committee and Sub-Committees
 - 1.1 The London Boroughs of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth and the Royal Borough of Kingston upon Thames, will each nominate, 2 members to the JHOSC, appointed in accordance with local procedure rules .
 - 1.2 Appointments will reconfirmed annually by each relevant authority
 - 1.3 Individual boroughs may change appointees in accordance with the rules for the original nomination.
 - 1.4 Individual boroughs will be strongly encouraged to nominate substitutes in accordance with local practice.
 - 1.5 In commissioning Sub-Committees, membership will be confirmed by the JHOSC and can be drawn from the main Committee or to enable use of local expertise and skill, from non-Executive members of an affected borough.
 - 1.6 The membership of a sub-committee will include at least one member from each affected Borough. (Non affected boroughs can appoint 'observer' members to sub-committees but they will be non voting.
 - 1.7 The JHOSC, may as appropriate review its membership to include authorities outside the South West London area whom are equally affected by a proposal for reconfiguration or substantial variation who can be appointed to serve as members of relevant sub-committees.
2. Chairman
 - 2.1 The JHOSC will elect the Chairman and Vice Chairman at the first formal meeting. A vote will be taken (by show of hands) and the results will be collated by the supporting Officer.
 - 2.2 The appointments of Chairman and Vice Chairman will be reconfirmed annually.
 - 2.3 If the JHOSC wishes to, or is required to change the appointed Chairman or Vice Chairman, an agenda item should be requested supported by four of the six constituent Boroughs following which the appointments will be put to a vote.
 - 2.4 Where a sub-committee is commissioned, at its first meeting a Chairman and Vice-Chairman will be appointed for the life of the sub-committee.
3. Substitutions

- 3.1 Named substitutes may attend Committee meetings and sub-committee meetings in lieu of nominated members. Continuity of attendance is strongly encouraged.
- 3.2 It will be the responsibility of individual committee members and their local authorities to arrange substitutions and to ensure the supporting officer is informed of any changes prior to the meeting.
- 3.3 Where a named substitute is attending the meeting, it will be the responsibility of the nominated member to brief them in advance of the meeting.
4. Quorum
 - 4.1 The quorum of a meeting of the JHOSC will be the presence of one member from each of five of the six participating Boroughs.
 - 4.2 The quorum of a meeting of a Sub Committee of the JHOSC will be three quarters of the total membership of the sub-committee to include a minimum of two members.
5. Voting
 - 5.1 Members of the JHOSC and its sub Committees should endeavour to reach a consensus of views and produce a single final report, agreed by consensus and reflecting the views of all the local authority committees involved.
 - 5.2 In the event that a vote is required each member present will have one vote. In the event of there being an equality of votes the Chairman of the JHOSC or its sub-committee will have the casting vote.
6. JHOSC Role, Powers and Function
 - 6.1 The JHOSC will have the same statutory scrutiny powers as an individual health overview and scrutiny committee that is:
 - accessing information requested
 - requiring members, officers or partners to attend and answer questions
 - Referral to the Secretary of State for Health if the Committee is of the opinion that the consultation has been inadequate or the proposals are not 'in the interests' of the NHS
 - 6.2 The JHOSC can choose to retain the powers of referral to the Secretary of State for Health for a particular scrutiny matter or delegate them to an established sub-committee.

7. Support

- 7.1 The lead governance and administrative support for the JHOSC will be provided by Boroughs on an annual rotating basis.
- 7.2 The lead scrutiny support for sub-committees will be provided by Boroughs on a per issue basis to be agreed by the JHOSC.
- 7.3 Meetings of the JHOSC and its sub-committees will be rotated between participating Boroughs.
- 7.4 The host Borough for each meeting of the JHOSC will be responsible for arranging appropriate meeting rooms and ensuring that refreshments are available.
- 7.5 Each borough will identify a key point of contact for all arrangements and Statutory Scrutiny Officers will be kept abreast of arrangements for the JHOSC.

8. Meetings

- 8.1 Meetings of the JHOSC and its sub-committees will be held in public unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000 and will take place at venues in one of the Six SWL boroughs.
- 8.2 Meetings will not last longer than 3 hours from commencement, unless agreed by majority vote at the meeting.

9. Agenda

- 9.1 The agenda will be drafted by the officers supporting the JHOSC or its sub-committees and agreed by the appropriate Chairman. The officer will send, by email, the agenda to all members of the JHOSC, the Statutory Scrutiny Officers and their support officers.
- 9.2 It will then be the responsibility of each borough to:
 - publish official notice of the meeting
 - put the agenda on public deposit
 - make the agenda available on their Council website; and
 - make copies of the agenda papers available locally to other Members and officers of that Authority and stakeholder groups as they feel appropriate.

10. Local Overview and Scrutiny Committees

- 10.1 The JHOSC or its sub-committees will invite participating Borough's health overview and scrutiny committees and other partners to make known their views on the review being conducted.
- 10.2 The JHOSC or its sub-committees will consider those views in making its conclusions and comments on the proposals outlined or reviews.

- 10.3 Individual Overview and Scrutiny Committees will make representations to any NHS Body where a consensus at the JHOSC cannot be reached”
11. Representations
- 11.1 The JHOSC or its sub-committees will identify and invite witnesses to address the committee and may wish to undertake consultation with a range of stakeholders.
- 11.2 As far as practically possible the committee or sub-committee will consider any written representations from individual members of the public and interest groups that represent geographical areas in South West London that are contained within one of the participating local authority areas.
- 11.3 The main Committee and any established sub-committees will consider up to 3 verbal representations per agenda item from individual members of the public and interest groups that represent geographical areas in South West London that are contained within one of the participating local authority areas. Individuals must register to speak before 12pm on the day before the meeting takes place.
- 11.4 The Chairman or any committee or sub-committee will have the discretion to accept more or late speakers where s/he feels it is appropriate.

LONDON BOROUGH OF MERTON PENSIONS BOARD

TERMS OF REFERENCE

The Local Pension Board (hereafter referred to as 'the Board') is established in accordance with Section 5 of the Public Service Pensions Act 2013 and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended). The Board is not a committee constituted under Section 101 of the Local Government Act 1972.

Functions of the Local Pension Board

The purpose of the Board is to assist the Council in its role as a scheme manager of the Scheme. Such assistance is to:

1. (a) To secure compliance with:
 - i.) Regulations made under the Public Service Pensions Act 2013 that apply to the matters referred to in sections 5 and 6 of that Act.
 - ii.) Any other legislation relating to the governance and administration of the Scheme and any connected scheme
 - iii.) Any requirements imposed by the Pensions Regulator in relation to the Scheme. These areas include but are not restricted to:
 - *Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations.*
 - *Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, relevant legislation and in particular the Code*
 - *Assist with the development of and continually review such documentation as is required by the Regulations including Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.*
 - *Assist with the development of and continually review scheme member and employer communications as required by the Regulations and relevant legislation.*
 - *Review the implementation of revised policies and procedures following changes to the Scheme.*
 - *Review the compliance of particular cases, projects or process on request of the Committee.*
 - *Any other area within the statement of purpose (i.e. assisting the Administering Authority) the Board deems appropriate.*
- (b) To ensure the effective and efficient and effective governance and administration of the Scheme. Including but not restricted to:
 - *Assist with the development of improved customer services.*
 - *Assist with the development of improved management, administration and governance structures and policies.*
 - *Assist in the development and monitoring of process improvements on request of Committee*

- *Assist in the development of asset voting and engagement processes and compliance with the UK Stewardship Code.*
- *Any other area within the statement of purpose (i.e. ensuring effective and efficient governance of the scheme) the Board deems appropriate.*

In support of its functions the Board may make recommendations to the General Purpose Committee and a response made to the Board on the outcome within a reasonable period of time.

Membership

The Board shall consist of 4 voting members made of:

2 Member Representatives,

2 Employer Representatives; and

1 Further representative without voting rights to be appointed at the discretion of the Council

A chair to be appointed by the employer and member representatives of the Board on a rotating basis with the term of office shared between an employer and a member representative on an equal basis. In the event of a tied vote, the Chair will have the casting vote.

The Director of Corporate Services will determine an appropriate selection and appointment process for Board Members

Termination of Membership

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought. The ability of members to seek re-appointment for further term will be considered to ensure continuity.

Voting Rights

Voting rights only apply to members of a Board who are either an employer or a member representative. In the even to of a tied vote, the Chair will have the casting vote.

Terms of Office

The term of office for Board members shall be co-terminus with Council's term of office. i.e. to the date of the next Council election. Extensions may be made by the Council with the agreement of the Board.

Conflicts of interest

The Administering Authority must be satisfied that any person appointed to the Board and from time to time that any member of the Board does not have a conflict of interest, as defined under Section 5(5) of the Public Service Pensions Act 2013.

All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

Knowledge and understanding (including Training)

Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.

Meetings

The Board shall at a minimum meet twice each year and will be set in conjunction with Democratic Services.

Substitutes will not be allowed where members are unable to attend meetings.

Meetings will be services by Democratic Services and subject to the same publication rules as with a Scrutiny Committee.

Attendance requirements

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought

Quorum

The quorum for any meeting shall be 2 members comprising at least one employer and one member representative.

A meeting that becomes inquorate may continue but any decisions will be non-binding.

Reporting

1. The Board in the first instance report its requests, recommendations or concerns to PFAC.
2. On receipt of a report PFAC should, within a reasonable period, consider and respond to the Board.
3. The appropriate internal route for escalation is to the Section 151 Officer.
4. The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.
5. Board members are also subject to the requirements to report breaches of law under the Act and the Code [and the whistleblowing provisions set out in the Council's whistle blowing policy].

6. The Board will produce an annual report of its work, findings and recommendations.

Payment of Board Members

An allowance will be paid to the non London Borough of Merton employees. The Council will set an allowance for these members based upon a sum of £100 per meeting, multiplied by the total number of meetings expected in each year.

Code of Conduct

Members of the Board will be subject to the same Code of Conduct as members of the Council's Scrutiny Committee

Pension Fund Investment Advisory Panel

Membership: Voting - 3 Councillors. Non-voting - Chief Finance Officer (or delegate), Treasury Services Manager, Staff Side Representative, Pensioner Representative)

Constituted by: Council

Powers and Duties determined by: Council

Authority: (Section 102(4) Local Government Act 1972)

Functions

- a) To establish, in consultation with relevant advisors, appropriate investment policy for the Pension Fund, and to advise General Purposes Committee accordingly
- b) To advise officers on the exercise of their delegated powers concerning the management and investment strategy of the Pension Fund and to report to and advise General Purposes Committee as appropriate.
- c) To monitor the performance of the Pension Fund relative to its objectives, benchmarks and targets, and to prompt remedial action as necessary
- d) To review the draft Annual Report and Accounts for the Pension Fund, and provide comments to the General Purposes Committee and Audit Committee in respect of the investment matters reported therein.

Members' School Standards Panel

Membership: 3 members one of whom shall be Chair

Constituted by: Council

Powers and Duties determined by: Council

Authority: Article 10 of the Constitution

Functions

The Panel will meet half termly

OFSTED Inspection Reports

- (i) Receive all OFSTED Inspection reports and discuss the outcomes with up to 2 schools per School Standards Panel. The Head teacher and chair of the governing body of the 2 schools will be invited to attend the meeting and members of the panel will visit each school prior to the meeting.
- (ii) Discuss with the Head and chair of the governing body the action plan developed in response to the inspection report.

Support and Monitoring Framework

- (iii) Receive a termly oral report from the Assistant Director of Education of the outcomes of the half-termly school review meetings, including confidential lists of the performance levels of all schools.
- (iv) Receive feedback the AD Education concerning schools undergoing Support and Challenge meetings.

National initiatives and their impact on Merton schools

- (v) Receive reports and updates on national and regional changes to policy and practice in order to understand the impact on Merton schools and responses that may be needed
- (vi) Receive reports on changes to assessment and curriculum across all phases and the responses needed to ensure that implementation leads to improved standards across Merton schools

Standing Advisory Council On Religious Education

Membership:

See section 3 below

Constituted by: Council

Powers and Duties determined by: Section 390 of the Education Act 1996

Authority: Section 390 of the Education Act 1996

The Council shall be called the Merton SACRE (Standing Advisory Council on Religious Education).

It is established under Section 3.90 – 3.97 of the Education Act 1996 as amended.

1. Role and functions

- a) To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit.
- b) These matters might include methods of teaching and choice of materials to deliver the Agreed Syllabus.
- c) To evaluate how well the Agreed Syllabus supports the provision of Religious Education provision in schools.
- d) To receive, and determine whether an application from a Head Teacher to vary the requirement for worship of a broadly or mainly Christian character, is appropriate for the whole school or for groups of pupils.
- e) To publish an annual report on the work of SACRE and to circulate this to Headteachers, to QCDA and to the appropriate Council Committee and senior officers in Children Schools and Families Department.
- f) To set up a Statutory Conference at any time if, in the opinion of SACRE, it becomes necessary to review the Authority's agreed syllabus and to do so at least every five years.
- g) To advise, if requested, on matters arising from the Authority's Complaints Procedures under Section 23 of the Education Reform Act 1988.

2. Officers

- a) The Director of Merton's Children, Schools and Families Department, or such other senior officer/s as s/he may designate, shall attend and participate in discussions in the SACRE as professional adviser/s and make appropriate arrangements to support the administration of the SACRE and its meetings.

3. Membership

- a) In accordance with the provisions of the Education Reform Act 1988 (Section 11(4)): The SACRE is to comprise four groups representing:

Committee A

Such religions and belief groups as, in the opinion of the Council, will appropriately reflect the principal religious and belief traditions in the Borough of Merton.

Committee B

The Church of England.

Committee C

South London Partnership - Terms of Reference

1. Role and Purpose of the Joint Committee:

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness
- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.

**The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee*

2. Terms of Reference

1. To act as a strategic body, setting and reviewing objectives for strategic growth, regeneration and investment across South London including:
 - Providing a coherent single position on the City Deal and Growth Deal issues
 - Coordinating the contribution of all Councils to the Strategic Economic Plan
 - Agreeing allocation of spending as required
 - Agreeing major priorities
 - Considering and determining any issues made by the Advisory Officer Board to the Joint Committee
2. To formulate and agree appropriate agreements with Government, ensuring their delivery
3. To influence and align government investment in South London in order to boost economic growth locally.
4. To jointly review as appropriate consultations on plans, strategies and programmes affecting South London, encouraging alignment with the London Enterprise Partnership Plan.
5. To agree, review and amend options at any time for City Deal and Growth Deal Governance which is fit for purpose.
6. To agree and approve any additional governance structures as related to the Joint Committee. (e.g. setting up sub committees etc)

Membership

It is proposed that each Council appoint its Leader to sit on the Joint Committee.

Each Council could also appoint a named substitute (to be an Executive Member for those operating Executive Governance arrangements) to attend in the Leader's absence.

Continuity of attendance would be encouraged.

Support Arrangements

In its work the Joint Committee would be supported by an advisory Board comprising each Council's Chief Executive working alongside and giving direction to the existing officer groups on Growth and Transport, respectively.

Local officers can be brought in to support the advisory arrangements based on the expertise and technical knowledge required at a particular point in time.

Each Council could, as required, through its Leader and Chief Executive, put in place any local processes for other Elected Members to input in an advisory capacity into the work of the Joint Committee.

Procedure Rules

In order that meetings of the Joint Committee are conducted properly and that the business is carried out openly and transparently a new set of Procedure Rules for its operation will be prepared.

These will cover all procedural matters, Access to Information regulations and voting rights.

The following key principles are proposed for consideration and inclusion in the document:

1. The Chairman of the Joint Committee will be appointed on an annual basis.
2. No business of the Joint Committee will be transacted unless a minimum of 4 of the 5 appointed members are present (Quorum) The Joint Committee's decision making will operate on the basis of mutual co-operation and consent.
2. Any authority can withdraw on the basis of a six month notice period

Support for governance matters and meeting support will be provided in turn by constituent Member authorities. Richmond has offered to take this on initially and if it passes on annually then each authority takes its turn in a reasonable time period and we might avoid complicated charging processes.

4. The development and approval of a Memorandum of Understanding with the London Enterprise Partnership Board.

The role of the Officer Advisory Board would not form part of the formal governance arrangements of the Joint Committee but would have its role, operation and purpose defined in a separate document.

South West London Joint Waste Management Committee**Membership: 2 – (Substitutes allowed)****Constituted by: Cabinet****Powers and Duties determined by: Cabinet****Authority: Cabinet****Functions:**

To advise the Cabinet on the South London Joint Waste Committee whose primary function is to make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise the Participating Councils on the delivery and separation of waste. The Participating Councils are the London Boroughs of Merton, Croydon and Sutton and the Royal Borough of Kingston. The specific functions of the Committee are set out in Schedule 1 of the Constitution of the Committee operating under the name of the South London Waste Partnership.

Each Council has two seats on the Committee with only one vote per borough.