

# Merton Council

## Council meeting

### Membership

**The Mayor:** Councillor Brenda Fraser

**The Deputy Mayor:** Councillor Stan Anderson

**Councillors:** Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Laxmi Attawar, Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Mike Brunt, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Edward Foley, 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, Jerome Neil, 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 14 September 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](mailto:democratic.services@merton.gov.uk) or telephone [020 8545 3616](tel:02085453616).

All Press contacts: [press@merton.gov.uk](mailto:press@merton.gov.uk), 020 8545 3181

# Council meeting

## 14 September 2016

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### **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 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](http://www.merton.gov.uk/committee).

## COUNCIL

13 JULY 2016

(7.15 pm - 9.42 pm)

PRESENT                    The Mayor of Merton, Councillor Brenda Fraser  
The Deputy Mayor of Merton, Councillor Stan Anderson

Councillors: Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Laxmi Attawar, Hamish Badenoch, John Bowcott, Mike Brunt, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Stephen Crowe, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Edward Foley, Fidelis Gadzama, Ross Garrod, Suzanne Grocott, Jeff Hanna, Joan Henry, 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, Jerome Neil, Dennis Pearce, John Sargeant, Judy Saunders, David Simpson, Marsie Skeete, Peter Southgate, Geraldine Stanford, Linda Taylor, Imran Uddin, Gregory Udeh, Jill West, Martin Whelton and David Williams

### 1     APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors David Dean and Daniel Holden.

### 2     DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No pecuniary declarations were made.

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

The Minutes of the meeting held on 18 May 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 a brief update on his recent Mayoral duties including that she was honoured to have seen AFC Wimbledon at Wembley, win the Playoff to gain promotion to Football League Division One and also been on their celebratory open top bus parade.

## 10 NOTICE OF MOTION - CROSS PARTY 1 (Agenda Item 10)

The Cross Party motion was moved by Councillor Oonagh Moulton and seconded by Councillor Stephen Alambritis.

The Motion was then put to the vote and was unanimously carried.

### RESOLVED

“That this Council records its sincere appreciation of the able, dedicated and professional manner in which Richard Tracey JP has discharged the duties devolving upon him as a Member of the Greater London Assembly, representing the constituency of Merton and Wandsworth from May 2008 until May 2016.

That in particular, the Council notes his valuable service as the Mayor's Ambassador for River Transport, on the Assembly's Transport Committee (2008-2016), and his sterling work as Chairman of the London Waste and Recycling Board (2012-2016) and Deputy Leader of the Conservative Group on the Assembly (2010-2016). He also served as a member of the Assembly's Budget Committee (2008-2016), of the Metropolitan Police Authority (2008-2010) and as Vice Chairman of the London Fire and Emergency Planning Authority (2010-2012).

That the wording of this motion be conveyed to Richard Tracey JP with very best wishes for his retirement.”

The Mayor then presented Mr Richard Tracey JP with a framed copy of the motion. Mr Tracey addressed the Council stating he was honoured by the motion and thanks for the Council for his recognition.

## 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. However no supplementary questions were asked.

## 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.

It was also noted that a copy of the Councillors non priority questions and the responses will be published after the meeting in line with the Constitutional requirements.

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

The Strategic Theme report on Older People with a focus on Adult Social Care was moved by Councillor Tobin Byers and seconded by Councillor Martin Whelton.

Councillor Suzanne Grocott also spoke on this item.

RESOLVED

That the Strategic Theme report is agreed.

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

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

The Labour amendment, as set out in agenda item 19 was moved by Councillor Mark Allison and seconded by Councillor Mike Brunt.

The Labour amendment was then put to the vote and was carried – votes in favour 35, and votes against 22 with 1 abstention.

The amended substantive Motion was then put to the vote and was carried – votes in favour 35, and votes against 22 with 1 abstention.

RESOLVED

This Council notes that financial forecasts are by their very nature estimates but with local authorities required by law to set a balanced budget they are the only tool we have to ensure we comply with the law. Council acknowledges the intense effort officers put in to assessing likely demand and inflationary pressures, coupled with the

complications of uncertainty and in year cuts to government grants, and also acknowledges the in depth work the Financial Management task Group do in challenging some of these assumptions, although Councillors similarly can only estimate the likely pressures in any given year. With this in mind council notes:

- Merton's projected 2015-16 deficit at the time of the Budget Council meeting that took place on 2 March 2016 to agree the Medium Term Financial Strategy (MTFS) for 2016-20 was £2.605million.
- By contrast, the Council's actual overspend in the published draft accounts for 2015-16 (as presented to the Standards and General Purposes Committee on 30 June 2016) was £0.699million.
- General Fund balances have not in fact reduced by the amount of the overspend as was advised would happen during consideration of the Budget by councillors earlier in the year - by a margin of £1.906million – but this is because we reduced the Balancing the Budget Reserve as was always advised was one of the options.

Council congratulates officers on taking management action where necessary to bring in overspends in some areas and notes that the overall net position was helped by underspends/additional income in corporate provisions. However this cannot be relied upon in future years and the underlying overspends in some areas are a concern that need to be understood and addressed.

Given that the Council rejected increasing council tax for hard pressed residents, and earmarking the additional £1.35m for Adult Care Services which would have helped to mitigate the £5m savings required in 2016/17 as ASC's share of the £21.7m cuts the council was faced with at the start of the budget setting process, and instead established a £1.3m Savings Mitigation Fund to reduce the impact of the cuts on vulnerable residents, and given the on going demographic pressures facing those services coupled with the increasing number of older residents and people with more complex needs requiring access to services in Merton, this Council regrets the continued reduced levels of funding which have led to the council's difficult decision - as part of its recommended MTFS 2016-20 - to cut or cease completely funding for the following frontline council and local voluntary sector services:

- Support packages (personal budgets, homecare, direct payments)
- Mental health peer support (Imagine)
- Day care centre staffing
- Meals on Wheels
- Access and Assessment staffing
- Managing crisis support for older people

However council notes that due to continued reductions in our funding from central government, further cuts will be required over the next six years so that these savings, or similar, will need to be implemented whether or not residents are required to pay extra council tax.

In light of the above and taking into account the considerable variance between Merton's projected and actual overspends for 2015-16, this Council resolves to

review its financial monitoring processes in order to ensure that cuts are not made unnecessarily to services for older and vulnerable residents across the borough, or indeed to any council services, notwithstanding the need for further and deeper cuts in future years due to the government's continual reduction of local government funding.

#### 8 REPORT FROM RAYNES PARK COMMUNITY FORUM (Agenda Item 8)

Councillor Mary-Jane Jeanes presented the report, which was received by the Council.

#### 9 REPORT FROM WIMBLEDON COMMUNITY FORUM (Agenda Item 9)

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

#### 11 NOTICE OF MOTION - CROSS PARTY 2 (Agenda Item 11)

The Cross Party motion was moved by Councillor Edith Macauley and seconded by Councillor Oonagh Moulton.

Councillor Peter Southgate also spoke on this item.

The Motion was then put to the vote and was unanimously carried.

#### RESOLVED

We are proud that Merton is a place where people from different backgrounds have lived and worked together harmoniously for many years. We have zero tolerance for hate crime and continue to work in partnership to maintain good community relations and enjoy the benefits of being a cohesive borough.

The council supports the Inter Faith Forum, Lesbian, Gay, Bi-Sexual and Transgender Forum and Joint Consultative Committee with Ethnic Minorities. This gives us the opportunity to work closely with community representatives from diverse backgrounds to ensure that everyone has a voice, to get a better understanding of community concerns and actively promote community cohesion.

We also work closely with the Police to promote community safety and encourage local residents to report hate crimes and get involved in Police engagement forums such as the Safer Neighbourhood Board.

The Council has issued a joint statement with the police to reassure the community that we will not tolerate any form of racist behaviour in Merton. We are also encouraging everyone to wear a safety pin as a symbol of solidarity against racism. This is part of a national campaign and is a very simple way to show support for all members of Merton's diverse community.

The Council resolves to continue its commitment to work together and demonstrate that with unity we can combat hate and extremism and continue to have a borough where residents peacefully coexist.

## 12 NOTICE OF MOTION - CONSERVATIVE 1 (Agenda Item 12)

The motion was moved by Councillor Charlie Chirico and seconded by Councillor James Holmes.

The Labour amendment, as set out in agenda item 20 was moved by Councillor Ross Garrod and seconded by Councillor Abigail Jones.

The Labour amendment was then put to the vote and was carried – votes in favour 35, and votes against 22 with 1 abstention.

The amended substantive Motion was then put to the vote and was carried – votes in favour 35, and votes against 22 with 1 abstention.

## RESOLVED

This Council notes that, as part of an affordable shared contract with three other south London boroughs of all political complexions, the administration is considering agreeing a joint contract that would see two new wheelie bins provided to Merton households, with both food waste and recycling collected on a weekly basis - paper and card recycling one week and plastics and bottles recycling the other - whilst residual waste will be collected on alternate weeks in recognition of an expected increase in recycling as part of major changes to the borough's waste collection service in order to achieve cleaner streets at an affordable cost, given the current problem of foxes ripping open black sacks.

Under proposals submitted by the proposed preferred bidder that has also been proposed by Sutton, Croydon and Kingston Councils, food waste will be collected weekly, residual waste will be collected fortnightly and recycling will be collected every week but in two streams, with residents' two recycling containers emptied on alternate weeks.

Each household will be provided with:

- One wheelie bin for non-recyclable household waste, size to be determined but likely to be the option of requesting smaller or larger bins depending on family size;
- One wheelie bin for paper and card, size to be determined but likely to be the option of requesting smaller or larger bins depending on family size;

Residents will continue to use:

- Their existing box or a reusable bag for plastics, glass and cans;
- Their existing food waste caddy



Households will continue to receive weekly collections, with two collections (food and recycling) one week and three collections (food, recycling and residual) on alternate weeks.

If residents wish to avail of the discretionary garden waste service they will continue to use their garden waste wheeled bin or bag. Such households will receive three collections every week, with food, recycling and garden one week and food, recycling and residual on alternate weeks.

This Council recognises that many residents would very much welcome wheelie bins, and this was borne out by the extremely high satisfaction rates in the Lavender ward wheelie bins pilot, and that the Sustainable Communities panel on 9 June 2016 agreed that Cabinet should use the period of 'Preferred Bidder Fine Tuning' to determine how many households would experience significant difficulty in storage and/or presentation of wheeled bins for regular emptying – Cabinet confirmed that it will work with the preferred bidder as part of the fine tuning and mobilisation process to identify households deemed not suitable for wheelie bins and would require a different system to suit their property. Issues raised included:

- The inconvenience of having to put household rubbish in five different containers, clogging up kitchens, front gardens and street fronts; however it was explained that the council's aim is to cut down on street litter from split black sacks and to increase recycling rates and that the collection would continue to be from just inside property boundaries so that pavements will not be affected.
- The need for a proper assessment of the impact that changes to bin collections will have on residents; especially the elderly, disabled and those living in smaller homes and flats; however it was explained that this work had already commenced and would continue as part of the fine tuning process once the preferred bidder is appointed.
- The need for more clarity regarding the financial savings these proposals might deliver for council taxpayers; although it was explained that the council is expecting to make in the region of £2m savings every year for the maximum 24 year (8+8+8) period of the contract, although these figures will only be fully clear once the fine tuning process has taken place and a contract is agreed, expected in December.
- The cost of purchasing new wheelie bins and new refuse collection vehicles; although it was explained that new refuse collection vehicles would have to be purchased whether or not the council moved to the new system as the current vehicles are now overdue for replacement and that the cost of new bins is significantly less than the expected savings from the new system, giving a net saving overall.
- The impact for existing Merton staff of transferring to the new contractor e.g. TUPE arrangements; although it was explained that the preferred contractor was fully aware of their responsibilities under TUPE.
- That the 2015 wheeled bin pilot conducted in Lavender Fields used a different system from the proposals now being put forward; although it was explained that residents were overwhelmingly satisfied with their new wheelie bins.

This Council notes that feelings on wheelie bins are often strong in either direction and resolves to communicate with residents across all parts of Merton about changes to their waste collection service and calls on the Cabinet to look at options to address the above concerns as part of the fine tuning process and to continue to protect the weekly bin collection, as per Merton Labour's 2014 manifesto promise, with weekly collections of food waste and recycling.

### 13 NOTICE OF MOTION - CONSERVATIVE 2 (Agenda Item 13)

The motion was moved by Councillor Suzanne Grocott and seconded by Councillor Gilli Lewis-Lavender.

The Labour amendment, as set out in agenda item 21 was moved by Councillor Tobin Byers and seconded by Councillor Sally Kenny.

The Labour amendment was then put to the vote and was carried – votes in favour 35, and votes against 18 with 5 abstention.

The amended substantive Motion was then put to the vote and was carried – votes in favour 35, and votes against 18 with 5 abstention.

### RESOLVED

This council acknowledges that successive governments have tried to downgrade services at St Helier hospital, including accident and emergency and maternity services, and acknowledges the work done by our residents, our local MP Siobhain McDonagh, this administration and many local Councillors to fight these attacks but notes that we must always remain alert to any re-emergence of proposals to close or downgrade our local hospital at St Helier.

Nonetheless, council notes that in recent months our local NHS has sought to work more closely with the council and to take into account the needs of local residents when considering the future shape of health services in the borough and this is very much to be welcomed and encouraged.

Notwithstanding this, should closure or downgrading proposals re-emerge, council reiterates its policy to vigorously oppose proposals to close accident and emergency and maternity services at St. Helier Hospital and its resolve to continue to do everything in its power to keep St. Helier Hospital's accident and emergency, maternity services and other related services open.

The Council acknowledges that St Helier Hospital is in urgent need of investment, to better serve the needs of Merton residents in its catchment area, since the £219m promised to the hospital under the previous Labour government was withdrawn by Conservative Chancellor George Osborne. The Council has been involved in discussions with the Trust on an action plan developed in conjunction with the Care Quality Commission following its report which found the hospital requiring

improvement, to ensure that significant improvements are made. Council will continue to monitor the implementation of this plan closely.

Council is fully aware of recent and proposed consultations, including the current Estates Review and the Sustainability and Transformation Plan (STP) on which the Council has sought to work closely with the Clinical Commissioning Group. Council has sought to be an active partner with the NHS in developing 21<sup>st</sup> century healthcare facilities right across the borough, whilst always making clear that we will not allow either the Estates Review or the STP to be used as a cover for the resurrection of proposals to close or downgrade St Helier Hospital.

Council notes that the Cabinet Member for Adult Social Care and Health:

- Has already met with the Chair and Chief Officer of Merton CCG to discuss the STP and will continue to meet both regularly alongside council officers in order to discuss the progress of the STP.
- Has given an indication to the draft STP that the council is likely to welcome an increased focus on community services, whilst making clear that while the Council wants to work in partnership with the local NHS, neither residents or the administration will allow the STP to be used as a cover for a further attack on St Helier hospital.
- Will shortly be meeting representatives from the NHS to discuss the next steps with regard to the STP.

Accordingly as part of efforts to help secure the high quality, modern health facilities at St Helier and across the borough that Merton residents deserve, this Council notes the Cabinet Member's work to date to address and deliver proactive engagement with the Epsom & St Helier University Hospitals NHS Trust. In particular this work has included and will continue to include:

1. Ensuring that we do everything in our power to retain a local hospital at St Helier with at least its current range of services
2. Shaping service delivery that meets the needs of Merton residents.
3. Through active engagement with the Trust and neighbouring Councils, marshalling lobbying opportunities on decision making authorities in the NHS and Government to identify and promote investment streams, including writing to George Osborne or his successor to again ask that the £219m promised to St Helier hospital is reinstated.
4. Informing the wider community in Merton about how the Council is working actively, as a champion of its residents, to improve their health and wellbeing, including via My Merton where regular articles on both our local hospital and wider health issues are a regular feature.
5. Working closely with the CCG on ensuring acute provision across the borough is provided to a high standard, not just at St Helier but also at St George's.

#### 14 OVERVIEW AND SCRUTINY ANNUAL REPORT 2015-16 (Agenda Item 14)

The report was moved by Councillor Peter Southgate and seconded by

Councillor Peter McCabe.

Councillor Oonagh Moulton also spoke on this item.

RESOLVED

That Council notes the Overview and Scrutiny Annual Report.

15 COURT OF APPEAL AMENDMENT TO SMALL SITES AFFORDABLE HOUSING EXEMPTION (Agenda Item 15)

Councillor Martin Whelton moved the updated report by, which was seconded by Councillor Stephen Alambritis.

Councillor Najeeb Latif also spoke on this item.

RESOLVED

That the council notes the recent Court of Appeal decision regarding the Written Ministerial Statement advising councils not to seek affordable housing contributions from small sites of 10 homes / 1,000 square metres or less within planning decisions.

16 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 16)

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

RESOLVED

That Council

1. notes that, in respect of the Mayor of Merton's Charitable Trust, Councillors Agatha Akyigyina and Pauline Cowper have resigned with effect of 22 June 2016 and secondly that the Council note the appointment of the Mayor Councillor Brenda Fraser and Deputy Mayor Councillor Stan Anderson as trustees from 22 June 2016.
2. agrees the updated terms of reference of Standing Advisory Council On Religious Education (SACRE), as detailed in Appendix A to the report.
3. notes the changes to the membership of Committees that were approved under delegated powers since the last meeting of the Council.
4. following the changes of memberships, re-appoint Councillors Daniel Holden and Adam Bush as the Vice-Chair of Sustainable Communities Overview & Scrutiny Panel and the Pension Fund Advisory Committee respectively.

17 PETITIONS (Agenda Item 17)

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 Suzanne Grocott called '(Objection to planning application 16/P1139)

18 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL  
(Agenda Item 18)

That the Strategic Theme for the next ordinary meeting of the Council to be held on 14 September 2016 shall be Sustainable Communities with a focus on Housing.

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**Committee: Council**

**Date: 14 September 2016**

Wards: All

**Subject: Strategic Theme: Sustainable Communities with a focus on housing**

Lead officer: Director for Environment and Regeneration, Chris Lee; Director of Community and Housing, Simon Williams

Lead member: Cabinet Member for Environmental Sustainability and Regeneration, Councillor Martin Whelton

Contact officer: Head of Housing Needs and Strategy; Steve Langley; Future Merton programme manager, Tara Butler;

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**Recommendations:**

1. That Council consider the content of the report.
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**1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. Council at its meeting on 2 March approved the Business Plan 2015-2019.
- 1.2. The Business Plan represents the way in which the council will lead the delivery of 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 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 under the '*Sustainable Communities and Transport*' theme, with a specific emphasis on housing.
- 1.4. The ambition for the theme as outlined in the council's Business Plan 2015-19 is 'to create a more sustainable borough, one which is less reliant on fossil fuel and which reduces its negative impact on the environment and climate change in particular'.
- 1.5. The portfolio holder is Councillor Martin Whelton. The Sustainable Communities Overview and Scrutiny Panel continues to exercise its statutory function in relation to housing, including housing need, affordable housing and private sector housing and their input is included in this report.
- 1.6. The Business Plan can be viewed at [www.merton.gov.uk/businessplan](http://www.merton.gov.uk/businessplan) .
- 1.7. The details be found attached as appendix A to this report.

**2 DETAILS**

- 2.1. At the meeting on 3<sup>rd</sup> February 2016, the council considered progress against the priorities under the '*Sustainable Communities and Transport*' theme.
- 2.2. This report to 3<sup>rd</sup> February council including a section on housing supply as well as other elements of this theme, including business growth, Crossrail2,

changes to the planning system (including the Housing and Planning Act) and air quality.

- 2.3. This report focusses specifically on housing and is jointly prepared between the Department of Environment and Regeneration and the Department of Community and Housing

#### **Scrutiny function for the Strategic Theme**

- 2.4. The Sustainable Communities Overview and Scrutiny Panel continues to exercise its statutory function in relation to housing, including housing need, affordable housing and private sector housing.
- 2.5. Reviewing the priorities for the Community and Housing Department Priorities as set for the next four years is an essential part of the Panel's remit. Performance monitoring information from the department is provided at each meeting. This is presented by a relevant department officer and subject to scrutiny by members.
- 2.6. Circle Housing Merton Priory (CHMP) manages nearly 9,500 homes across Merton; approximately 6,200 are socially rented and the remaining 3,300 are privately owned leasehold properties where CHMP is the freeholder..
- 2.7. As part of its on-going monitoring of CHMP's performance, during 2015/2016, the Panel focused on the repairs and maintenance service provided to residents. The Panel received regular performance updates including resident satisfaction ratings and met with CHMP representatives every six months.
- 2.8. During the next municipal year, the Panel plans to engage with the Tenants' Scrutiny Panel and examine case studies on the resolution of long standing issues. CHMP representatives will also attend the forthcoming scrutiny meetings in September and November 2016. This has been given high priority by the Panel given the planned merger of CHMP with Affinity Sutton, one of the largest social housing providers in England. Panel members are concerned how this will impact on service levels, future governance arrangements and how the new entity will fulfil Circle's pre-existing commitments to the Council and its community grants programme.
- 2.9. Austen Reid, Chief Operating Officer of CHMP, and Neil McCall, Group Operations Director of Affinity Sutton, will attend the September scrutiny meeting with Panel members having worked together to develop a list of questions to be put to both organisations. November's meeting will focus on repairs and regeneration.
- 2.10. The Sustainable Communities Overview and Scrutiny Panel is aware that a proposal is currently being developed by the Sustainable Communities team to support the development of a housing company by the council. (more detail on the proposed Merton Development Company can be found in Appendix A to this report) The Panel is keen that it has the opportunity to give this sufficient scrutiny and is currently discussing with the department when this might happen. The objective is that this should provide the Panel with the chance to subject the proposal to pre-decision scrutiny.
- 2.11. The Panel completed its Housing Supply Task Group in 2015/2016 examining how to increase the supply of affordable housing in Merton. This



involved looking at other Local Authority good practice and engaging stakeholders such as Housing Associations, the Greater London Authority (GLA) and the NHS. Research and guidance was gathered from organisations such as Shelter, the Joseph Rowntree Foundation and the National Housing Federation.

- 2.12. Recommendations included that a report be presented to the Sustainable Communities Scrutiny Panel in anticipation of the proposed 'Pay to Stay' policy. It was suggested this should consider how residents might be incentivised to move to alternative forms of affordable housing to free up much needed social housing. Another recommendation was that the council works with the private rented sector to encourage landlords to let properties to residents on the Housing Register and in receipt of Housing Benefit (more detail on this is contained within Appendix A)
- 2.13. All the recommendations were accepted by Cabinet. The Panel received an update in January 2016. The Task Group chair was pleased with the reported progress and this will be further reviewed at the Panel's November 2016 meeting.

### **3 ALTERNATIVE OPTIONS**

- 3.1. None for the purposes of this report.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. None for the purposes of this report.

### **5 TIMETABLE**

- 5.1. None for the purposes of this report.

### **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. None for the purposes of this report.

### **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purposes of this report.

### **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. None for the purposes of this report.

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

Appendix A: Report on Sustainable Communities (focus on housing)

**Appendix A to Report on Strategic Theme – Sustainable Communities with a focus on housing**

**INTRODUCTION**

1. There is currently high demand for homes in London and in Merton. This report sets out the initiatives Merton is undertaking to increase the supply of all types of new homes, the opportunities we are pursuing around regeneration initiatives and creating a council-owned housing company, and the ongoing challenges we face.
2. Merton has made good progress in meeting and exceeding our housebuilding targets, in managing temporary accommodation for homeless households, preventing homelessness and in pursuing innovative projects to try and manage housing supply and demand in the borough. There will be challenges ahead particularly in the affordable housing sector with the reduction in housing benefit due later this year. Merton is well placed to meet these challenges and is putting plans in place to address housing demand and increase housing supply.

**Demand and housing need.**

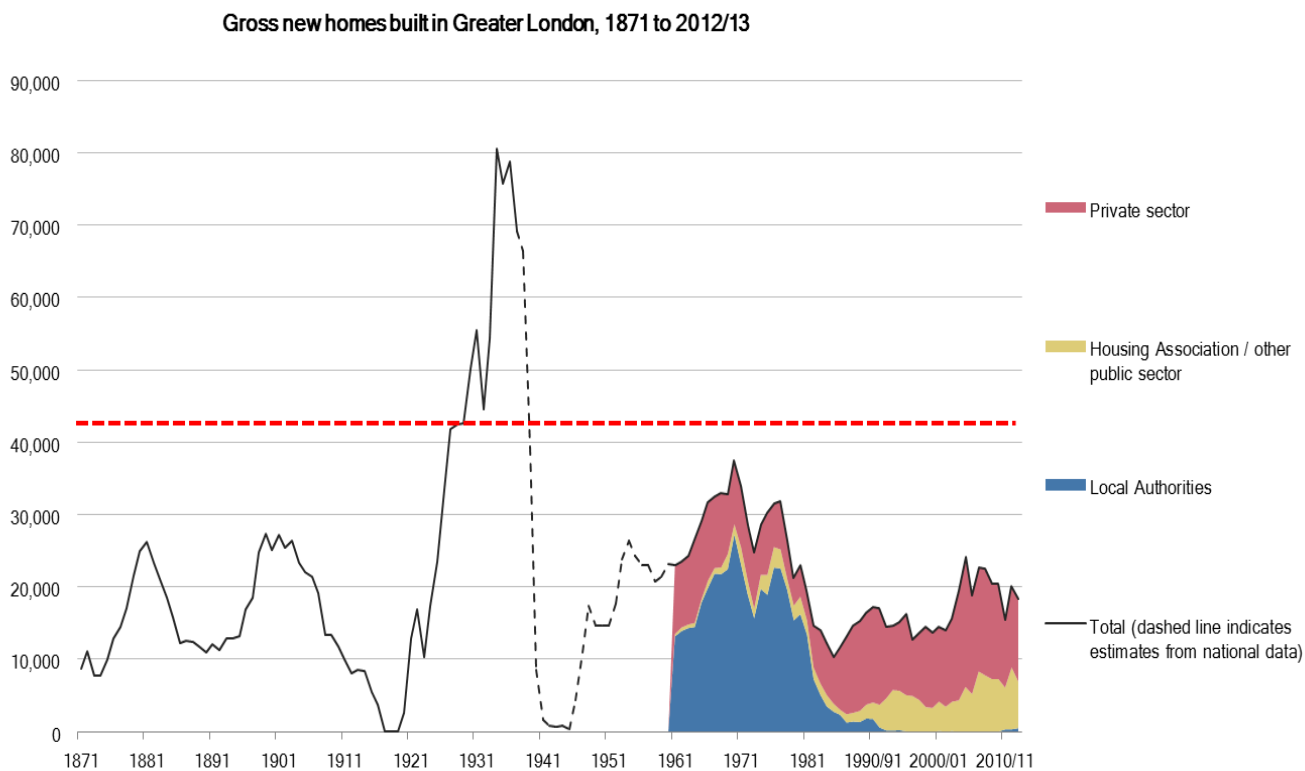
3. There is currently a constantly rising demand for new homes in Greater London and in Merton.
4. Work undertaken by the Greater London Authority on behalf of the Mayor of London and London boroughs illustrates that London's economy has grown rapidly for the last 20 years, doubling in size between 1997 and 2012, growing from £147billion to 309 billion. During this time London's economy has become a greater proportion of the UK economy as a whole.
5. This economic success has led to a rapid growth in population during the same period after decades of falling population between the 1940s-1980s. Between 1986 London's population was 6.8million and by 2013 it had risen to 8.4million. In early 2016 London became the largest it has ever been, passing its previous 1939 population peak of 8.6million. If these trends continue, London's population is forecast to reach 10million people by 2036.
6. This significant growth after decades of falling population is influenced by a number of factors, all of which arise from the attractiveness of London's buoyant economy:
  - A decline in out-migration. Over the past 20 years London – and Merton in particular- has become a better place to raise a family, with good schools, green space, local amenities and access to jobs. People are not, as happened previously, moving out of London to raise their families, which can be seen in the rapid rise in demand for primary school places.
  - Natural population growth: London's population is relatively young and the birth rate remains steady. As before, people are choosing to stay in London to raise families.

- A steady rate of in-migration. The access to jobs and quality of life in London is very attractive and in-migration – whether from Birmingham or Berlin – has remained constant

### Imbalance between housing demand and supply

7. London’s population of 8.6million people translates roughly into 3.6million households. Unfortunately, despite decades of economic and demographic growth, housebuilding not kept pace. An average of 25,000 new homes per annum have been built in London each year for the past 30 years and consequently there is a considerable gap between the demand for new homes and their supply.
8. To address this significant imbalance and to meet housing need as required by the National Planning Policy Framework, the London Plan 2015 sets London’s housing target as 42,000 new homes per year as a minimum. (Merton’s share of London’s new homes was increased by over 20% from 320 to 411 new homes to be built pear year).

**Figure 1: new homes built in London 1871-2011**



9. Building 42,000 new homes per year in London will be a challenging task. Over the past few years around 27,000 homes per year have been built in London. The last time more than 42,000 homes were built was during the inter-war

period when the Metroland suburbs that characterize much of the south of the borough were built. Not even the extensive housebuilding programmes of the 1960's and 1970's managed to achieve this scale of development.

10. Council initiatives set out in this report have helped to secure Investor confidence in Merton. This investment has led to Merton exceeding its housing target for the past number of years and also exceeding its share of London's affordable homes, with 41% of new homes built in Merton in 2014-15 being affordable.

#### **Merton's initiatives to meet housing demand:**

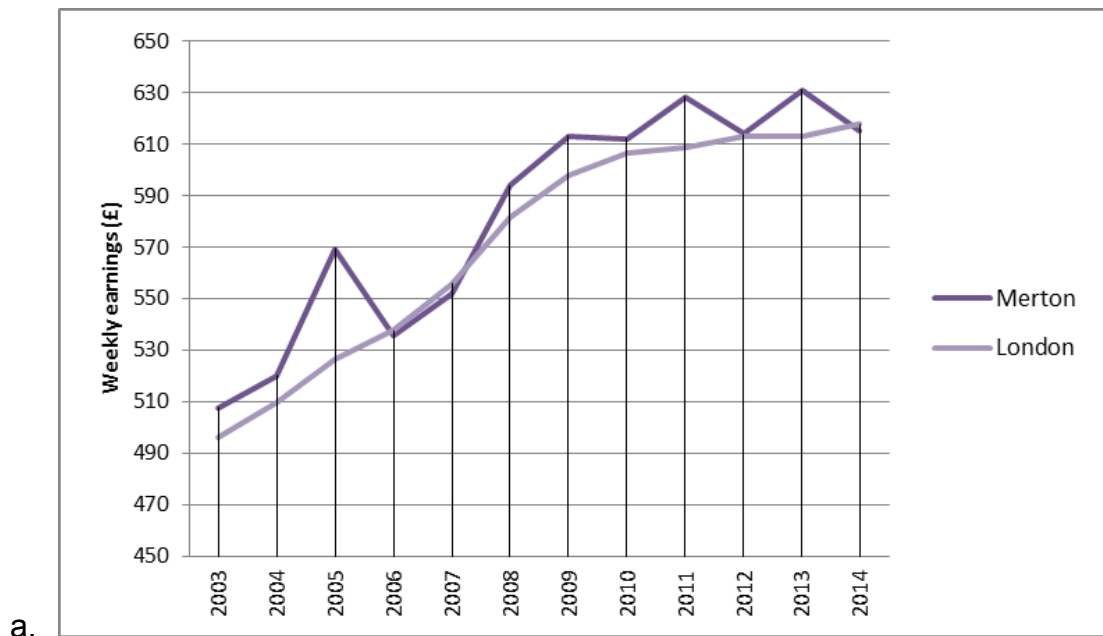
11. Merton has reached its share of London's new homes over the past few years. This has been achieved by initiatives directly connected with increasing housing supply but also by wider strategies to ensure Merton remains an attractive place to live with a great quality of life: good schools, parks and green spaces, vibrant town centres and a good transport system, all of which makes Merton an attractive place to invest.
12. Over the past five years, Merton has been working on a variety of initiatives to encourage investor confidence in the borough. This includes the allocation of specific sites for new homes in council development plans and working with others to deliver these sites and investing with the Mayor of London to improve the streetscene and public realm in Colliers Wood and Mitcham,
13. The council is working on several long-term initiatives to address the ongoing need for more homes
14. Morden Housing Zone: the council has successfully bid for Morden to be considered as one of London's Housing Zones, which allows housebuilders to access funding from the Mayor of London to kickstart development. We are working with the Mayor of London, Transport for London and the London Enterprise Panel to support the delivery of Morden's Housing Zone, from improving the Art Deco retail gateway to the town centre to preparing a long-term masterplan to deliver modern business space, a new public realm and more than 1,000 new homes in Morden town centre.
15. Estate regeneration: we are working with Registered Providers Circle Housing Merton Priory and Moat and with residents to explore the regeneration of four housing estates in a plan-led approach. Should the council support regeneration, these plans will help deliver more than 1,200 new homes over the next decade.

#### **Demand for more affordable homes**

16. House prices are continuing to rise year on year across London. In Merton, the average price of a new homes is £514,595, (Land Registry June 2016) : +16% from June 2015. Merton's average residential property price is very close to London's average £531,000 (Land Registry March 2016).

17. However these averages do not tell the whole story. In 2013 (the most recent year for which this data is available) the average property price in Mitcham and Morden was £250,000 whereas for the same year in Wimbledon, the average property price was £461,000, more than 70% greater.
18. Rents are also increasing rapidly The cost of renting a home in the private sector is rising faster than household income, increasing by about 27% over the last 4 years.
- The cost of renting 4-bed homes = £623 per week, biggest increase of 36%.
  - Average rent for 1-bed homes = £265, increased by 29% in four years
  - Average rent for 2 to 3-bed homes = £325 / £403 per week, increased by 25% over the same period.
19. The increase in the year to March 2015 alone was 3.2% (ONS April 2015), the highest annual change since the summer of 2013.
20. However increases to household income, while rising, are not keeping pace with rental income. Average weekly earnings in Merton are now around £615 per week but the graph below illustrates how little this has changed since 2011, especially when compared to the +25% change in rents during the same period. This average also hides a very wide range of earnings across the borough.

**Figure 2: Average weekly earnings in Merton (source ONS 2014)**



21. The increase in the cost of housing (ownership and for rent) compared with access to income is a serious problem for the housing market, giving rise to overcrowding, under-investment in the overstretched housing supply and increased homelessness.

## **Tacking homelessness in Merton**

22. In Merton the Council has seen a 90% increase in temporary accommodation in the last 5 years. As at the end of July 2016 there were 186 households in temporary accommodation under the Housing Act 1996. Whilst this remains the lowest number for any London Borough it is likely that demand for housing will increase in line with proposed welfare reforms, for example the reduction in the benefit cap from £26,000 to £23,000 in November 2016.
23. The numbers in temporary accommodation for the other South West London boroughs were as follows in December 2015:
- Croydon 3115
  - Kingston 599
  - Lambeth 1817
  - Wandsworth 1139
  - Sutton 372
  - Richmond 241
24. The principal factors that are driving increased episodes of homelessness is the availability of private sector housing that is affordable for households on benefits and the increased levels of evictions from private sector tenancies.
25. The loss of Assured Shorthold Tenancies ( which is the most common form of tenure in the private rented sector) is the largest cause of homelessness in Merton and in London generally. Homelessness acceptances are forecast to be approximately 150 in 2016/17 , compared to 141 in 2015/16
26. The Council has 9,268 individuals and families on the Housing Register and the average wait for a 3 bedroom home is 4 years.
27. The table below compares average weekly private sector rents in Merton with Local Housing Allowance (LHA) rates of the 2 main Broad Rental Market Areas (BRMAs) in Merton.

**Figure 3 average weekly private sector residential rents compared to housing benefits**

	<b>1- Bed</b>	<b>2- Beds</b>	<b>3- Beds</b>	<b>4- Beds</b>
Average weekly private sector rents in Merton	£265	£325	£403	£623
LHA Outer South region weekly housing allowance	£167	£211	£279	£344
LHA Outer South West weekly housing allowance	£210	£281	£337	£417

28. The number of properties for rent must be within the Local Housing Allowance rates.

29. The LHA rates are set at 30<sup>th</sup> percentile of market rent for a local area. From April 2011 this had increased by 1% per annum. Broadly speaking this means that 30% of the total number of private rented properties available in Merton should be within LHA rates.
30. However our analysis of around 1,000 properties available for rent at the end of September 2015, suggests that the reality is only around 1%.
31. Additionally the Council faces barriers in procuring private sector housing supply. This is because landlords can decide whether or not they wish to rent their properties to households on benefits.
32. We have contacted a number of Landlords and agencies who have told us that they
- Do not rent properties to people on benefits.
  - Some would only do so with a guarantor.
  - Some agents would do so at the discretion of the Landlord.
33. The stark reality however is that the number of private rented properties for our families and individuals is reducing.
34. There are in excess of 50,000 households in temporary accommodation in London being housed by Local Authorities and as a consequence there is competition to secure private rented properties from all local councils.
35. Furthermore private rented sector properties are available on the open market and are therefore in competition with individuals and families seeking privately rented accommodation in Merton and in London generally.
36. That said, officers continue to have success, even in this challenging environment, to source properties in the private rented sector. This is achieved by:-
- Landlord rent deposits/incentives.
  - To make the Council offer more desirable in the current operating market.
  - Support Landlords and provide a soft housing management service.
  - Regular checks with landlords to obtain individual properties.
  - Undertaking advertising campaigns.
37. This practise, coupled with homeless prevention activities, seeks to minimise numbers of households/individuals in temporary accommodation. During the period 2015-2016, 561 households had their homelessness prevented.
38. The council remains committed to keeping private rented accommodation a sustainable choice for our residents. It continues to review its approach to securing a supply of good quality private rented homes. As part of this approach officers continue to work with landlords, both on a one-to-one basis and through

the Private Sector Landlords Forum, one of the recommendations of the Sustainable Communities Overview and Scrutiny Housing Task Group.

39. The council's use of private sector accommodation is accompanied by a commitment to seeking to ensure that those moving into the private rented sector have the support they need in sustaining their tenancies.
40. In addition to the significant work in addressing homelessness on a daily basis, the council has also used its own resources to champion innovation in order to help support people on their first step on the housing ladder after homelessness or supported housing.
41. Mitcham Y-cube provides 36 small self-contained flats for people who cannot access other affordable accommodation. In a unique approach to developing new homes, the YMCA led the project, Merton Council provided the land, and the building was designed by world-renowned architects Rogers Stirk Harbour and Partners and built off-site to reduce construction costs. The development opened in September 2015; Merton Council has nomination rights for 50% of the 36 spaces.

#### **Private sector housing**

42. The council has a legal duty to ensure that the most serious hazards homes present to health and safety are dealt with. It fulfils this duty using a range of approaches ranging from informal advice to formal enforcement notices. In addition the council continues to fulfil its statutory duty to licence larger Houses in Multiple Occupation (HMOs).

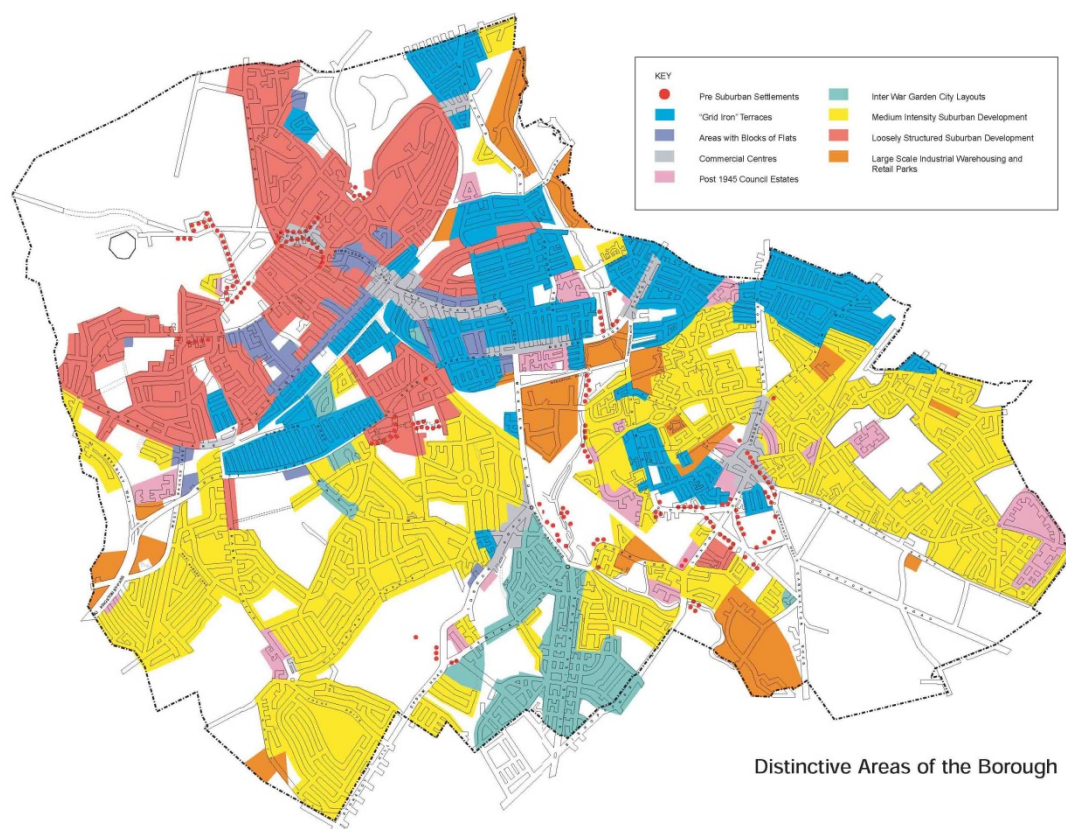


## HOUSING SUPPLY

43. In Merton, there are about 86,000 homes. Approximately 16,000 of these homes are social housing owned by Registered Providers; one of the lowest of all London boroughs. The rest are owned by the private sector, either individuals or companies.

44. Of these 16,000 social housing homes, approximately 6,200 homes are owned by Circle Housing Merton Priory, soon to be merged with Affinity Sutton. The remaining 9,800 are owned by other Registered Providers such as Notting Hill, Wandle Housing, Thames Valley, Moat and London & Quadrant.

**Figure 4: Merton's development character**

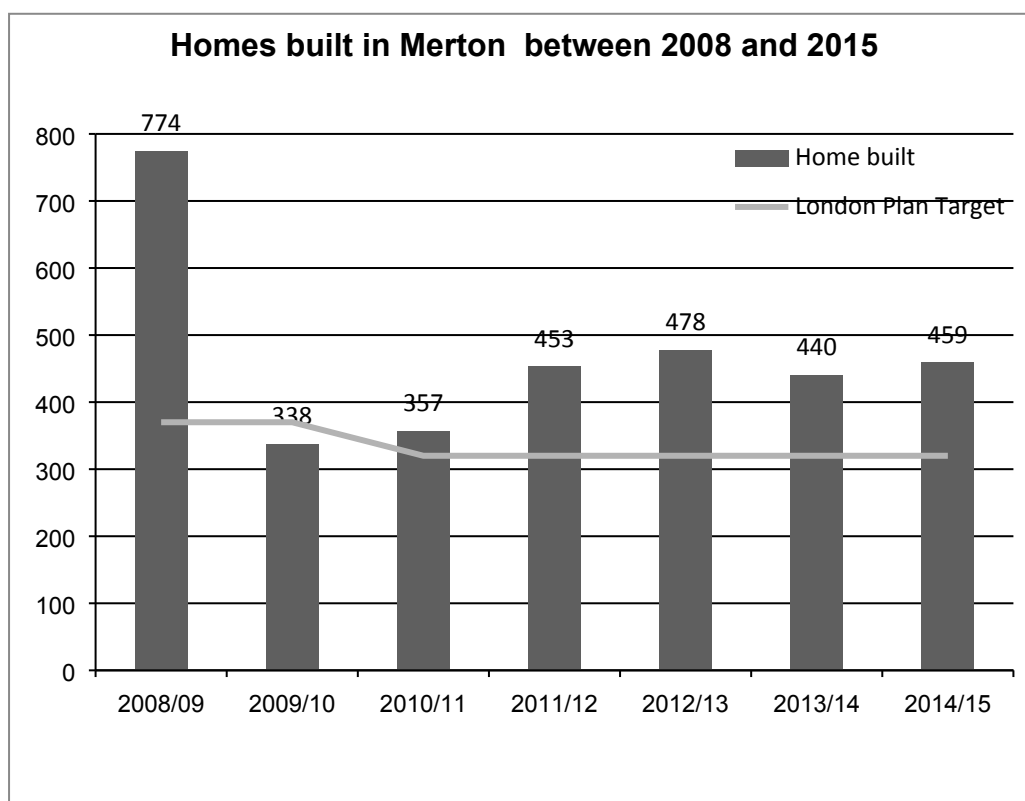


45. Merton is characterized by small sites. The map below illustrates that most of the borough was already developed by the 1960s. In comparison to other boroughs, Merton has very few large sites in single ownership aside from parks and open spaces. In the 10 years between 2002 and 2012 over 90% of the planning applications that Merton received for new homes were to develop sites of less than 10 homes.

46. Merton's share of London's new homes (otherwise known as the housing target) is set by the Mayor of London's London Plan. The graph below illustrates Merton's strong housebuilding record over the past seven years.

47. As Merton is a borough of small sites with fewer opportunities for large-scale development than most other boroughs, Merton's housing target of 411 homes per year is the third lowest in London, after Richmond (315) and Sutton (363).

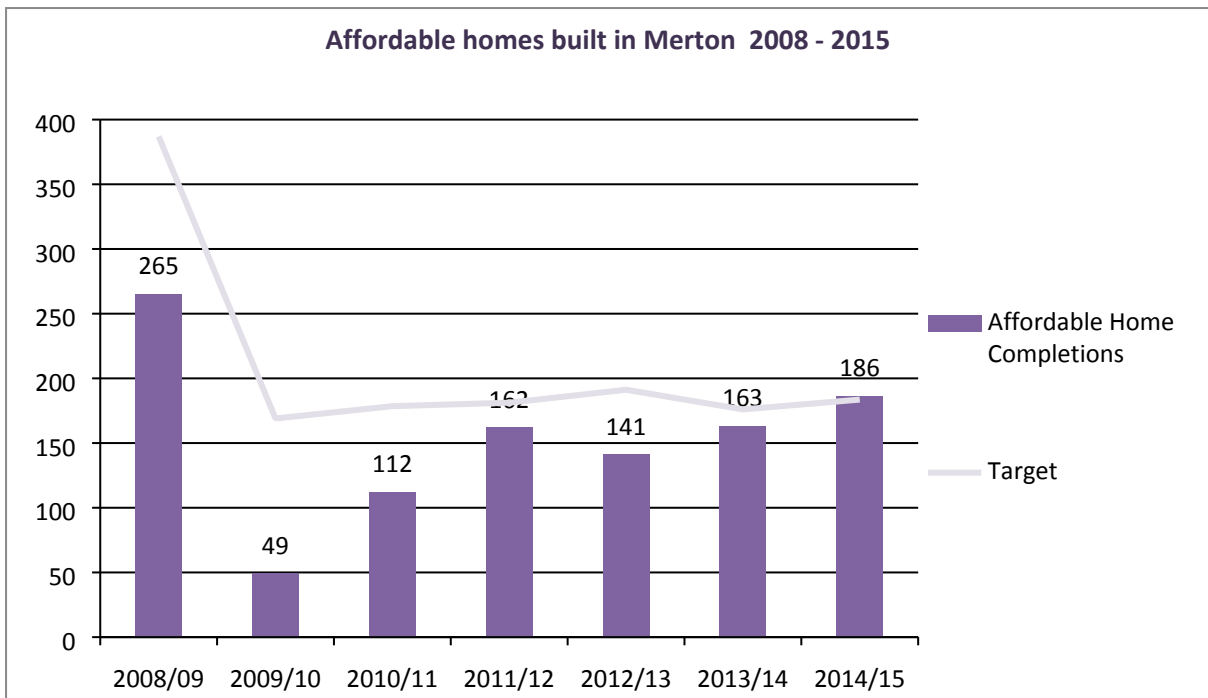
**Figure 5 : number of homes built in Merton 2008-2015**



48. Merton's Core Planning Strategy planning policy, like most of London's, is to seek 40% affordable housing on sites of 10 homes or more.

49. The definition of "Affordable homes" currently includes:

- shared ownership
- discounted market sale (for example, 20% less than local market prices, including "starter homes")
- social housing for affordable rent (between 65% and 80% of local market rent)



50. It should be noted that these policies are subject to development viability: if an applicant can prove that their development would not be viable with 40% of the homes being affordable, then they can reduce their affordable homes to less, whatever is viable.

51. The council gets viability assessments it receives with planning applications independently checked. The Mayor of London is putting together a team of experts to assist councils with ensuring that large schemes that are referable to the Mayor (+150 new homes) have their viability assessments stringently analysed.

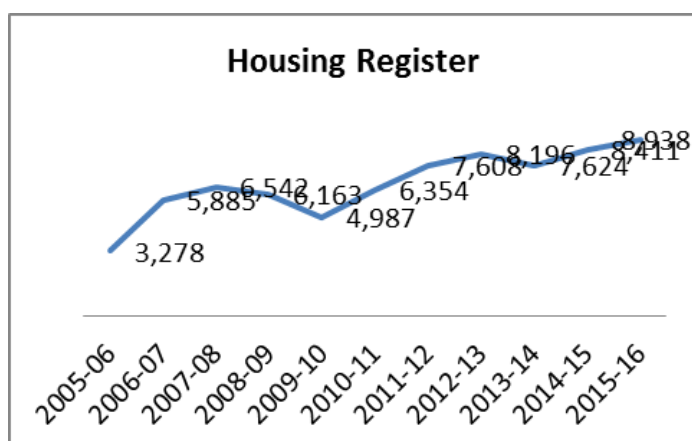
52. Recent changes to government policy, including in the Housing and Planning Act 2016, will bring in the requirement for “intermediate” homes (i.e. those for sale, called “starter homes” or shared ownership) to be prioritised over affordable homes for affordable rent. This is likely to reduce the number of new homes built for affordable rent.

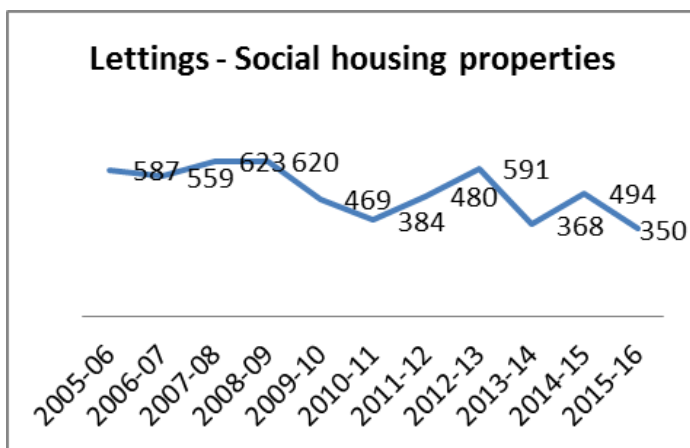
53. These government changes also removed a key plank of Merton’s Core Strategy planning policy which sought contributions from small sites towards affordable housing (i.e. sites of less than 10 homes). At the next review of the council’s Local Plan, officers will work on devising innovative planning policies to help continue Merton’s strong record of building affordable homes.

## Social housing lettings trend

54. There were 350 lettings in 2015-16, a 29% drop from the 494 lets in 2014-15, dropping below the lowest number of 368 lets previously recorded in 2013-14. The drop is due to the lack of empty social housing properties available to let.
55. All social housing lettings are let according to the Council's published Housing Allocations Policy which seeks to ensure that those in the greatest housing need are rehoused first. This is available on the council's website [www.merton.gov.uk/housing-register-nominations-policy](http://www.merton.gov.uk/housing-register-nominations-policy)
56. The greatest form of housing need is homelessness and the Council is required in accordance with the provisions of the Housing Act 1996 to give reasonable preference ( often described as a helping hand) to households who are homelessness or threatened with homelessness. The Council also has to give reasonable preference to households who need to move because of medical factors, overcrowding and insanitary housing conditions.
57. Data for the past 10 years show a clear upward trend for the number of households waiting for re-housing on the Housing Register, but overall, the trend for homes available for let through Registered Providers (Housing Associations) was a downward one. With fewer homes available for let, more and more households will remain waiting on the Housing Register, therefore unmet housing need is expected to continue to increase.

**Figure 7 and 8: Number of households on Merton's Housing Register and number of social housing properties let 2005-2015**





**Figure 9: number and percentage change on housing register**

	Number of households on the Housing Register	% change	Number of social housing properties let	% change	% Household Re-housed
2005-06	3,278	/	587	/	17%
2006-07	5,885	+80%	559	-5%	9.5%
2007-08	6,542	+11%	623	+11%	9.5%
2008-09	6,163	-6%	620	-0.5%	10%
2009-10	4,987	-19%	469	-24%	9%
2010-11	6,354	+27%	384	-18%	6%
2011-12	7,608	+20%	480	+26%	6%
2012-13	8,196	+8%	591	+23%	7%
2013-14	7,624	-7%	368	-38%	5%
2014-15	8,411	+10%	494	+34%	6%
2015-16	8,938	6%	350	-29%	4%

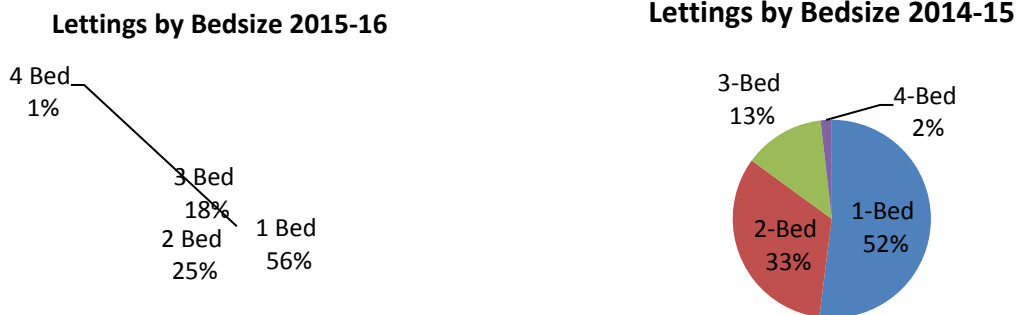
58. The table below provide a breakdown of the type of voids (empty social housing properties) becoming available for relet each year. This shows a clear downward trend for the number of true-void relets since 2010-11 when data first became available.

**Figure 10: number of social housing properties relet in Merton 2008-2016**



**PROFILE OF HOMES AVAILABLE FOR LET**

**Figure 11: Lettings by Bed size: 2014-15 and 2015-16**



**Figure 12 Lettings by Dwelling Type**

	2015-16		2014-15		2013-14	
	Number	Percent	Number	Percent	Number	Percent
<b>Bedsit / Studio</b>	6	2%	8	2%	9	2%
<b>Flat</b>	273	78%	379	77%	254	69%
<b>Maisonette</b>	10	3%	12	2%	6	2%
<b>House</b>	60	17%	90	18%	96	26%
<b>Bungalow</b>	1	0.3%	5	1%	3	1%
	<b>350</b>	<b>100%</b>	<b>494</b>	<b>100%</b>	<b>368</b>	<b>100%</b>

59. The majority of homes available for let are flats, reflecting Merton's social housing stock profile. In 2015-16, flats and maisonettes made up 81% of all homes available for let, up from 79% in 2014-15 and 71% in 2013-14. Conversely, the number and proportion of houses available for let in 2015-16 had decreased to 17%, compared to 19% and 27% in 2014-15 and 2013-14 respectively.

### **Lettings by location**

60. As in previous years, about half of the homes available for let are located in the CR4 area. There has been a noticeable increase in the number and proportion of homes available for let in the KT20 area, and a decrease in homes available in SW19.

**Figure 13 Lettings by location**

	2015-16		2014-15		2013-14	
	Number	Percent	Number	Percent	Number	Percent
CR4	173	49%	256	52%	175	48%
SW19	47	13%	72	15%	79	21.5%
SM4	68	19%	97	20%	52	14%
SW16	0	0%	2	0%	28	8%
SW20	23	7%	36	7%	24	6.5%
KT20	24	7%	12	2%	5	1%
SW17	11	3%	13	3%	5	1%
KT3	2	1%	5	1%	0	0
Other	2	1%	1	0%	0	0
<b>Total</b>	<b>350</b>	<b>100%</b>	<b>494</b>	<b>100%</b>	<b>368</b>	<b>100%</b>

61. As highlighted previously the availability of social rented homes is reducing and it is predicted that during 2016/17 only 314 registered provider homes will become available for letting.

62. The council has a clear strategic direction of travel to assist its commitment to our residents in meeting housing need, in line with the Sustainable Communities Housing Task Group recommendations. This centres on:

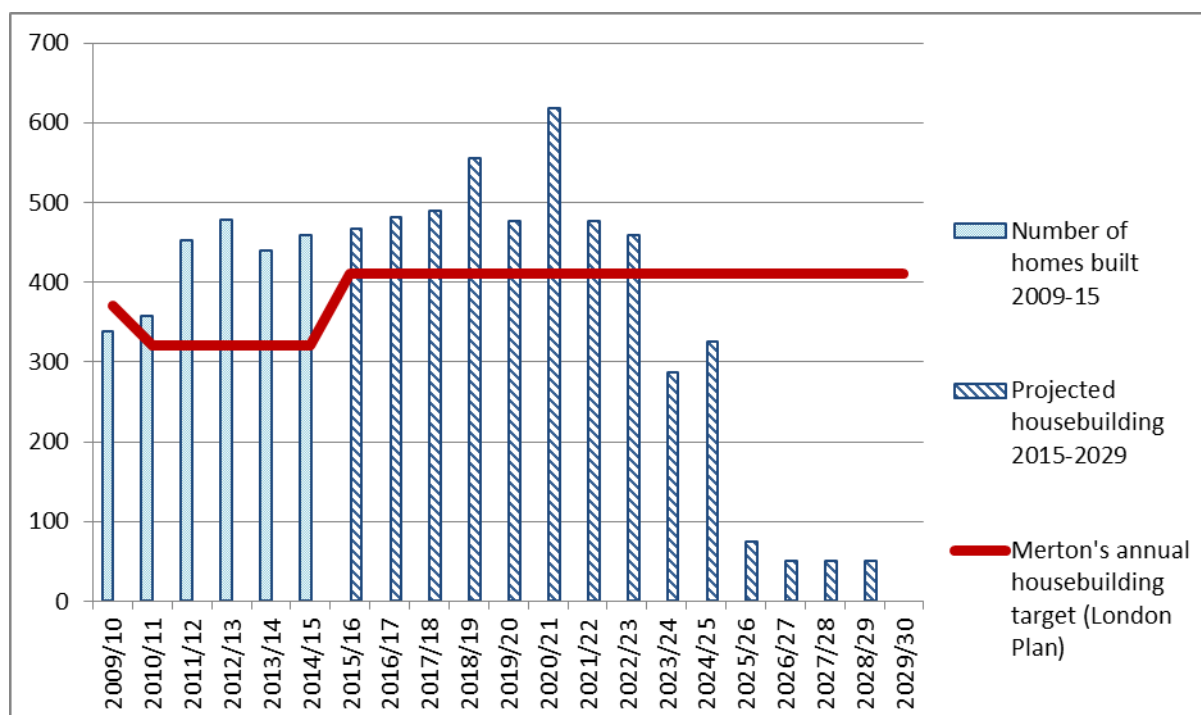
- a. Managing expectations: we cannot house everyone.
- b. The right people in the right homes: making best use of what exists already.
- c. Maximising, where we can, 40% affordable housing from new developments.
- d. Increasing the overall number of homes built, for example by successfully bidding for Morden Housing Zone and working towards its delivery.
- e. Working with private landlords and Registered Providers to increase housing supply.



## MEETING HOUSING DEMAND IN MERTON

63. By working with landowners and developers to encourage housebuilding, Merton is forecast to meet its share of London's new homes (currently 411 new homes per year) for more than the next five years.

**Figure 14 Housebuilding in Merton: past and future 2009-2029**



64. As previously mentioned, Merton's offer on quality of life is one of the key reasons for being able to attract investment into the borough.

- To ensure our voices are heard at a senior level in government and the private sector, we are working collaboratively with the South London Partnership:
- to ensure that jobs, skills and wages growth is strengthened in this region to enable as many households as possible to support themselves in their own homes
- to make the most of the opportunities presented by Crossrail 2 in creating more jobs and homes and improving the quality of life of our future residents
- to collectively agree what the priorities are for community services, transport and other social infrastructure for the south London region and creating a Growth Prospectus to strengthen our voice with government and business.

### **Merton's Development Company**

65. The council is pursuing innovative ways of ensuring the delivery of new homes by working toward setting up its own development company to develop land for new homes. A paper will be brought forward recommending that council set up

its own company to develop new homes, particularly on small sites that characterize much of the council's and private sector land ownership in Merton.

66. By setting up a housing company the council would be able to develop sites (on its own or with partners) to provide new homes for sale or rent and generate a revenue stream for future investment.

### **Working with the Mayor of London – the new London Plan**

67. Since his election in May 2016, the new Mayor of London has started a full review of the London Plan. When the new London Plan is finally published, circa 2018, it will replace the London Plan 2015.
68. Priorities for the emerging London Plan will be to encourage the building of new homes, particularly affordable homes. The Mayor has already made several announcements to this end, including creating a GLA team of viability experts to help scrutinize planning applications, proposing to raise the affordable housing target from 40% to 50%, proposing to reconsider the definition of "affordable" for London to link it to average earnings as opposed to local market rents (currently "affordable" can mean up to 80% of market rents for an area)
69. A substantial amount of research and information will go into the new London Plan London Officers at Merton are working with the Greater London Authority on Merton's share of London's new homes (known as the housing target) and on specific housing delivery projects including Morden.
70. As already mentioned, the council is working closely with the Greater London Authority and Transport for London on Morden's Housing Zone to improve the public realm and develop new homes in Morden. We will also take the opportunity presented by a review of London's plans to encourage central Merton including the areas around Colliers Wood, South Wimbledon, Morden and Wimbledon to be considered as one of London's new Opportunity Areas, demonstrating our support for investment and potentially attracting additional resources to the area.

## **Appendix A to Report on Strategic Theme – Sustainable Communities with a focus on housing**

### **INTRODUCTION**

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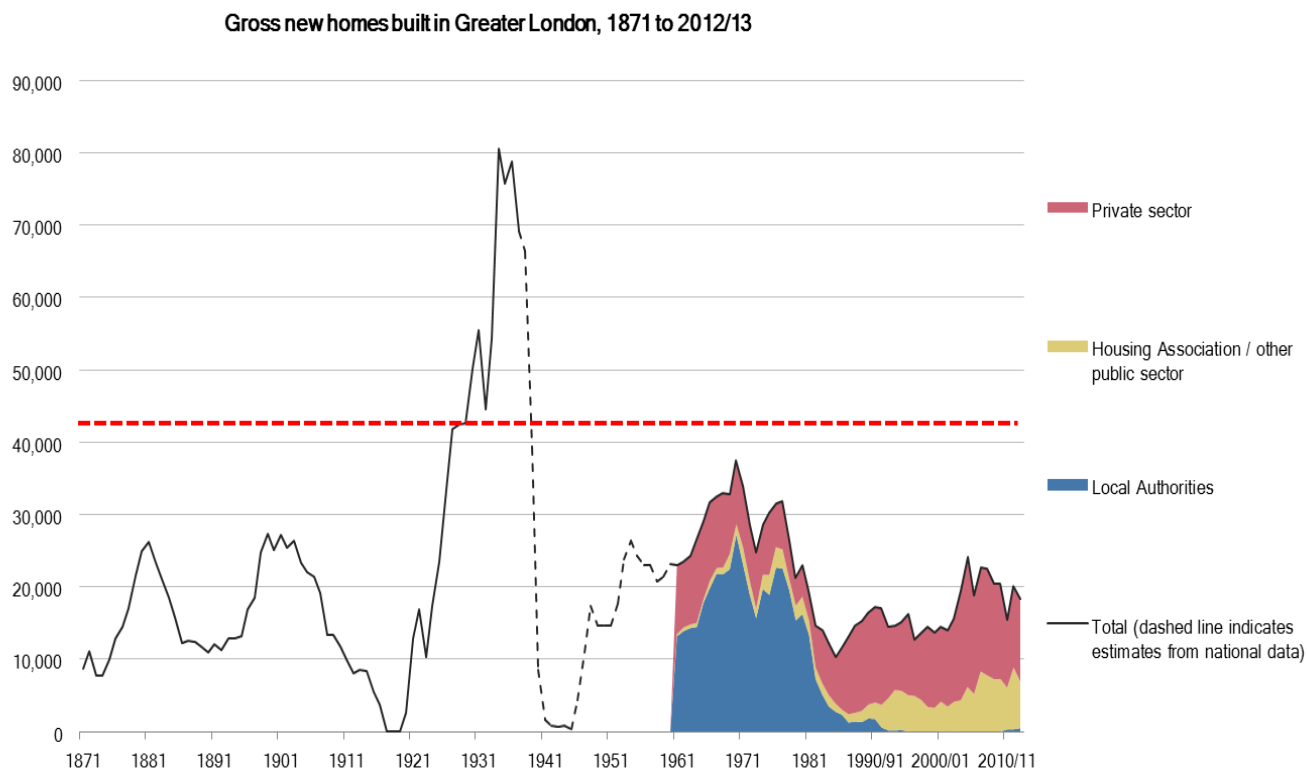
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- A steady rate of in-migration. The access to jobs and quality of life in London is very attractive and in-migration – whether from Birmingham or Berlin – has remained constant

### Imbalance between housing demand and supply

7. London’s population of 8.6million people translates roughly into 3.6million households. Unfortunately, despite decades of economic and demographic growth, housebuilding not kept pace. An average of 25,000 new homes per annum have been built in London each year for the past 30 years and consequently there is a considerable gap between the demand for new homes and their supply.
8. To address this significant imbalance and to meet housing need as required by the National Planning Policy Framework, the London Plan 2015 sets London’s housing target as 42,000 new homes per year as a minimum. (Merton’s share of London’s new homes was increased by over 20% from 320 to 411 new homes to be built pear year).

**Figure 1: new homes built in London 1871-2011**



9. Building 42,000 new homes per year in London will be a challenging task. Over the past few years around 27,000 homes per year have been built in London. The last time more than 42,000 homes were built was during the inter-war

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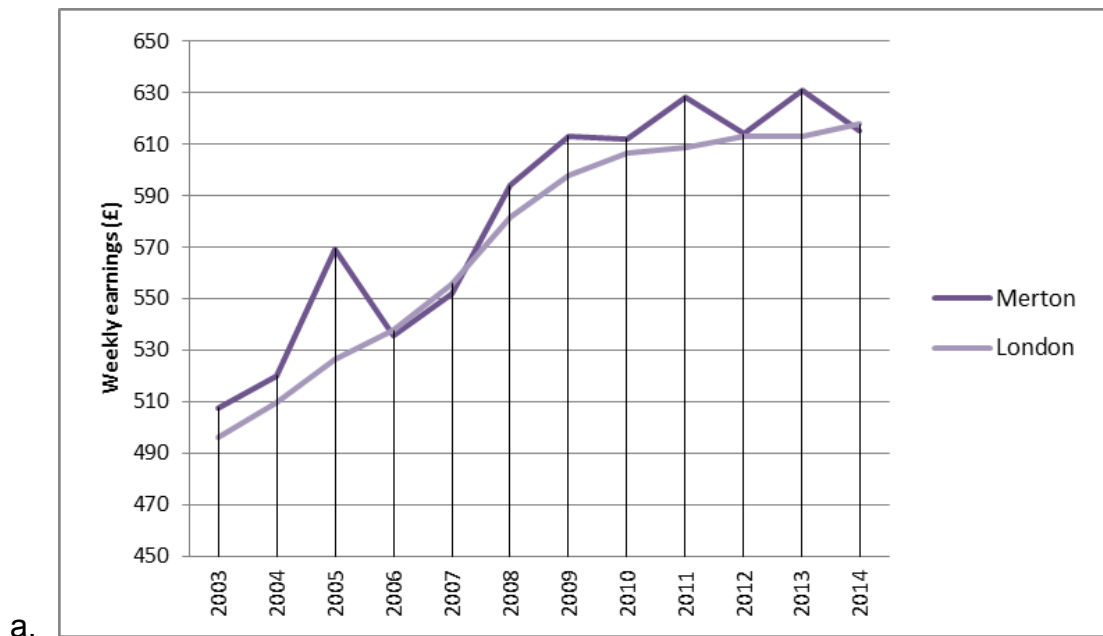
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12. Over the past five years, Merton has been working on a variety of initiatives to encourage investor confidence in the borough. This includes the allocation of specific sites for new homes in council development plans and working with others to deliver these sites and investing with the Mayor of London to improve the streetscene and public realm in Colliers Wood and Mitcham,
13. The council is working on several long-term initiatives to address the ongoing need for more homes
14. Morden Housing Zone: the council has successfully bid for Morden to be considered as one of London's Housing Zones, which allows housebuilders to access funding from the Mayor of London to kickstart development. We are working with the Mayor of London, Transport for London and the London Enterprise Panel to support the delivery of Morden's Housing Zone, from improving the Art Deco retail gateway to the town centre to preparing a long-term masterplan to deliver modern business space, a new public realm and more than 1,000 new homes in Morden town centre.
15. Estate regeneration: we are working with Registered Providers Circle Housing Merton Priory and Moat and with residents to explore the regeneration of four housing estates in a plan-led approach. Should the council support regeneration, these plans will help deliver more than 1,200 new homes over the next decade.

#### **Demand for more affordable homes**

16. House prices are continuing to rise year on year across London. In Merton, the average price of a new homes is £514,595, (Land Registry June 2016) : +16% from June 2015. Merton's average residential property price is very close to London's average £531,000 (Land Registry March 2016).

17. However these averages do not tell the whole story. In 2013 (the most recent year for which this data is available) the average property price in Mitcham and Morden was £250,000 whereas for the same year in Wimbledon, the average property price was £461,000, more than 70% greater.
18. Rents are also increasing rapidly The cost of renting a home in the private sector is rising faster than household income, increasing by about 27% over the last 4 years.
- The cost of renting 4-bed homes = £623 per week, biggest increase of 36%.
  - Average rent for 1-bed homes = £265, increased by 29% in four years
  - Average rent for 2 to 3-bed homes = £325 / £403 per week, increased by 25% over the same period.
19. The increase in the year to March 2015 alone was 3.2% (ONS April 2015), the highest annual change since the summer of 2013.
20. However increases to household income, while rising, are not keeping pace with rental income. Average weekly earnings in Merton are now around £615 per week but the graph below illustrates how little this has changed since 2011, especially when compared to the +25% change in rents during the same period. This average also hides a very wide range of earnings across the borough.

**Figure 2: Average weekly earnings in Merton (source ONS 2014)**



21. The increase in the cost of housing (ownership and for rent) compared with access to income is a serious problem for the housing market, giving rise to overcrowding, under-investment in the overstretched housing supply and increased homelessness.

## **Tacking homelessness in Merton**

22. In Merton the Council has seen a 90% increase in temporary accommodation in the last 5 years. As at the end of July 2016 there were 186 households in temporary accommodation under the Housing Act 1996. Whilst this remains the lowest number for any London Borough it is likely that demand for housing will increase in line with proposed welfare reforms, for example the reduction in the benefit cap from £26,000 to £23,000 in November 2016.
23. The numbers in temporary accommodation for the other South West London boroughs were as follows in December 2015:
- Croydon 3115
  - Kingston 599
  - Lambeth 1817
  - Wandsworth 1139
  - Sutton 372
  - Richmond 241
24. The principal factors that are driving increased episodes of homelessness is the availability of private sector housing that is affordable for households on benefits and the increased levels of evictions from private sector tenancies.
25. The loss of Assured Shorthold Tenancies ( which is the most common form of tenure in the private rented sector) is the largest cause of homelessness in Merton and in London generally. Homelessness acceptances are forecast to be approximately 150 in 2016/17 , compared to 141 in 2015/16
26. The Council has 9,268 individuals and families on the Housing Register and the average wait for a 3 bedroom home is 4 years.
27. The table below compares average weekly private sector rents in Merton with Local Housing Allowance (LHA) rates of the 2 main Broad Rental Market Areas (BRMAs) in Merton.

**Figure 3 average weekly private sector residential rents compared to housing benefits**

	<b>1- Bed</b>	<b>2- Beds</b>	<b>3- Beds</b>	<b>4- Beds</b>
Average weekly private sector rents in Merton	£265	£325	£403	£623
LHA Outer South region weekly housing allowance	£167	£211	£279	£344
LHA Outer South West weekly housing allowance	£210	£281	£337	£417

28. The number of properties for rent must be within the Local Housing Allowance rates.

29. The LHA rates are set at 30<sup>th</sup> percentile of market rent for a local area. From April 2011 this had increased by 1% per annum. Broadly speaking this means that 30% of the total number of private rented properties available in Merton should be within LHA rates.
30. However our analysis of around 1,000 properties available for rent at the end of September 2015, suggests that the reality is only around 1%.
31. Additionally the Council faces barriers in procuring private sector housing supply. This is because landlords can decide whether or not they wish to rent their properties to households on benefits.
32. We have contacted a number of Landlords and agencies who have told us that they
- Do not rent properties to people on benefits.
  - Some would only do so with a guarantor.
  - Some agents would do so at the discretion of the Landlord.
33. The stark reality however is that the number of private rented properties for our families and individuals is reducing.
34. There are in excess of 50,000 households in temporary accommodation in London being housed by Local Authorities and as a consequence there is competition to secure private rented properties from all local councils.
35. Furthermore private rented sector properties are available on the open market and are therefore in competition with individuals and families seeking privately rented accommodation in Merton and in London generally.
36. That said, officers continue to have success, even in this challenging environment, to source properties in the private rented sector. This is achieved by:-
- Landlord rent deposits/incentives.
  - To make the Council offer more desirable in the current operating market.
  - Support Landlords and provide a soft housing management service.
  - Regular checks with landlords to obtain individual properties.
  - Undertaking advertising campaigns.
37. This practise, coupled with homeless prevention activities, seeks to minimise numbers of households/individuals in temporary accommodation. During the period 2015-2016, 561 households had their homelessness prevented.
38. The council remains committed to keeping private rented accommodation a sustainable choice for our residents. It continues to review its approach to securing a supply of good quality private rented homes. As part of this approach officers continue to work with landlords, both on a one-to-one basis and through



the Private Sector Landlords Forum, one of the recommendations of the Sustainable Communities Overview and Scrutiny Housing Task Group.

39. The council's use of private sector accommodation is accompanied by a commitment to seeking to ensure that those moving into the private rented sector have the support they need in sustaining their tenancies.
40. In addition to the significant work in addressing homelessness on a daily basis, the council has also used its own resources to champion innovation in order to help support people on their first step on the housing ladder after homelessness or supported housing.
41. Mitcham Y-cube provides 36 small self-contained flats for people who cannot access other affordable accommodation. In a unique approach to developing new homes, the YMCA led the project, Merton Council provided the land, and the building was designed by world-renowned architects Rogers Stirk Harbour and Partners and built off-site to reduce construction costs. The development opened in September 2015; Merton Council has nomination rights for 50% of the 36 spaces.

#### **Private sector housing**

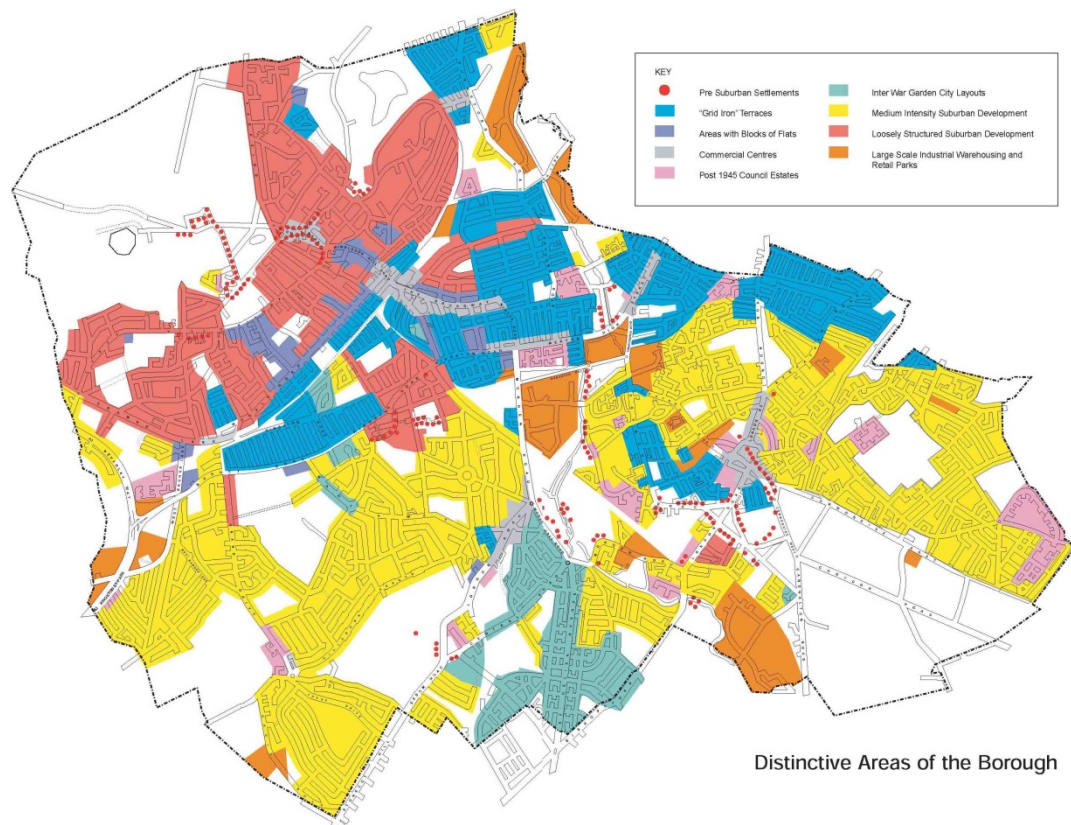
42. The council has a legal duty to ensure that the most serious hazards homes present to health and safety are dealt with. It fulfils this duty using a range of approaches ranging from informal advice to formal enforcement notices. In addition the council continues to fulfil its statutory duty to licence larger Houses in Multiple Occupation (HMOs).

## HOUSING SUPPLY

43. In Merton, there are about 86,000 homes. Approximately 16,000 of these homes are social housing owned by Registered Providers; one of the lowest of all London boroughs. The rest are owned by the private sector, either individuals or companies.

44. Of these 16,000 social housing homes, approximately 6,200 homes are owned by Circle Housing Merton Priory, soon to be merged with Affinity Sutton. The remaining 9,800 are owned by other Registered Providers such as Notting Hill, Wandle Housing, Thames Valley, Moat and London & Quadrant.

**Figure 4: Merton's development character**

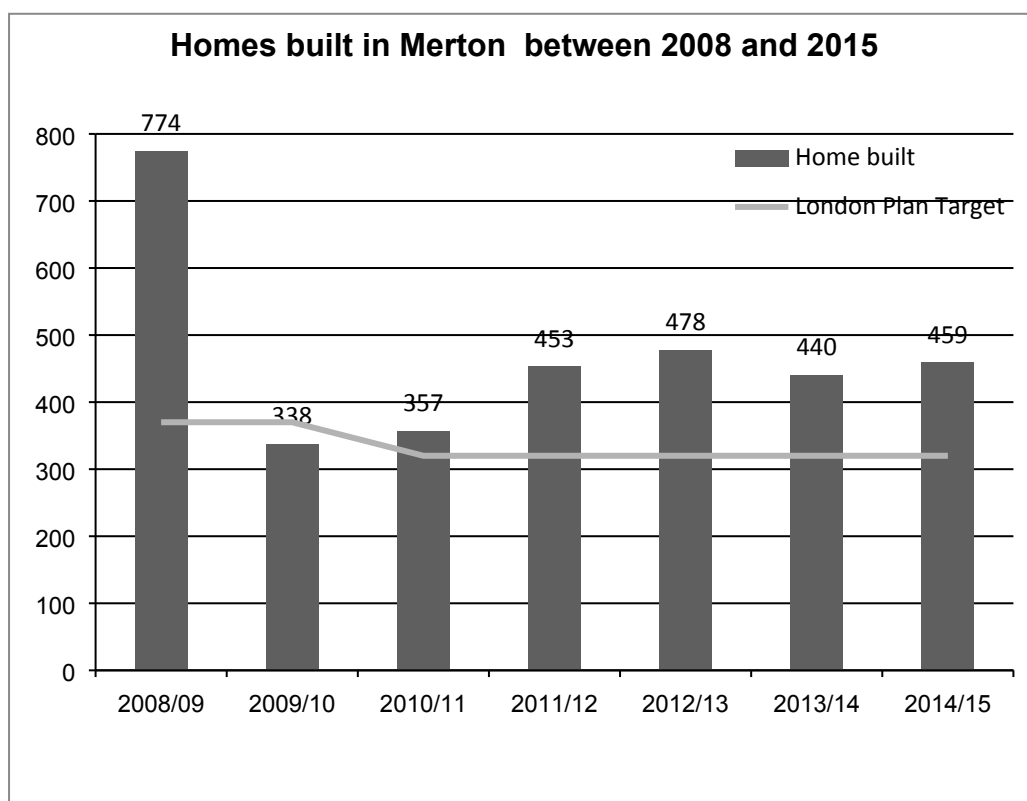


45. Merton is characterized by small sites. The map below illustrates that most of the borough was already developed by the 1960s. In comparison to other boroughs, Merton has very few large sites in single ownership aside from parks and open spaces. In the 10 years between 2002 and 2012 over 90% of the planning applications that Merton received for new homes were to develop sites of less than 10 homes.

46. Merton’s share of London’s new homes (otherwise known as the housing target) is set by the Mayor of London’s London Plan. The graph below illustrates Merton’s strong housebuilding record over the past seven years.

47. As Merton is a borough of small sites with fewer opportunities for large-scale development than most other boroughs, Merton’s housing target of 411 homes per year is the third lowest in London, after Richmond (315) and Sutton (363).

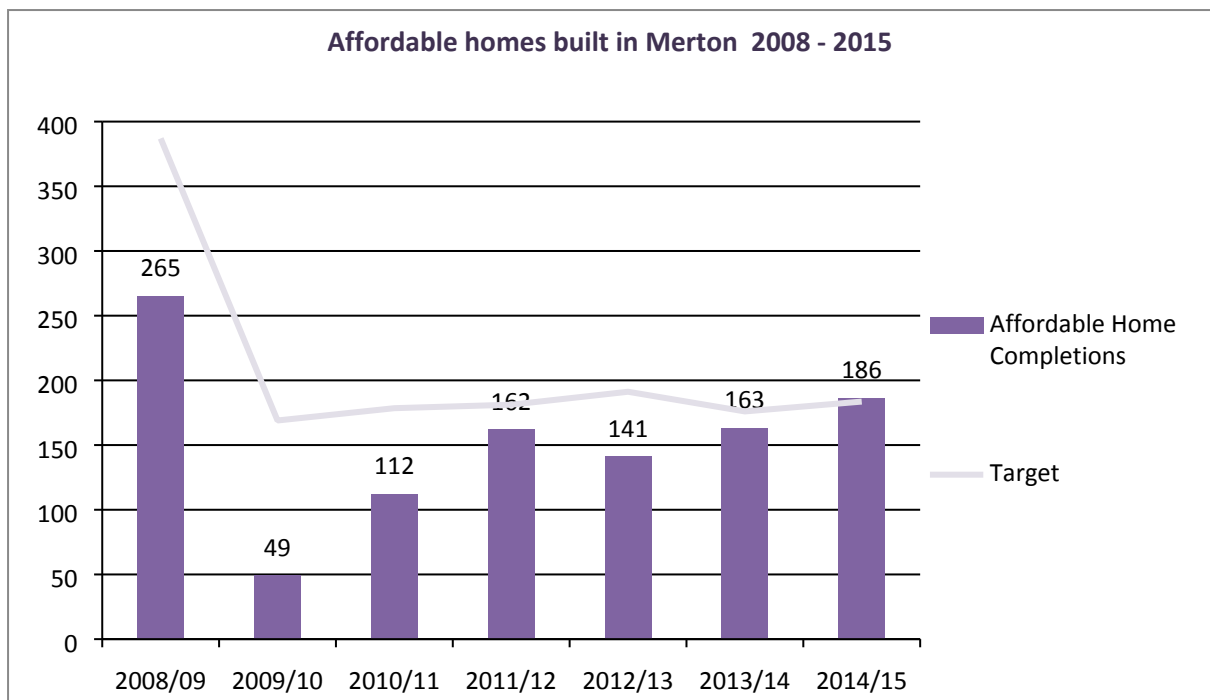
**Figure 5 : number of homes built in Merton 2008-2015**



48. Merton’s Core Planning Strategy planning policy, like most of London’s, is to seek 40% affordable housing on sites of 10 homes or more.

49. The definition of “Affordable homes” currently includes:

- shared ownership
- discounted market sale (for example, 20% less than local market prices, including “starter homes”)
- social housing for affordable rent (between 65% and 80% of local market rent)



50. It should be noted that these policies are subject to development viability: if an applicant can prove that their development would not be viable with 40% of the homes being affordable, then they can reduce their affordable homes to less, whatever is viable.

51. The council gets viability assessments it receives with planning applications independently checked. The Mayor of London is putting together a team of experts to assist councils with ensuring that large schemes that are referable to the Mayor (+150 new homes) have their viability assessments stringently analysed.

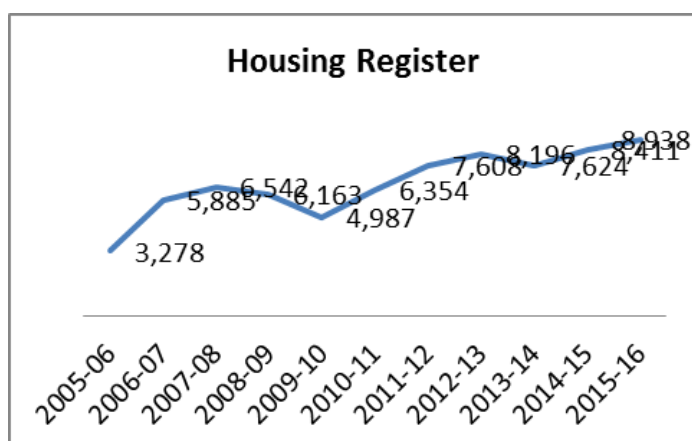
52. Recent changes to government policy, including in the Housing and Planning Act 2016, will bring in the requirement for “intermediate” homes (i.e. those for sale, called “starter homes” or shared ownership) to be prioritised over affordable homes for affordable rent. This is likely to reduce the number of new homes built for affordable rent.

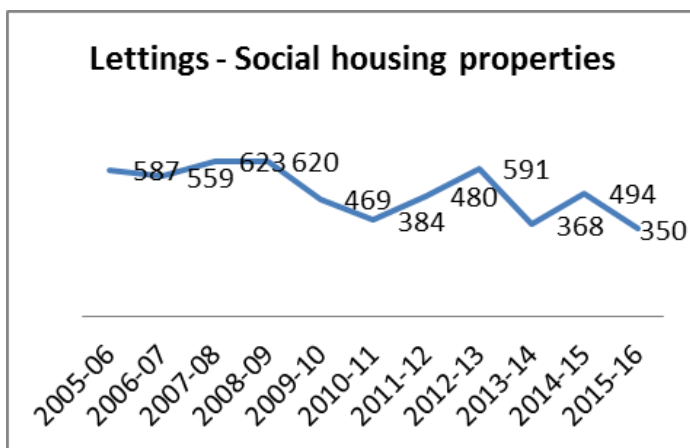
53. These government changes also removed a key plank of Merton’s Core Strategy planning policy which sought contributions from small sites towards affordable housing (i.e. sites of less than 10 homes). At the next review of the council’s Local Plan, officers will work on devising innovative planning policies to help continue Merton’s strong record of building affordable homes.

## Social housing lettings trend

54. There were 350 lettings in 2015-16, a 29% drop from the 494 lets in 2014-15, dropping below the lowest number of 368 lets previously recorded in 2013-14. The drop is due to the lack of empty social housing properties available to let.
55. All social housing lettings are let according to the Council's published Housing Allocations Policy which seeks to ensure that those in the greatest housing need are rehoused first. This is available on the council's website [www.merton.gov.uk/housing-register-nominations-policy](http://www.merton.gov.uk/housing-register-nominations-policy)
56. The greatest form of housing need is homelessness and the Council is required in accordance with the provisions of the Housing Act 1996 to give reasonable preference ( often described as a helping hand) to households who are homelessness or threatened with homelessness. The Council also has to give reasonable preference to households who need to move because of medical factors, overcrowding and insanitary housing conditions.
57. Data for the past 10 years show a clear upward trend for the number of households waiting for re-housing on the Housing Register, but overall, the trend for homes available for let through Registered Providers (Housing Associations) was a downward one. With fewer homes available for let, more and more households will remain waiting on the Housing Register, therefore unmet housing need is expected to continue to increase.

**Figure 7 and 8: Number of households on Merton's Housing Register and number of social housing properties let 2005-2015**





**Figure 9: number and percentage change on housing register**

	Number of households on the Housing Register	% change	Number of social housing properties let	% change	% Household Re-housed
2005-06	3,278	/	587	/	17%
2006-07	5,885	+80%	559	-5%	9.5%
2007-08	6,542	+11%	623	+11%	9.5%
2008-09	6,163	-6%	620	-0.5%	10%
2009-10	4,987	-19%	469	-24%	9%
2010-11	6,354	+27%	384	-18%	6%
2011-12	7,608	+20%	480	+26%	6%
2012-13	8,196	+8%	591	+23%	7%
2013-14	7,624	-7%	368	-38%	5%
2014-15	8,411	+10%	494	+34%	6%
2015-16	8,938	6%	350	-29%	4%

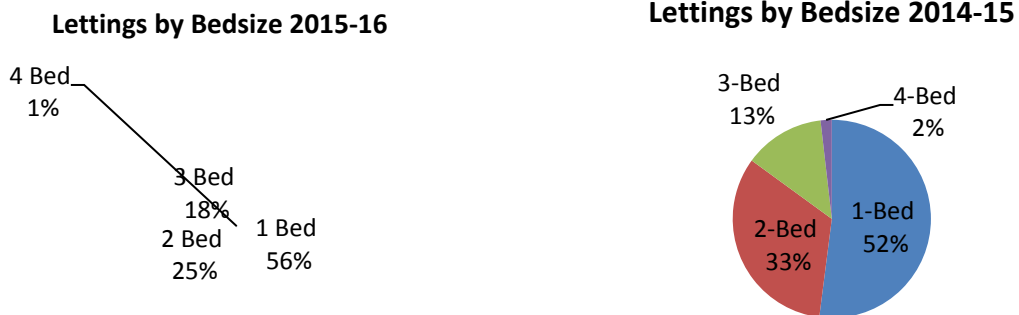
58. The table below provide a breakdown of the type of voids (empty social housing properties) becoming available for relet each year. This shows a clear downward trend for the number of true-void relets since 2010-11 when data first became available.

**Figure 10: number of social housing properties relet in Merton 2008-2016**



**PROFILE OF HOMES AVAILABLE FOR LET**

**Figure 11: Lettings by Bed size: 2014-15 and 2015-16**



**Figure 12 Lettings by Dwelling Type**

	2015-16		2014-15		2013-14	
	Number	Percent	Number	Percent	Number	Percent
<b>Bedsit / Studio</b>	6	2%	8	2%	9	2%
<b>Flat</b>	273	78%	379	77%	254	69%
<b>Maisonette</b>	10	3%	12	2%	6	2%
<b>House</b>	60	17%	90	18%	96	26%
<b>Bungalow</b>	1	0.3%	5	1%	3	1%
	<b>350</b>	<b>100%</b>	<b>494</b>	<b>100%</b>	<b>368</b>	<b>100%</b>

59. The majority of homes available for let are flats, reflecting Merton's social housing stock profile. In 2015-16, flats and maisonettes made up 81% of all homes available for let, up from 79% in 2014-15 and 71% in 2013-14. Conversely, the number and proportion of houses available for let in 2015-16 had decreased to 17%, compared to 19% and 27% in 2014-15 and 2013-14 respectively.

#### **Lettings by location**

60. As in previous years, about half of the homes available for let are located in the CR4 area. There has been a noticeable increase in the number and proportion of homes available for let in the KT20 area, and a decrease in homes available in SW19.



**Figure 13 Lettings by location**

	2015-16		2014-15		2013-14	
	Number	Percent	Number	Percent	Number	Percent
CR4	173	49%	256	52%	175	48%
SW19	47	13%	72	15%	79	21.5%
SM4	68	19%	97	20%	52	14%
SW16	0	0%	2	0%	28	8%
SW20	23	7%	36	7%	24	6.5%
KT20	24	7%	12	2%	5	1%
SW17	11	3%	13	3%	5	1%
KT3	2	1%	5	1%	0	0
Other	2	1%	1	0%	0	0
<b>Total</b>	<b>350</b>	<b>100%</b>	<b>494</b>	<b>100%</b>	<b>368</b>	<b>100%</b>

61. As highlighted previously the availability of social rented homes is reducing and it is predicted that during 2016/17 only 314 registered provider homes will become available for letting.

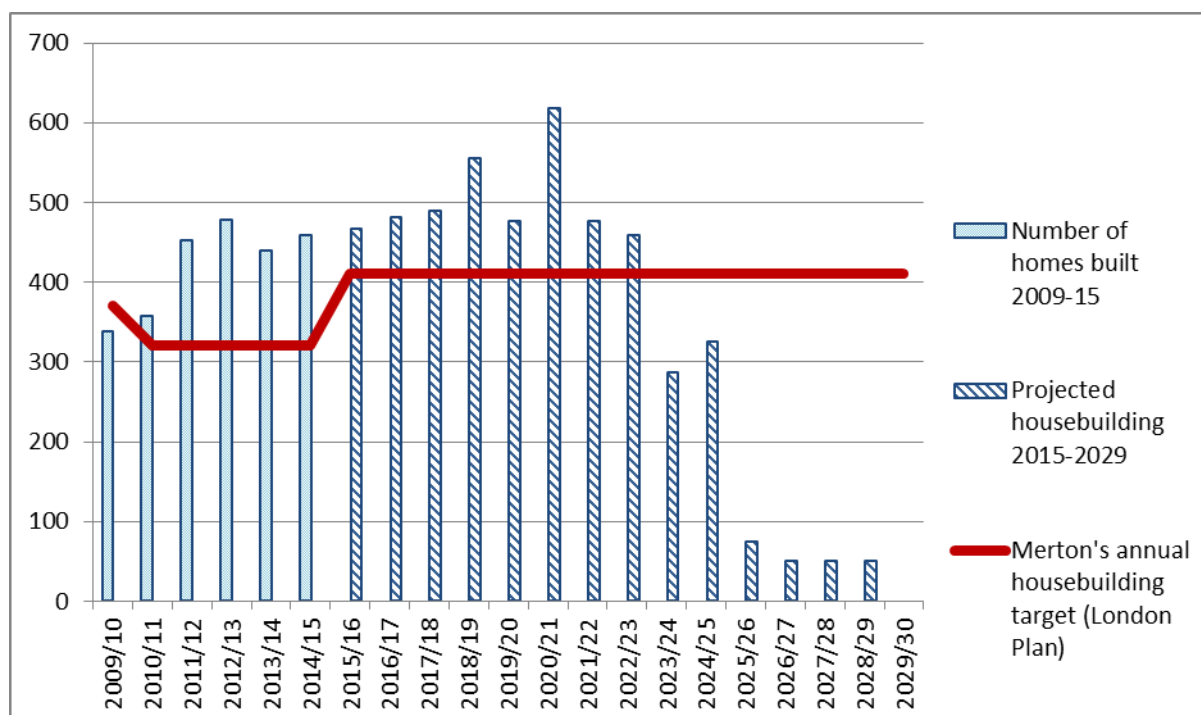
62. The council has a clear strategic direction of travel to assist its commitment to our residents in meeting housing need, in line with the Sustainable Communities Housing Task Group recommendations. This centres on:

- a. Managing expectations: we cannot house everyone.
- b. The right people in the right homes: making best use of what exists already.
- c. Maximising, where we can, 40% affordable housing from new developments.
- d. Increasing the overall number of homes built, for example by successfully bidding for Morden Housing Zone and working towards its delivery.
- e. Working with private landlords and Registered Providers to increase housing supply.

## MEETING HOUSING DEMAND IN MERTON

63. By working with landowners and developers to encourage housebuilding, Merton is forecast to meet its share of London's new homes (currently 411 new homes per year) for more than the next five years.

**Figure 14 Housebuilding in Merton: past and future 2009-2029**



64. As previously mentioned, Merton's offer on quality of life is one of the key reasons for being able to attract investment into the borough.

- To ensure our voices are heard at a senior level in government and the private sector, we are working collaboratively with the South London Partnership:
- to ensure that jobs, skills and wages growth is strengthened in this region to enable as many households as possible to support themselves in their own homes
- to make the most of the opportunities presented by Crossrail 2 in creating more jobs and homes and improving the quality of life of our future residents
- to collectively agree what the priorities are for community services, transport and other social infrastructure for the south London region and creating a Growth Prospectus to strengthen our voice with government and business.

### **Merton's Development Company**

65. The council is pursuing innovative ways of ensuring the delivery of new homes by working toward setting up its own development company to develop land for new homes. A paper will be brought forward recommending that council set up

its own company to develop new homes, particularly on small sites that characterize much of the council's and private sector land ownership in Merton.

66. By setting up a housing company the council would be able to develop sites (on its own or with partners) to provide new homes for sale or rent and generate a revenue stream for future investment.

### **Working with the Mayor of London – the new London Plan**

67. Since his election in May 2016, the new Mayor of London has started a full review of the London Plan. When the new London Plan is finally published, circa 2018, it will replace the London Plan 2015.
68. Priorities for the emerging London Plan will be to encourage the building of new homes, particularly affordable homes. The Mayor has already made several announcements to this end, including creating a GLA team of viability experts to help scrutinize planning applications, proposing to raise the affordable housing target from 40% to 50%, proposing to reconsider the definition of "affordable" for London to link it to average earnings as opposed to local market rents (currently "affordable" can mean up to 80% of market rents for an area)
69. A substantial amount of research and information will go into the new London Plan London Officers at Merton are working with the Greater London Authority on Merton's share of London's new homes (known as the housing target) and on specific housing delivery projects including Morden.
70. As already mentioned, the council is working closely with the Greater London Authority and Transport for London on Morden's Housing Zone to improve the public realm and develop new homes in Morden. We will also take the opportunity presented by a review of London's plans to encourage central Merton including the areas around Colliers Wood, South Wimbledon, Morden and Wimbledon to be considered as one of London's new Opportunity Areas, demonstrating our support for investment and potentially attracting additional resources to the area.

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COUNCIL MEETING – WEDNESDAY 14 SEPTEMBER 2016

## NOTICE OF MOTION

This Council recognises the concerns expressed by community groups and staff representatives who spoke at the Overview and Scrutiny Commission call in meeting on 2 August 2016 and the concerns expressed by many residents about the changes proposed to Merton’s waste collection service and the maintenance of local parks and green spaces.

Given the acknowledged inadequacy of consultation on the plans and the administration’s determination to implement the current proposals, this Council calls on the Cabinet immediately (and within 8 weeks) to:

- 1) Provide details on what choices and flexibility will be available to residents given the Council’s stated commitment not to impose a ‘one size fits all’ waste collection service;
- 2) Publish a clear timeline of the engagement planned with residents and businesses across Merton on the proposed changes to their waste collection service;
- 3) Deliver a comprehensive strategy for engaging with Friends of Parks groups, including clarifying how they will be involved in decision making on local parks and green spaces under the new contract; and
- 4) Report back to the Sustainable Communities Overview and Scrutiny panel on the outcomes of the ‘fine tuning exercise’, including more robust savings commitments.

**Cllr Hamish Badenoch**

**Cllr Daniel Holden**

**Cllr David Williams**

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COUNCIL MEETING – WEDNESDAY 14 SEPTEMBER 2016

## NOTICE OF MOTION

This Council congratulates Honorary Freeman of the Borough, Mr Andy Murray, on:

- winning a second Gentlemen’s Singles title at the Wimbledon Championships held here in Merton during June and July 2016; and
- becoming the first male tennis player to win two gold medals in singles when, at the recent Olympic Games in Rio de Janeiro, he retained the Olympic singles title he won in London in 2012.

This Council therefore requests that the Mayor write to Andy Murray conveying the Council’s congratulations on the impressive feats he has achieved this summer.

Furthermore, just as the borough marked local success at the London Olympic and Paralympic Games in 2012 with the introduction of the Sophie Hosking Challenge Cup, this Council asks the Standards and General Purposes Committee to consider at its next meeting how best to ensure Andy Murray’s recent achievements are permanently remembered by future generations e.g. through the naming of a sporting facility or street after him, and to make subsequent recommendations to Full Council.

**Cllr Daniel Holden**

**Cllr Gilli Lewis-Lavender**

**Cllr Oonagh Moulton**

**Cllr David Simpson**

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## **Committee: Council**

**Date: 14 September 2016**

Wards: All

## **Subject: Merton's Local Development Scheme 2016-19**

Lead officer: Director for Environment and Regeneration, Chris Lee

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

Contact officer: Deputy future Merton manager, Tara Butler, 020 8545 4855, [tara.butler@merton.gov.uk](mailto:tara.butler@merton.gov.uk)

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### **Recommendations:**

- A. That council resolves to approve the high level project plan for creating planning policy documents, known as Merton's Local Development Scheme (LDS) and for the Local Development Scheme to take effect, replacing the council's LDS 2014.
  - B. That council delegates any amendments to the Local Development Scheme and determination of the specific date on which it should take effect to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing, the chair and the vice chair of the Borough Plan Advisory Committee.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. The Planning and Compulsory Purchase Act 2004 introduced the requirement for local planning authorities to prepare and maintain a Local Development Scheme (LDS).
- 1.2. The LDS is a short, high level project plan that sets out what Development Plans the council is going to produce and the timetable for producing them.
- 1.3. The council prepared its first LDS in 2005, and issued updates, most recently in 2014. The 2014 LDS is now out of date
- 1.4. This report recommends that the current LDS be updated, as set out in Appendix A, to reflect the current timetable for the preparation and adoption of:
  - the Estates Local Plan and
  - the proposed Local Plan incorporating Morden and Wimbledon
- 1.5. Delegation is sought to the Director for Environment and Regeneration in consultation with the Cabinet Member and the chair and vice chair of the Borough Plan Advisory Committee to make any amendments to the Local Development Scheme (for example, to make it more user-friendly or include details on the London Plan) and determine on which date the LDS should come into effect.

## **2 DETAILS**

- 2.1. Merton's statutory development plan containing the planning policies used to assess planning applications is made up of:
- Merton's Core Planning Strategy (adopted July 2011)
  - The South London Waste Plan (adopted March 2012)
  - Merton's Sites and Policies Plan (adopted July 2014)
  - The London Plan (published by the Mayor of London in 2015)
- 2.2. As these documents are already adopted, they do not appear in the LDS.

### **Estates Local Plan**

- 2.3. The council is currently working on the draft Estates Local Plan for Eastfields, High Path and Ravensbury estates.
- 2.4. Merton's LDS 2014 published a timetable for undertaking the Estates Local Plan. This timetable has now changed and it is now proposed to ask councillors to consider Merton's Estates Local Plan in November 2016 for submission to the Secretary of State.
- 2.5. Therefore the LDS needs to be updated before the next council meeting in November 2016.
- 2.6. The updated timetable for this project is contained in the new LDS in appendix A to this report.

### **New Local Plan, including Morden and Wimbledon**

- 2.7. One of the provisions of the Housing and Planning Act 2016 is that Local Plans should be kept up to date and that the Secretary of State can now intervene to ensure that Local Planning Authorities have an up-to-date Local Plan.
- 2.8. Earlier in 2016 Government consulted on what this would mean in practice and has not published the results yet. However it is likely that it will mean that Local Planning Authorities must have set out a timetable to produce a Local Plan containing strategic borough-wide planning policies in it before March 2017.
- 2.9. Although Merton's Core Planning Strategy was adopted in July 2011 and we have since adopted the South London Waste Plan 2012, the Sites and Policies Plan 2014 and the London Plan 2015, we will be measured against the date of Merton's Core Planning Strategy, which was adopted less than six months before 2012 and thus may not meet government's requirements.
- 2.10. The council has already committed to creating plans for Morden and Wimbledon to ensure that the opportunities presented by Crossrail2 and the Mayor's Housing Zone in Morden can be realised. Rather than create two separate Local Plans (with two separate sets of research and costs) this LDS proposes to create one borough-wide Local Plan which can cover strategic policies and any statutory site allocations or specific planning policies required for Morden, Wimbledon, or any other part of the borough.

- 2.11. This strategic Local Plan would support detailed masterplans for Wimbledon, Morden and anywhere else which may be created alongside the strategic Local Plan.
- 2.12. The Mayor of London is currently reviewing the London Plan 2015 with a view to publishing a wholly new London Plan by circa 2018. This review enables Merton to work closely with the Mayor and his teams, sharing research and evidence that can contribute to both the London Plan and Merton's new Local Plan.
- 2.13. Given the level of involvement with the Mayor of London, Greater London Authority and Transport for London on Crossrail2 and Morden's Housing Zone, it is proposed that officers continue to work closely with GLA and TfL and seek efficiencies in sharing research and preparing joint planning documents where possible.
- 2.14. The timetable for the Local Development Scheme is set out in Appendix A and delegated authority is sought to amend this prior to bringing it into effect.

### **3 ALTERNATIVE OPTIONS**

- 3.1. An alternative option is not to undertake a new Local Plan. This is not recommended as each council is required to set out a review of their strategic policies by March 2016 if their strategic policies were adopted before 2012 or be publicly listed as a poorly performing council..
- 3.2. It would also mean that the council would not have the opportunity of sharing research and evidence with the Greater London Authority / Transport for London in their review of the London Plan.
- 3.3. Delegated authority is sought to deal with any alternative options on amendments to the LDS timetable.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. Consultation on Local Plan-making is a statutory requirement and takes place for each Local Plan.

### **5 TIMETABLE**

- 5.1. As set out in this report, including Appendix A

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. Funding to support this work will mainly come from existing resources and officers will seek opportunities for funding bids and match funding wherever possible.
- 6.2. Funding to support masterplanning Morden for 2016-17 is available from the council's successful bid to the London Enterprise Panel (also known as the New Homes Bonus bids). Funding to support masterplanning Wimbledon for 2016-17 is part of the Economic Development Strategy.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004(as amended by the Localism Act 2011). This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made available publically on the council's website.
- 7.2. The provisions in section 15(8) of the Act 2004 state that the Council should revise the LDS as and when they consider it appropriate to do so.
- 7.3. The provisions of section 15(7) of the 2004 Act which states that the Council must resolve for the LDS to take effect and specify from what date it shall take effect. This report seeks the delegation of the specific date from which the LDS should take effect to the Director for Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing, the chair and the vice chair of the Borough Plan Advisory Committee.
- 7.4. With the aim of encouraging more local authorities to have a local plan in place, the Housing and Planning Act 2016, the Act gives the Secretary of State greater powers to intervene in the local plan making process. Specifically it would allow the Secretary of State to intervene if a local authority was failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a local plan.
- 7.5. The Government's Implementation of planning changes: technical consultation proposes to prioritise Government intervention where:
- there is under delivery of housing in areas of high housing pressure;
  - the least progress in plan-making has been made;
  - plans have not been kept up-to-date.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. Local Plans contain planning policies to improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments and Equalities Impact Assessments.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. Local Plans contain planning policies to improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments which also consider matters of crime and disorder.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. As set out in the body of this report.

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

- Appendix A: Merton's Local Development Scheme.

## APPENDIX A – MERTON’S LOCAL DEVELOPMENT SCHEME 2016-2019

<b>Document and status</b>	<b>Role and content</b>	<b>Geographic coverage</b>	<b>Preparation (including early consultation)</b>	<b>Publication</b>	<b>Submission</b>	<b>Adoption</b>
Estates Local Plan – Development Plan Document	Setting out detailed policies, site allocations and other matters associated with estates regeneration	Eastfields Estate, High Path Estate, Ravensbury Estate	2014-2017	Spring 2016	Autumn 2016	Autumn 2017
Local Plan (incorporating Morden and Wimbledon) – Development Plan Document	Setting out spatial vision, objectives, strategic and detailed planning policies and site allocations	Borough wide	2016-2019	Autumn 2017	Summer 2018	Spring 2019

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## **Committee: Council**

**Date: 14 September 2016**

## **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](mailto:democratic.services@merton.gov.uk)

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### **Recommendations:**

That the Council

1. Notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
  2. Following the changes of membership, re-appoint Councillor Peter McCabe as the Vice-Chair of the Overview and Scrutiny Commission.
  3. Agrees an amendment to Part 3-F of the Constitution.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report asks the Council note changes made to committee membership under delegated authority since the publication of the agenda for the Council meeting held on 13 July 2016.
- 1.2. The report asks the Council to re-appoint Councillor Peter McCabe as the Vice-Chair of the Overview and Scrutiny Commission.
- 1.3. The reports asks the Council to agree an update to Part 3-F of the Constitution, noting that Standards and General Purposes Committee are considering this update at their meeting on 8 September 2016 to seek their endorsement of the change.

## **2 DETAILS**

- 2.1. The following membership changes have been made under delegated authority in accordance with section A4 of part 3F of the Constitution:

<b>Committee</b>	<b>Member resigning</b>	<b>Replaced by</b>	<b>Date</b>
Overview and Scrutiny Commission	Councillor Peter McCabe	Councillor Imran Uddin	29.07.16
Planning Applications Committee	Councillor Laxmi Attawar	Councillor Judy Saunders	02.08.16
Overview and Scrutiny Commission	Councillor Imran Uddin	Councillor Peter McCabe	08.08.16
Planning Applications Committee	Councillor Judy Saunders	Councillor Laxmi Attawar	05.09.16

2.2 The Chief Executive is currently designated Senior Responsible Officer (SRO) with regard to the operation of RIPA in the authority. However, a recent inspection by the Office of the Surveillance Commissioners (OSC) recommended that the delegation should be transferred to the Assistant Director Corporate Governance.

2.3 Officers recommended to the Standards and General Purposes Committee that this change should be formalised as the arrangement is happening in practice. Accordingly it is proposed to designate the Assistant Director Corporate Governance as the SRO. To achieve this, the Committee is asked to agree that Part 3-F, Section 2 of the Constitution is updated to reflect the change in delegation to the Chief Legal Officer.

The delegation should be: Assistant Director Corporate Governance  
The current delegation is: Chief Executive

2.4 At the meeting of the Standards and General Purposes Committee on 8 September, the Committee will be asked to endorse the recommendation before Council that the amendment to the Constitution be made.

### **3 CONSULTATION UNDERTAKEN OR PROPOSED**

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**

Appendix 1 - Part 3F, paragraph 3 of Merton's Constitution

**10 BACKGROUND PAPERS**

Documents from the authorised officer confirming approval of the membership changes agreed under delegated authority.

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### 3 Chief Legal Officer

3.1 The following matters are delegated to the Assistant Director of Corporate Governance for decision. Such decisions must be in accordance with the overall strategic policies set by the Council, and must in all cases be made within approved budgetary provision.

- (a) To authorise, issue, prosecute and defend any legal proceedings (including appeals and enforcement) on behalf of the Council in consultation with the Chief Executive or the appropriate officer in circumstances where the proceedings are incidental or ancillary to any power contained within the Scheme of Delegation to Officers.
- (b) To arrange for any legal proceedings to be conducted by any solicitor or barrister employed within the Corporate Governance Division including appearances before any court or tribunal in which the officer has rights of audience.
- (c) To authorise in consultation with the Head of Paid Service the payment of any award of damages, compensation and costs made by any court or tribunal against the Council.
- (d) To settle or compromise any legal proceedings on behalf of the Council in consultation with the appropriate Chief Officer including the agreement and payment or receipt of damages excluding legal costs.
- (e) To give undertakings to any court or tribunal on behalf of the Council and to give solicitor's undertakings where appropriate and within the rules and guidance issued by the Law Society.
- (f) To instruct counsel, solicitors, expert witnesses or cost assessors to act on behalf of the Council.
- (g) To issue and serve any legal notice or document necessary or ancillary or incidental to the given effect of any decision taken by Council, Cabinet, any Committee or Sub-committee or any officer under the Scheme of Delegation to Officers.
- (h) To be the Senior Responsible Officer (SRO) with regard to the Regulation of Investigatory Powers Act (RIPA) and ~~To~~ to nominate Authorised Officers to determine ~~Regulatory and Investigatory Powers Act~~RIPA requests.
- (i) Unless there is an express statutory requirement on a named official or category of officials, any document which the Council is required or authorised by or under any enactment to be given made or issued by the Council in any capacity may be signed on behalf of the Council by the "Authorised Officer". The "Authorised Officer" is the Assistant Director of Corporate Governance or any officer authorised by the Assistant Director of Corporate Governance.

- (j) To make proper arrangements with respect to any documents that belong to, or are in the custody of, the Council or any of the Council officers and workers.

3.2 These matters are in addition to the delegations and authorisations set out in Articles 12 and 14 of the Constitution. This Section must be read in conjunction with Section D,E and F of part 3F.

## **Committee: Council**

**Date: 14 September 2016**

## **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](mailto:democratic.services@merton.gov.uk)

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### **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 Council meeting held on 13 July 2016.
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## **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 13 July 2016, Council received a petition as 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. A petition was submitted by Councillor Suzanne Grocott entitled 'objection to planning application 16/P1139'.
- 2.3. In response to the petition, officers have advised that the planning application at 162-164 Hartfield Road for the demolition of 2 x semi-detached dwellings and the erection of a 3 storey building including basement consisting of 4 x 2 bedroom apartments and 5 x 1 bedroom apartments is currently being considered. The petition has also been assessed by the case officer and will be reported on accordingly. Due to the number of objections received, if ultimately recommended for approval. The application would be reported to the planning applications committee for decision. It is not yet known when the application decision will be made, but it has been confirmed it will not be on the September agenda for Committee.

## **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.