

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 23 November 2016

Time: 7.45 pm, or at the conclusion of the Special Meeting.

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 0208 545 3616 or email democratic.services@merton.gov.uk.

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

Council meeting

23 November 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.

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Agenda Item 3

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

COUNCIL

14 SEPTEMBER 2016

(7.15 pm - 9.35 pm)

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

Councillors Agatha 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, 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, 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 for absence were received from Councillor David Dean.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 13 July 2016 are agreed as an accurate record.

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

The Mayor provided a brief update on recent Mayoral duties, and gave detailed information about events planned for the rest of the municipal year.

There were no announcements from the Leader.

There were no announcements from the Chief Executive.

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 attendance to ask a further question to the Cabinet Member.

The supplementary questions and responses will be published on Merton's website.

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

The responses to the written member ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask a further question to the Cabinet Member.

The supplementary questions and responses will be published on Merton's website.

Having asked a supplementary question and received a response, Councillor David Williams raised a point of order, referring to the following parts of the Constitution:

- Part 5c Member officer protocol para 2.4
- Part 5c Member officer protocol para 3.2
- Part 4a Council procedure rules, notice of motion
- Part 4a Council procedure rules, para 11.9

In accordance with Part 4a, paragraph 11.9, Councillor David Williams moved that the issue of the council tax consultation be referred to the Overview and Scrutiny Commission for further scrutiny. The motion was seconded by Councillor Peter Southgate.

In response, the Monitoring Officer advised that Part 4a, paragraph 11.9 relates to questions from the public only, and there is no similar provision for member questions. However, he noted that the Chair of the Overview and Scrutiny Commission may request that an urgent report be brought to the meeting on 20 September 2016.

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

The responses to the written member strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member.

The supplementary questions and responses will be published on Merton's website.

It was also noted that the member non priority questions and responses will be published after the meeting, in line with Constitutional requirements.

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

The Strategic Theme report on Sustainable Communities with a focus on Housing was moved by Councillor Martin Whelton and seconded by the Leader of the Council.

Councillor Suzanne Grocott also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

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

The motion was moved by Councillor Michael Bull and seconded by Councillor Najeeb Latif.

The Labour amendment, as set out in agenda item 14 was moved by Councillor Martin Whelton and seconded by Councillor Abigail Jones.

The amendment was put to the vote and unanimously carried.

The substantive motion (as amended) was put to the vote and was unanimously carried.

RESOLVED:

This Council notes the proposed merger of Circle Housing Group Limited with Affinity Sutton which was approved by the boards of both organisations in December 2015, with the legal merger likely to occur in November this year. This Council furthermore notes with concern the feeling of many Circle Housing Merton Priory ("CHMP") residents that the, now imminent, merger will result in the larger combined group being unaccountable to them and recognises the anxiety that many CHMP residents have regarding the Council's role, as established under the terms of the stock transfer agreed by Merton's previous Conservative administration, in being able properly to scrutinise the new Circle/Affinity Group.

Council notes that Group Operations Director of Affinity Sutton and Chief Operating Officer of Circle Housing Group appeared before the Sustainable Community Overview and Scrutiny panel on 7 September, making clear that the government decision to cut funding to housing associations was a key driver for the merger. Council commends the panel who raised a number of issues, in particular repairs, with Affinity and Circle confirming:

- the provision of a local and in-house maintenance and repairs service will be a key outcome of the merger
- the new organisation will have customer service at its core, undertaking 1,000 repairs a day
- All emergency repairs will be completed within 24 hours.

Council welcomes these commitments on repairs, a key issue for residents, and intends to hold the new organisation to account in this regard.

Whilst, in view of CHMP's consistent difficulties in offering a quality repairs service to residents, the merger with Affinity, who have a much higher quality in-house repairs service, may offer opportunities for improved services to residents, this Council requests that the Cabinet seek guarantees from the Board of Directors that:

- a. the merger occurs with appropriate transparency, and further consultation with those tenants, leaseholders and freeholders affected so that it is fully understood what this merger will mean for them;
 - b. the significant efficiencies which the new group hopes to realise will not be achieved by a worsening of service quality, particularly given residents' existing concerns about Circle's responsiveness with regard to repairs and maintenance and that Affinity's in-house repairs model is rolled out as soon as possible, replacing the current inadequate CHMP repairs service;
 - c. profits generated by the Merton Estates' regeneration will be reinvested in Merton, that LEAF monies are retained for the communities they were promised to, and that the new organisation honours in full the "10 Commitments" to residents on the three regeneration estates that the council successfully convinced CHMP to sign up to;
 - d. the new structure will be locally accountable to housing association tenants, leaseholders and freeholders and that such tenants, leaseholders and freeholders will have representation on the Board of the new association;
 - e. the policy regarding disposals of stock is clarified and publicised prior to the merger;
 - f. the current financial position of Affinity Sutton is clearly presented prior to the merger, and in particular the impact of any debts and liabilities on CHMP residents;
- and
- g. the democratic decision making process and the involvement of tenants, leaseholders and freeholders in CHMP's regeneration plans for the High Path, Ravensbury and Eastfields estates are not prejudiced by the merger.

8 NOTICE OF MOTION: CONSERVATIVE 1 (Agenda Item 8)

The motion was moved by Councillor Daniel Holden and seconded by Councillor Charlie Chirico.

The Labour amendment as set out in agenda item 15 was moved by Councillor Ross Garrod and seconded by Councillor Nick Draper.

Councillor Mary-Jane Jeanes and Councillor John Sargeant spoke on the item.

The Labour amendment was put to a vote and was carried. Voting was as follows: Votes in favour: 35, votes against: 23, abstentions: 1.

The substantive motion (as amended) was then put to a vote and was carried. Voting was as follows: Votes in favour: 35, votes against: 0, abstentions: 24.

RESOLVED:

Whilst acknowledging the need to make savings in light of significant cuts to council funding by central government, this Council recognises the concerns expressed by some 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, whilst also recognising that many residents will welcome wheeled bins as a solution to the problem of split black sacks creating litter and debris on our pavements.

Council thanks both the Sustainable Communities Scrutiny Panel, who undertook pre-decision scrutiny of the proposed joint South West London contracts for waste services and greenspaces management, and the Overview and Scrutiny Commission who heard the call-in and, whilst making some very helpful suggestions, agreed that Cabinet could proceed to the next stage in progressing contracts estimated to save £2m every year for the potential 24 year life of the contract.

Despite the acknowledged difficulty of consulting on detailed contract negotiations which are often bound up with commercial confidentiality issues, Council notes that there has been regular feedback on negotiations to Scrutiny; that the potential introduction of wheeled bins has been looked at in detail by Scrutiny over a number of years; and that the administration carried out a wheeled bin pilot in Lavender ward with 89% of residents saying they were satisfied with the introduction of wheeled bins and 81% saying the streets were cleaner as a result. Council notes the administration's determination to continue with the 'fine tuning' process of contract negotiation before moving to a final decision on this issue in December and this Council calls on the Cabinet, as already planned as part of the 'fine tuning' process, 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 where possible.

9 NOTICE OF MOTION: CONSERVATIVE 2 (Agenda Item 9)

The motion was moved by Councillor Gilli Lewis-Lavender and seconded by Councillor Michael Bull.

The Labour amendment as set out in agenda item 16 was moved by Councillor Fidelis Gadzama and seconded by Councillor Marsie Skeete.

The Labour amendment was put to a vote and was unanimously carried, save for Councillor Abigail Jones who was not present for the vote.

The substantive motion (as amended) was then put to a vote and was unanimously carried.

RESOLVED:

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.

This council recognises the importance of acknowledging the achievements of our Paralympians and congratulates Merton resident Corinne Hall on successfully piloting Lora Turnham to their gold medal in the Tandem Pursuit cycling event in the Rio velodrome. Council therefore further requests that the Mayor write to Corinne to congratulate her on her achievement.

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 where appropriate.

10 MERTON'S LOCAL DEVELOPMENT SCHEME 2016-19 (Agenda Item 10)

The report was moved by Councillor Martin Whelton and seconded by Councillor Stephen Alambritis.

Councillor Najeeb Latif spoke on the item.

RESOLVED: That Council

- A. Approves 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. 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.

11 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 11)

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

RESOLVED: That 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.

12 PETITIONS (Agenda Item 12)

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

RESOLVED: That Council

- 1) receives the petition submitted by Councillor Mary-Jane Jeanes entitled 'Assurances for Merton's EU citizens' in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.
- 2) notes the response given by officers in respect of the petitions presented to the Council meeting held on 13 July 2016.

13 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 13)

RESOLVED: That the Strategic Theme for the next ordinary meeting of the Council, being held on 23 November 2016, shall be Corporate Capacity.

Committee: Council

Date: 23 November 2016

Wards: All

Subject: Strategic Objective Review – Corporate Capacity

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: John Dimmer, Head of Policy, Strategy and Partnerships

Recommendations:

A. That Council consider the content of this report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Council at its meeting on 2 March 2016 approved the Business Plan 2016-2020.
- 1.2 The Business Plan represents the way in which the council will deliver the Community Strategy, which is grouped into five strategic themes (sustainable communities, safer and stronger communities, healthier communities, older people, children and young people). Performance against these themes, plus an additional theme of corporate capacity, is monitored by Council. Each meeting of Council will receive a report updating on progress against one of these strategic themes.
- 1.3 This report provides Council with an opportunity to consider progress against the priorities that are to be delivered under the theme of Corporate Capacity.

2 DETAILS

2.1 Background to the Corporate Capacity theme

- 2.1.1 The Corporate Capacity theme is crucial to our ability to deliver against the business plan. The main work areas that fall under this theme relate to those delivered by the Corporate Services Department.
- 2.1.2 The main priorities under the theme are:
 - our customers: we will engage with our customers to continuously improve and deliver services driven by their need;
 - our people: we will have the right people, in the right job, doing the right things at the right time;
 - our internal processes: we will work smarter to deliver sustainable performance and service improvements in a risk based environment; and

- our finances: we will manage our financial resources and with integrity.

2.1.3 This report broadly focuses on all of these priorities. Appendix 1 provides an update on progress in relation to this theme and performance.

3 REPORTS OF OVERVIEW AND SCRUTINY COMMISSIONS/PANELS

3.1 In July 2016 the Commission received a presentation from the Leader of the Council and the Chief Executive to set out the Council's priorities for the year ahead. Members asked a number of questions relating to corporate capacity, including questions about the council's efficiency programme.

3.2 At the same meeting the Merton Partnership Annual report was presented and Commission members asked questions about the future of the annual residents' survey and the council's apprenticeship scheme.

3.3 In response to requests from the financial monitoring task group, the quarterly financial monitoring reports now provide vacancy data, including vacancies covered by agency workers.

3.4 The Commission has continued to scrutinise the customer contact programme by receiving updates at critical points in the project. This has included information on the new website, customer accounts, technological infrastructure and redesigned business processes. On receiving the latest update in September 2016, members expressed disappointment that there had not been more progress but were pleased with the level of use of online services on the beta website. A further update is due in March 2017.

3.5 Last year the Commission established task group reviews of shared and outsourced services in order to examine and understand how different models of service delivery work. Mindful of the financial context, the task group made a small number of recommendations that could be implemented without a significant investment of time or money. The recommendations are intended to enable the Corporate Management Team to embed a stronger element of challenge to ensure that the council operates in a strategic and innovative way. The task group has recommended the production of a standardised business case that should include financial modelling to set out options and alternatives as well as details of other expected benefits so that vigorous challenge can be provided prior to a formal decision being made. The Cabinet response is due in March 2017, together with the action plan for implementation of the recommendations.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1 None for the purposes of this report.

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

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

6 LEGAL AND STATUTORY IMPLICATIONS

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

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.1 There are no direct implications arising from this report.

8 CRIME AND DISORDER IMPLICATIONS

8.1 None for the purposes of this report.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1 None for the purposes of this report.

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

10.1 Appendix I – Update on Corporate Capacity

11 BACKGROUND PAPERS

11.1 None.

Appendix 1 – Update on Corporate Capacity

Introduction

As well as providing critical business systems for frontline services, Corporate Services is supporting the organisation to modernise to meet future business needs and to adapt to new financial constraints by delivering services more efficiently. Three major activities stand out as significant tasks – both in terms of the scale and complexity of the work itself and the benefits they will bring to the organisation.

1. We will champion and lead the delivery of a better customer experience and more efficient handling of customer requests through digital technology;
2. We will improve the transparency with which services we deliver are costed and recharged so that our internal customers have greater clarity over the cost/quality balance they strike;
3. We will move the organisation to category management through the implementation, in close collaboration with services areas, of a consolidated procurement function.

As the operating budget available to the Council continues to decrease, it is ever more critical that the services we provide offer excellent value for money. We will need to maintain a quality service and deliver the cost reductions set out in the MTFs. We intend to meet and, where possible, exceed the needs of internal customers in such a way that they are supported to deliver our aim to be London's Best Council by 2020. In the context of the on-going budget reductions this means that we must find ways to reduce the level of hands-on support our customers need by providing effective processes which are, where possible, automated.

The current structure of Corporate Services is set out below. We intend to undertake a department wide restructure, rationalising divisions down to four, with a primary focus on the needs of our customers and ensuring the right support is being delivered through the most appropriate medium. This in particular will reflect the reduction in size of the overall organisation as the Council staffing base continues to reduce.

Division	Key functions	Controllable Budget 2016/17 £000's
Resources	Financial planning and accountancy, Policy, Strategy and Partnerships	6,801
Infrastructure and Transactions	FM, transactional services, IT, Commercial Services and Health & Safety.	9,875
Business Improvement	Business systems and Continuous Improvement.	3,280
Corporate Governance	Shared legal services, internal audit, information governance, democracy services and Electoral Services.	2,663
HR Shared Services	Learning & Development, Payroll and HR Business Partners	2,231
Customer Services	Merton Link, Communications, debt collection, Revenues and Benefits	2,584

Business Improvement

The Customer Contact programme is using new technology and redesigned processes to meet the changing needs of our customers for access to services, and in particular for services accessed via the internet. The programme focuses on two key outcomes: firstly, to improve service users' experience of accessing council services, and secondly to reduce the cost of those services by encouraging people to self-serve, and by responding to customer enquiries the first time that they are raised.

The Customer Contact programme will deliver a new website that increases the potential for customers to request and pay for services online; the ability for customers to have an account that allows them to track their interactions in a single place, and a contact management solution that allows staff to manage and process service requests quickly. The introduction of customer contact technology alongside the roll-out of MS SharePoint and an Electronic Documents and Records Management system offers the opportunity to redesign transactional services from front to back.

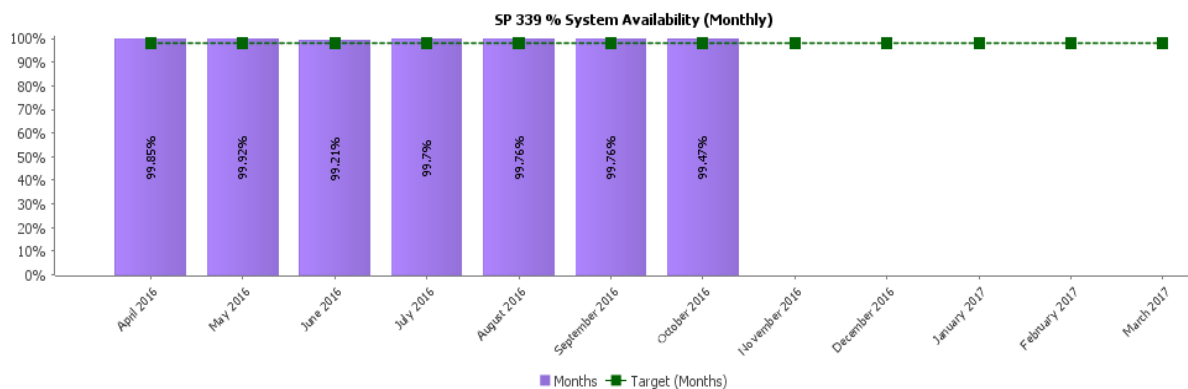
The take-up of new automated online options for garden waste and bulky waste collections has been very rapid with online transactions accounting for over 50% of all transactions for our domestic, garden and bulky waste services. As a result calls to the contact centre have reduced by 2,700, equating on average to 19 hours per week for this one service. The project is also supporting the outsourcing of the waste service through integrating the supplier's system with our new technology.

Services which are currently being configured for digital delivery channels include:

- Highways;
- complaints, FOI, members inquiries;
- hall and leisure booking system;
- planning, property, building and development control.

The Council is also working on a new digital customer account that will pull together all resident and business transactions in one place facilitated by a CRM platform. This will allow residents and businesses to track all their interactions with the Council and support the contact centre to deal with customer enquiries. We will also improve and introduce more online payment options to make it easier to elect and process income/payments for all service areas.

Alongside the planned investment in systems we have continued to build resilience into our key business systems support team to improve the stability and performance of the key business systems upon which we rely – see chart below.



Alongside these new business systems we provide support to services looking to redesign their key processes and champion Lean systems thinking across the Council. We have co-ordinated the update of Target Operating Models for all departments and we support the Council's wider improvement programme to become London's Best Council by 2020.

Communications, Community Consultation and Engagement

The Communications team is responsible for delivery of campaigns, events, public relations, advertising and reputation management. We have both an external and internal facing role.

Within the organisation we are responsible for events that support a positive culture within the organisation, such as the staff conference and staff excellence awards, and ensuring that our officers are well informed through regular bulletins and change campaigns. As an example, we work closely with the Flexible Working project to ensure staff are well informed about, and engaged with, the move to new ways of working within the building.

By far the majority of our time, though, is focused on keeping our residents well informed and maintaining Merton's strong reputation. Each year we deliver a series of campaigns that keep residents informed about changes to services, for example "Keeping Merton Moving" aims to inform motorists about why it is important to keep Merton roads safe and clear from traffic congestion. We also aim to generate interest in areas where we are looking for more resident involvement, for example fostering. We promote the many positive things about the council's services through a range of different channels. Each year we publish around 300 stories on the council's digital news room and on social media, resulting in over 90% positive coverage. The quarterly publication of My Merton magazine is also a key vehicle through which we work to ensure Merton's residents feel well informed about, and engaged with, the work of the council.

As with all council services, we are continuously looking for ways to improve our service and ensure it remains fit for purpose in an ever changing world. With this in mind, we are expanding our skill set to ensure that we have the knowledge and experience to communicate with residents and service users through social media. We will also, over the coming year, look to support services to develop their own capability to market their own services, in order to ensure we are using highly skilled resources within the team in the most efficient way.

The Community Consultation and Engagement function is tasked with ensuring the organisation has a strong understanding about its residents and service users and discharges this responsibility through the coordination of community forums and an annual residents survey. The organisation as a whole draws on the team for professional advice on consultation, engagement and research methodologies.

Corporate Governance

The South London Legal Partnership (SLLP) launched in 2013 is a partnership with five other boroughs to provide legal services. The SLLP is hosted by Merton Council and includes Richmond, Sutton, Kingston and most recently Wandsworth Council who joined in October 2016. As a result of this shared arrangement the Council's budget for legal services has fallen by 16-20% and the hourly rate of £63.

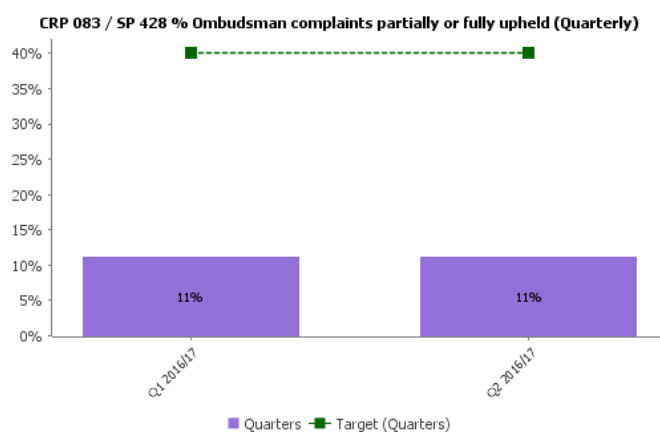
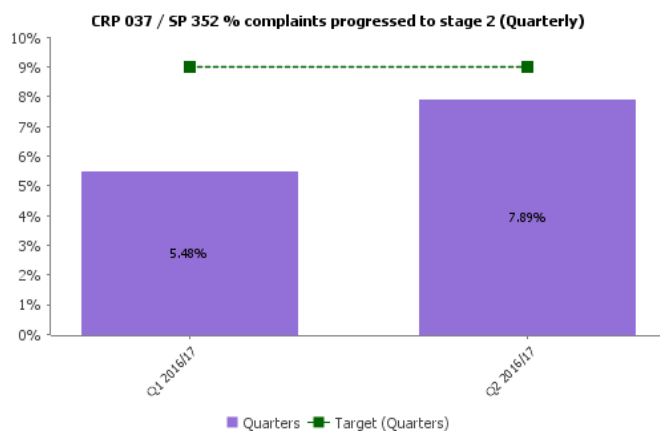
The SLLP has pioneered the use of digital technology to streamline and speed up court proceedings. In 2015 it launched the first entirely digital process for care proceedings in partnership with the West London Family Court. This paperless system is quicker and more efficient – the cost of a digital case is around £400 compared to £1200 for the paper based

process. The SLLP with its private sector IT partners has established “Digital Courtrooms” to provide this service to other local authorities and it is now used by 8 London Boroughs with interest expressed from across the south east.

The Council joined the South West London Audit Partnership in October 2015. Internal Audit and fraud investigation work are now delivered by this shared service which covers Merton, Kingston, Richmond, Sutton and most recently Wandsworth who joined in October 2016.

The Council’s key meetings are moving online. Many of the Council’s main committees have agendas and reports online and the intention is to roll this out to all committees by the end of 2018. The introduction of online technology makes it easier for both committee members and the public to view papers. It also significantly reduces printing costs and the time taken to distribute papers.

Information on corporate complaints and Ombudsman enquiries is set out in the charts below.



Human Resources

The Council had a long-standing shared service arrangement with Sutton Council that came to an end in 2016. This arrangement had allowed the two councils to streamline the HR operation from 130 staff down to 90, and reduced the cost of the service by 45%. The shared service ended in May this year with 33 staff transferring to Merton, and some services being provided by Kingston. In 2015, for London as a whole and when HR services are compared like for like, there was 1 FTE of HR resource for every 76 non-schools

employees. The ratio for Merton is now 1 to 95. The true ratio is actually lower once schools are factored in. A national survey indicated ratios 1:63 for private sector and 1:75 for public sector (ratios will vary dependent on outsourcing arrangements).

There has been a smooth transition to an interim structure pending the development of new HR arrangements by 2018. We will in future look to establish new delivery arrangements in collaboration with other boroughs to facilitate an efficient, high quality HR service at the lowest cost.

As the organisation's workforce modernises, we anticipate a different kind of internal customer by 2020 – one that is more likely to self-serve and who operates autonomously. We have a dual role here. Firstly, through our HR service we will support and enable this workforce transition through a comprehensive learning and development offer and excellent recruitment procedures. Secondly, by ensuring that our processes, policies, systems and practices enable and encourage this increased self-sufficiency. HR will support the implementation of the Council's TOM particularly the output of the people layer and different delivery models as well as advising on the complexities of TUPE out and in of staff in Merton. We have an on-going program to introduce and maintain a comprehensive modernised set of HR policies linked to culture change and behaviour.

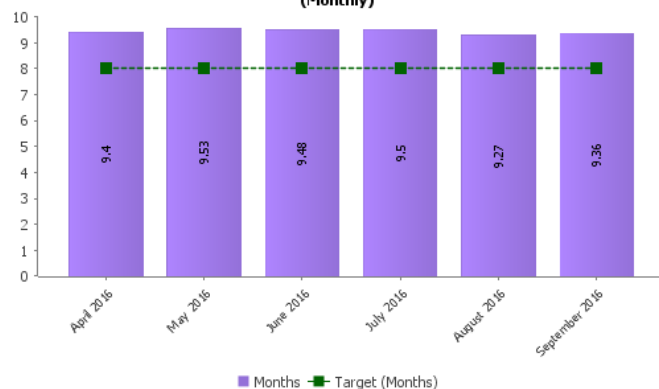
With the pace of transformation in the organisation and the vision to be London's Best Council, Human Resources will be a key and driver of change. The Workforce Strategy Board oversees the workforce planning program: recruitment and retention, organisational workforce development and morale health and wellbeing - HR will ensure that it supports and leads on the workstreams which support the London's Best Council ambition. The workstreams include: Leadership development, Induction, 'the Merton offer', review appraisal process, develop new behaviours and a review and refresh of the workforce strategy will be in place for April 2017.

Comprehensive work has been undertaken to ensure that established workforce numbers are budgeted and reconciled with the use of agency/interim covering vacant posts – see table below. The use of interim and agency workers remains a focus for the Council and high cost placements are reported to Standards and General Purposes Committee on a quarterly basis. There are instances where interim staff are essential for project work where the specialist skill is not present in the Council or for services where it is harder to recruit e.g. social workers and lawyers.

Department	Budgeted FTE Establishment	FTE Employees	Vacancies: Budgeted FTE less FTE Employees	FTE vacancies covered by agency workers	Unfilled vacancies
Corporate Services	559.60	424.82	133.78	74.60	59.18
Children Schools and Families	566.72	447.89	118.83	87.00	31.83
Community and Housing	429.13	341.20	87.93	35.47	52.46
Environment and Regeneration	700.85	537.30	163.55	59.57	103.98
Total	2256.30	1751.21	504.09	256.64	247.45

The Council's sickness level is currently 9.3 days in the rolling year to October 2016 against the Council's target of 8 days. HR continues to work closely with managers ensuring referral to Occupational Health at an appropriate stage and that sickness is managed through effective return to work interviews, stage one attendance reviews and monitoring.

CRP 080 / SP 413 No. of working days per FTE lost to sickness absence excluding schools (Monthly)



Human Resources is responsible for ensuring that the development needs of members are met. There are three aspects of development: prospective candidates, induction and continuous development. Development can be based on individual, generic and statutory requirements.

Corporate property and transactional services

We are in the process of reducing the Council's property footprint through the introduction of flexible working practices and new technology. The Flexible Working programme has enabled a much higher ratio of people to floor space, particularly in the Civic Centre. We have moved from one person to one desk to a ratio of 10:8. Digital archiving has reduced significantly the amount space given over to filing cabinets. As a result this has allowed the Council to release a number of other buildings either for sale or other uses. We have vacated 11 locations and achieved operational savings of approximately £2 million p.a. As well as reducing the Council's overall property footprint, the efficient use of existing office space within the Civic Centre has also allowed 2 floors of the Civic Centre to be emptied with a view to renting them out with a forecast income of £280k p.a.

Further efficiencies are planned with the introduction of mobile working as part of Phase 2 of the Flexible Working programme. Mobile technologies alongside EDRMS and a new social care case management system will allow frontline staff to spend more time delivering services within the field with the ability to access and update information remotely. This will improve the service that we are able to offer residents e.g. by completing transactions in the home in the case of older residents, and reduce the travelling time of staff to and from Council offices.

We are currently exploring options available to improve and refurbish the Customer Centre on the ground floor of the Civic Centre. The process will develop a response to our customer strategy that all customers should manage to self-navigate and self-serve to achieve their requirements in a welcoming and responsive space. This will be achieved in 2017/18.

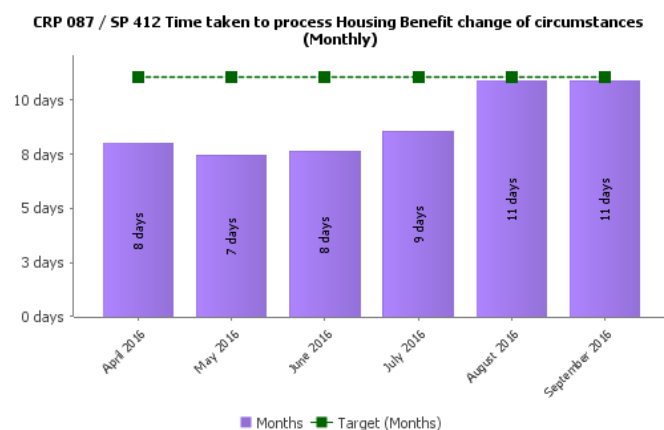
In addition to this is a requirement to consider an increase in the provision of meeting space for customers and allow for an increase in social work conferences on the ground floor. This is also aligned to other organisations using space within the Civic Centre and meeting their requirements for meeting rooms on the ground floor.

Council Tax, Business Rates and Housing Benefits

In these challenging financial times it is critical that we collect the income due to the Council to sustain the delivery of frontline services. In 2015/16 we collected 97.49% of Council Tax and 97.71% of business rates (currently the Council retains 30% of business rates with the balance going to central government and the GLA).

The way we deliver these services is also changing. Last financial year 58% of Council Tax payers paid by direct debit and 11% received electronic bills. For businesses, 43% paid by direct debit and 31% receive electronic bills. Our aim is to push these figures higher to make it easier for tax payers and automate services where possible.

We aim to operate an efficient Housing Benefit service to minimise delays. In 2015/16 we processed 9,259 new claims taking on average 21.1 days. In 2016/17 we have reduced processing times down to 15.4 days. The chart below shows the average time taken to process Housing Benefit change of circumstances in 2016/17.



In January 2016 Universal Credit (UC) was implemented for all single claimants in Merton. At the end of March 2016 the “full service” was rolled out to families and all claimants in the SM4 post code (note that pensioners are not affected by UC). Since January 2016 we have seen a 4.2% reduction in our housing benefit caseload and this is expected to continue. We do not know yet when the full service for UC will be rolled out for the rest of the borough but it will not be before April 2017.

Commercial Services

We believe that there are considerable efficiencies to be gained through the effective use of procurement across the Council. We are seeking to consolidate the Council’s procurement function and introduce a category management approach. Category Management is a strategic approach which organises procurement resources to focus on specific areas of spend. This enables category managers to focus their time and conduct in depth market analysis to fully leverage their procurement decisions on behalf of the entire Council. The results can be significantly greater than traditional transactional based purchasing methods.

By implementing a consolidated procurement function, Commercial Services will be able to focus on the following areas over the coming months:

- the introduction of category management and strengthened supplier relationship management;
- Review the Council’s ‘top 50’ largest areas of spend and undertake analysis to drive out savings through consolidation and collaboration;
- undertake make/buy/share reviews of all services in collaboration with Directors to ensure these are prioritised where they are likely to have most impact;
- initiate the delivery of a targeted supplier engagement programme. This would involve engaging with the Councils ‘Top 100’ suppliers by spend to address £56m of Council spend;

- develop a programme to deliver a significant reduction in the number of council suppliers.

Resources

The LGA Peer Challenge in 2015 recognised the strength of Merton's medium term financial planning which is coordinated by the Resources team. This includes the production of the business plan which sets out and profiles income and expenditure of Council departments over a four year period. They also recognised the role that members play in both setting out achievable priorities and scrutinising delivery of the business plan. However, they highlighted the challenges of increasing demand for services along with reducing resources and funding from central government that will require difficult decisions going forward.

A number of financial systems are reaching the end of their operational lives including Proactis (financial reporting and budget management), FMIS (general ledger) and ASH (debt recover and recording). We are nearing the go-live for a new suite of systems for financial management. This will have a very significant beneficial impact on financial and management accounting, enabling staff in the finance teams to spend less time manipulating data and more on added value advice and sophisticated reporting and analysis. The coding structure will be radically changed and simplified to reduce the numbers of cost centres and subjective account codes.

Recharges are being reviewed at the moment. Where it is feasible, direct charging utilising timesheets will be introduced. This will enhance transparency. Time sheeting is particularly appropriate where a jobbing basis is used e.g. internal audit, elements of IT and facilities management. It is not always appropriate where the support is generic and a team is dedicated to a service.

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Wimbledon Community Forum 21 September 2016 Chair's Report

The meeting was held at the Mansel Road Community Centre, and chaired by Councillor James Holmes. Approximately 60 residents attended, as well as Merton Councillors, and officers from the council and its partners.

The Chair welcomed everyone to the meeting, introducing the Wimbledon councillors present at the meeting as well as the TfL team and Council Leader, Councillor Stephen Alambritis.

Crossrail 2

Members of the TfL team talked residents through the updated options for Crossrail 2 and responded to previous feedback received.

Crossrail 2 is still at a relatively early stage with early design work being carried out using government funding. The goal is to start construction work in the early 2020s if given planning permission, with the railway opening in the early 2030s.

After residents voiced concern about loss of commercial units and scale of disruption in the original proposals, it was explained that TfL has looked at how to respond to these concerns and meet people's aspirations. Three alternative proposals are now being considered in addition to the original:

1. Take the tunnel south of Wimbledon to alleviate the impact on the town centre. There would be a station at Raynes Park and tunnel portals around New Malden and Motspur Park. This option would cost £2bn than the original proposal put forward. Some permanent infrastructure would still be needed in Wimbledon.
2. Create a new tunnel for South West trains that do not stop at Wimbledon but currently travel through it, allowing them to bypass the station entirely. This would free up space and create two new platforms for Crossrail 2 whilst also meaning quicker times for the trains bypassing Wimbledon. A new tunnel would need to be built first however, delaying the start date for Crossrail 2 work by around three years. It would also require District Line platforms being reduced from four to three, but the line needs four platforms. The cost of this option would be an extra £500m on the original proposal, due to the need for a new tunnel.
3. Rebuild District Line platforms on the north side of the railway, taking Waitrose, the Magistrate's Court and 111-131 residential properties on Alexander Road. Further property on Worple Road would also be required in this instance. South West trains' platforms and lines could then be moved to the existing District Line space, together with Crossrail 2. This option would have minimal impact on the District Line and would not impact the heart of Wimbledon Town Centre, but it would be a logistical challenge and would add six months to a year to the programme. The cost would be broadly cost neutral compared to the original proposals. Tram lines would be relocated to the streets. A benefit to this option is that wider District Line platforms could be built with the potential for mixed-use development above them, including residential properties to replace some of those taken for the build.

Joint consultation between TfL and Network Rail on a preferred option out of the four tabled is likely to take place this autumn. The consultation will invite feedback on the preferred option and will explain why the other three options were ruled out. In all current options two new railway tracks through to New Malden will be needed to allow for Crossrail 2 and South West trains to both run concurrently. The plans will increase the number of trains going into Central London by about 30 per hour.

Update from the Leader of the Council

The Boundary Commission has announced changes for Merton which would mean the borough would have five MPs instead of the existing two. Many wards would also be lost to neighbouring boroughs. Councillor Alambritis is working with the Conservative group leader, Councillor Moulton to express concerns to the commission about the proposed changes.

Cross-party concerns have also been expressed to Network Rail and TfL over Crossrail 2. Whilst the plans are welcomed, they should not be at any cost and councillors wish to ensure that Wimbledon Town Centre and Centre Court will be safeguarded and improved. Ambitions for an improved Morden Town Centre and Rediscover Mitcham also continue.

Consultation is taking place on council tax levels and council spending; Residents can take part in the consultation until 4 November by visiting www.merton.gov.uk/consultations.

The council is delighted with A-Level and GCSE results this year but there is a need to address increasing demand for secondary school places.

In response to a question about improving bus services and links between south and north Wimbledon, Councillor Alambritis said that the council is asking for more devolved powers on such issues so that it can have a greater say on matters such as bus routes and frequencies.

Merton has welcomed the return of AFC Wimbledon to Plough Lane. Galliard, the developers, will provide 9.3% affordable homes as part of the residential side of the development, which will help the council to exceed its overall affordable homes target of 40%.

In response to a concern that there are too many planning applications for tall buildings and tower blocks in Wimbledon, it was explained that the council cannot stop anyone from putting in any type of application. After submission, it is for the Planning Committee to decide. Councillor Holmes commented that if residents are unhappy about a planning application, they should speak to their local councillor about it.

Residents from South Wimbledon voiced several deep concerns about possible plans for a new secondary school in the area, namely: that a disability learning centre could be lost in the process; playing fields would be shared with a primary school; the new school would not be in the right location; and that there has been no consultation to date. Councillor Alambritis and Councillor Judge explained that more secondary schools are needed in the west of the borough and that there is high demand for one from parents in South Wimbledon. Merton's education officers, who have led the expansion of all primary schools so far, are working on proposals for a new secondary school and will only propose it is built

on land adequate for the purpose. Any plans for a new school have not yet been made public due to sensitive commercial negotiations over acquiring land, but once these are in place, public engagement will be carried out. Residents were assured that no learning centre would be closed before a replacement centre is built using capital budget that has already been set aside for such a purpose. Councillor Alambritis concluded that there is a statutory duty to provide school places, but that the council will do this by working with residents.

Planning update

James McGinlay, head of Sustainable Communities explained that the council has to work to national policy and the London Plan in respect to planning matters. However, it is trying to start a conversation with residents about the quality of planning in Wimbledon and what residents want the borough to look like.

In response to concerns about the height of new buildings being proposed and built in Wimbledon, James explained that the Mayor requires that Merton builds approximately 420 new homes a year; as there is not much land, inevitably this means there is somewhat of an increase in the height of buildings in order to meet the target.

The Wimbledon Masterplan is about providing quality buildings, transport, commerce, residential development and infrastructure, for example, the council would like to see two new bridges in Wimbledon in order to address transport issues. Public engagement will take place in November through a series of workshops which residents are encouraged to attend. These workshops have been delayed as the council did not feel it appropriate to consult on major changes when waiting on the Crossrail 2 plans.

Responding to concerns that South Wimbledon has been overlooked in the Masterplan and that it needs quality retail and an overarching planning policy, James said that a strategy is being launched to look at the nature of South Wimbledon and how to attract better retailers. The area is included in the Masterplan and will be discussed in the November workshops.

Soapbox

David Hall, the Chair of Trustees for the charity Wimbledon Community Association (WCA), informed residents that the association has launched a new website which hosts an online directory and search engine for community space for hire. Following the sale of the St George's Road centre in 2012 due to untenable maintenance costs the WCA found that there is continuing need for community space in and around Wimbledon. Rather than investing in new premises at this time, they developed a directory and search engine, both available free of charge on their brand new website, which is now live and can be used by venue providers to publicise their community space as well as by anyone interested in finding space for hire. A formal launch will take place later this year and the WCA is seeking to engage with local venue providers to build up the directory with more venues over the coming months. The site address is www.wimbledoncommunity.org.

Date of next meeting:

Tuesday 6 December 2016 at The Mansel Road Centre, Trinity United Reformed Church, Mansel Road, London SW19 4AA.

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Raynes Park Community Forum Thursday 29 September 2016 Chair's Report

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Stephen Crowe with Chris Edge from the Raynes Park Association (RPA). 50 residents attended, as well as five other Merton Councillors, and officers from the council and its partners. The Chair welcomed everyone to the meeting and invited attendees to observe a minutes silence in memory of Jan Bailey.

Open Forum

Council Tax consultation

Clare Gummett, Chair of Age UK Merton, raised the current consultation on future Council Tax levels in Merton. Merton Council is consulting on the options for Council Tax in 2017 and 2018 in response to the introduction of a special 2% precept introduced in 2015 that can only be used to fund care services for older and vulnerable adults. This option was not taken up in 2016 resulting in greater cuts to spending. Clare encouraged residents to have their say in the consultation and consider the impact on older and vulnerable residents. A number of residents said they had not received My Merton and provided addresses to be followed up on after the meeting. The consultation is also available online and can be found at www.merton.gov.uk/consultations

Notice of planning applications

A resident raised concerns about the displaying of official site notices informing local communities about planning applications. In addition objections were no longer acknowledged and objectors were not being notified about the outcome of decisions.

In response Neil Milligan, Development Control Manager for Merton Council, said that site notices were not statutory but in Merton they are sent to the applicant to display locally as well as letters being sent to the neighbours of the scheme. Officers visit each site and will check if a site notice has been displayed. Information about all applications, including any objections, is published online and it is likely more and more communications will be switched to digital formats to reduce costs.

In response to questions Neil also said that the Planning Enforcement Team was currently at three officers with a fourth post currently being recruited too. The size of the team has not changed for a few years. Neil responded to a question about architectural quality by saying that appearance of applications was the number one issue that officers consider including visiting the site to understand the context. The views on the final outcome would be subjective but the process in Merton is not dissimilar from other boroughs.

Travelodge

A resident asked if this was being used by Merton Council to house homeless families and also what could be done to address night time noise and anti-social behaviour. This will need to be taken up with colleagues but any anti-social behaviour can be reported to the Council's anti-social behaviour unit by calling 020 8274 4907 or emailing asbunit@merton.gov.uk

Boundary Changes

There was a request that the proposed changes to parliamentary constituency boundaries be discussed at a future meeting as they would have a considerable impact on the area. Details of the current consultation can be found at <https://www.bce2018.org.uk/>

Raynes Park Christmas

Nick Cooke from the Salvation Army said that the 2016 Christmas festival will be on 2 December 3.30 – 7pm with the lights switched on at 5pm. Two stages will be set up, one outside the station and the other in Waitrose car park. There will be choirs performing and a live nativity with animals. More volunteers are needed to help, especially with 12 stewards needed for the large crowd. Contact nick.coke@salvationarmy.co.uk or chrislarkman@gmail.com if you can help.

Health Update

Clare Gummatt, Lay Board Member for Merton Clinical Commissioning Group, provided an update on local health issues:

- Adam Doyle, Chief Officer of Merton CCG, will be leaving the organisation as part of a local restructure. A new chief officer will jointly cover Kingston, Merton, Richmond, and Wandsworth from April 2017, with Sutton also joining at a later date.
- The 'Health Help Now' app is now available to Merton residents. This app helps identify which local services are available and includes voluntary sector as well as NHS provision.
- Merton CCG is working to reduce the problem of unused medicines as these costs around £1million each year. Patients are encouraged not to stockpile as any medicines taken from a pharmacy cannot be reused.
- Lambton Road Medical Practice is trying to address the issue of missed appointments. There were 312 in May this year so it has a huge impact. The surgery now sends text reminders, and there is a dedicated cancellation line. Following concerns over getting in touch with the surgery via the telephone for some considerable time, they are introducing a new phone system.

Bereavement Service

Chris Larkman explained that this volunteer led service originated from Christ Church but is open to any faiths. They provide support in sessions at the Nelson and Lambton Road centres by volunteers trained and supervised by a professional counsellor. Over 70 people have been supported and as a result of demand growing more volunteers are needed. Please contact raynesparkbereavement@gmail.com for further information.

Crossrail 2

Jerry Cuthbert is leading a sub-committee of the RPA to improve dialogue with TfL, Network Rail and Merton Council to help influence the planning of Crossrail 2. No proposals south of Wimbledon for either safeguarding or design have yet been consulted on but are expected to be available later in the autumn. RPA want to make the most of the opportunity to improve Raynes Park Station. In response to questions Jerry said there still seems to be political commitment to the project

despite the changes in the Cabinet. Jerry also explained that the previous consultation showed a 50% reduction in SW Trains services to Waterloo from Raynes Park but overall a 100% increase in the number of trains to London.

Current and anticipated planning applications

Neil Milligan, Development Control Manager, Merton Council updated the meeting on local planning and other issues.

- The bins south of the Skew Arch were not removed in the summer as originally planned. The programme was paused following concerns raised by residents so that a consultation could take place. This has not been completed so will be informing the final decision.
- Rainbow Estate and Kiss-and-Ride – there has been no further news from Workspace about the development. It is possible that they are waiting for more information from Crossrail 2 but they have three years under the current planning approval to begin works. This means no progress on the Kiss-and-Ride element of the work. Chris Larkman has met with Network Rail who are considering transferring land outside the station to Merton Council and this may create more space to improve access.
- Southey Road Bowling Club – the application was approved in July subject to a Section 106 agreement.
- Ride London - There was general agreement that Ride London 2016 had been a successful event in Raynes Park. The date for the 2017 event has been set for 30 July and as in previous years it is likely there will be road closures in the area. Details can be found at <https://www.prudentialridelondon.co.uk/>
- Flooding – The pump installed in the drains under the railway bridge had been unable to cope with the volume of water that fell in the summer. Work was ongoing to flush out drains to keep them clear. Several questions were asked about the frequency of gully clearance and this will need to be addressed at a future meeting. Information about flooding and how to get advice can be found on the council website at <http://www.merton.gov.uk/environment/flooding.htm>
- Wheelie Bins – a number of questions were asked about the proposed changes to refuse collection. The decision of Cabinet had been reviewed by the Overview and Scrutiny Commission but they decided not to ask Cabinet to reconsider. The councils involved are now negotiating with Viola to finalise the details of the contract before it is agreed. Issues raised at the meeting included the size and storage of wheelie bins; disposal of current bins; the impact of fortnightly collection on unsanitary waste; and the use of the bins by those with disabilities. This will need to be addressed at a future meeting.
- Road Safety – following the tour discussed at the last meeting the ideas put forward are still being considered by Highways Engineers.

The Chair thanked residents for attending and closed the meeting.

Dates of future meetings all at 7.15pm, in the Library Hall:
30 November 2016
8 March 2017

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Mitcham Community Forum 5 October 2016 Chair's Report

The meeting was held at Age UK, and chaired by Councillor Ian Munn. 25 residents attended, as well as five other Councillors, and officers of the council and its partners. The Chair welcomed everyone to the meeting.

Canons Heritage Project update

Anne Jones, Community Engagement Officer for the Canons Project provided an update on progress made towards submitting the second stage bid to the Heritage Lottery Fund (HLF). A new project team, including Anne, began in April 2016 and has increased the pace of development work. HLF has recently conducted a review of the project and said that whilst they were pleased with the work completed there was more to do. The deadline for the second stage application is 31 December but it is possible this might be extended until February 2017. This would not impact on the overall project timetable as HLF would still be making their final decision in June 2017.

The Canons House is a major part of the plan. With no obvious future the business plan must show sustainability with sufficient income to meet on-going maintenance. The business plan is nearly complete and includes a new café, kiosk and toilet; and improved play space near Madeira Hall. You can find more details about the plan and provide feedback at:

<http://www.canonspartnership.org.uk/>

In response to questions Anne said that uses for Canons House were still be considered but currently the plans envisage using the ground and first floors as office and studio space with community use in the basement. The heritage sections would also be open to the public and a new lift would make the building accessible. Several options for leisure activities in the park have been considered including a skate park, but Anne would check if reinstalling a putting has been considered. Any income from the building would only be used for to maintain the Canons site. The project team are liaising with the Park Place development and would be happy to reference the London Bloom success in the bid. If the bid was successful the works on the house would take more than a year.

Recycling

Mariana Sadler and Wilhelmina Lutterodt Schandorf provided an overview of recycling services in the borough and then invited residents to take part in a recycling quiz. Details of recycling services can be found at

<https://beta.merton.gov.uk/rubbish-and-recycling/bins-bags-and-collection-services>

The quiz is available on the Mitcham Community Forum webpage:

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

In response to questions Mariana said that food caddies could be made secured from foxes by lowering the handles but some residents have had success with using Scoot as a deterrent. General waste and recycling waste are collected separately by different crews so residents should not see them being mixed. A specific report that this happened will be followed up on.

Rediscover Mitcham update

James Geeson from the Future Merton team, Merton Council, updated the meeting on the works in Mitcham Town Centre.

Three Kings Pond - The works were completed on schedule and the geese and ducks have returned. There are also some terrapins in the pond despite their removal. Litter in the screen has been collected and is the responsibility of the Green Spaces team so will be reported to them. Following feedback from residents a small water feature was included and this should help stop stagnation of the pond.

Fair Green - There has been a delay in installing the lighting including the tree lights. Works should be starting shortly and will improve the level of lighting at night.

Majestic Way - Civil works have been completed but the lighting is still waiting on the contractor.

Bus Street - Construction is on schedule despite a number of problems found in excavation. Phase 3 works outside of Iceland are nearly complete and will reach Greggs next week. A loading bay will be suspended but all the businesses have been able to ensure rear access. Works should be completed in January/February as planned. London Road closure is planned for overnight on 12 and 13 December with vehicles on diversion. New street lighting on the bus street is being installed and a wall between the green and the road will discourage anyone from running out into the road.

Other works – The mural has been repainted. The bus stop has been moved nearer to the town centre but road markings have been left in case they are needed before the end of the project. Trees blocking the new bus stop will need to be cut back to improve visibility for passengers.

In response to a question about the Dunblane Memorial tree James said that the contractors had been briefed about the need to protect the trees but had acknowledge they made an error. The tree has now been protected and no damage had been done. Some shrubs have been lost but this is not unusual in a new urban planting session. James agreed to look into concerns about blight affecting the shrubs. Traffic is being monitored on the perimeter road and so far low speeds are being observed but a 10mph restriction could be an option.

Leader of the Council update

Councillor Stephen Alambritis thanked the many volunteers who contributed to life in Merton including those involved with local community groups, Mitcham Common, and Tooting and Mitcham Football Club. Stephen was pleased to report AFC Wimbledon would also be playing in the borough. On schools Stephen said that Merton schools were the third most improved in the country, and 20 primary schools expanded to create 21 new forms of entry. In addition solar panels are being installed on all primary schools.

Not only were all Merton's libraries staying open but a new library in Colliers Wood will open in 2017. Work is also beginning on the new family leisure centre in Morden with a new habitat being created for crested newts. The campaign to protect St Helier continues with new plans under the Sustainable Transformation Plan (STP) for South West London once again considering reconfiguring local hospitals.

Stephen has recently attended a magistrate's where two fly tippers received fines of £350 and £1000. New powers to issue fines of £400 without going to court have already been used by the Council. Increased enforcement training for frontline staff has generated more than 100 cases a month for further investigation. More than 6000 fines for littering have been issued in the last two years. More publicity for successful prosecutions is a priority.

The Council has frozen council tax since 2010 as well as not cutting support for low income households. We are now consulting on whether to continue the freeze as planned, or to increase council tax to either protect just adult social care or all services. You can complete the consultation form in My Merton or go to www.merton.gov.uk/consultations

In response to questions Stephen said the Council was working with Merton Clinical Commissioning Group on their plans for the Wilson Hospital site. More consultation with the local community would be taking place soon. In addition any funding received through the Better Care Fund would be spent in accordance with the plans developed by the Health and Well Being Board. Stephen was happy to support residents and councillors in the campaign against the closure of Tescos in Mitcham and has been working with Siobhain McDonagh MP to prevent the closure of the White Lion of Mortimer pub. Stephen has written to Newsquest, owners of the local Guardian papers to ask they maintain strong local identity for the papers with local reporters who know their patch.

Stephen agreed with residents who felt the proposals for parliamentary boundaries from the Boundary Commission for England would be of detriment to Mitcham. Residents were encouraged to share their views and can do so at <https://www.bce2018.org.uk/>

Soapbox

For background on the council tax consultation a report by Healthwatch Merton on the impact of reductions in adult social care was made available at

the meeting. The report can be found at http://www.healthwatchmerton.co.uk/sites/default/files/hwm_asc_focus_group_s_write_up_report.pdf

A resident raised questions about the storage of new wheelie bins. In response Cormac Stokes, Head of Street Scene and Waste, explained that whilst standardisation would be the general rule residents would be able to make a case for being an exception. In the Lavender pilot scheme around 1% of households were provided with an alternative. Disabled residents would still be able to access assisted collection.

Speeding on Rowan Road was raised. Police have already been involved in the issue and this would need to be addressed by the relevant officers.

Date of next meeting: Tuesday 14 March 2017 at 7.15pm, in Vestry Hall.

LONDON BOROUGH OF MERTON	
	<u>NOTES OF MEETING</u>
	Subject: Morden Community Forum
	Date: 6th October 2016 Time: 19.15
Action Needed By:	
	<p>1. <u>Welcome and Introductions</u></p> <p>1.1 Cllr. Philip Jones welcomed everybody to the meeting.</p> <p>1.2 Approximately 17 residents attended, as well as 10 councillors, and officers from the council and its partners.</p>
	<p>2. <u>Morden Leisure Centre update</u></p> <p>2.1 Christine Parsloe, Leisure & Culture Development Manager at the council, updated residents on the plans for a new leisure centre in Morden Park.</p> <p>2.2 Work is currently being undertaken with Natural England on the protection of Great Crested Newts located in one of the park's ponds. It is estimated there are about 70 newts in total and a due process is required in order to ensure their protection.</p> <p>2.3 Meetings continue to take place with the Community Trust and with Morden Park Playing Fields Association to keep them involved in the development plans.</p> <p>2.4 Pellikaan Construction Ltd has been appointed for the build of the project and will work with the existing consultant team of architects and contractors on the project.</p> <p>2.5 Planning permission has been granted for a sports hall within the new leisure centre; however the budget for the development would not cover the cost of a hall, so fundraising would be required to pay for it.</p> <p>2.6 The intention is that Greenwich Leisure will continue to run the leisure centre once the new development is complete, including the cafe. Upon completion of the new build, the various membership fees will not go up any higher than originally planned by Greenwich Leisure.</p> <p>2.7 A second pool with a moving floor is cheaper than providing multiple pools would have been and also allows for more varied activities, therefore greater revenues. Additionally, the footprint of the land would not have allowed for multiple pools. The second smaller pool will be able to accommodate greater numbers of school children for swimming lessons.</p>

	<p>3. Waste collection changes</p> <p>3.1 Cormac Stokes, Head of Street Scene and Waste at the council, gave a presentation on planned changes to waste collection in the borough, which will save the council approximately £2million a year. The presentation can be viewed at http://www.merton.gov.uk/morden_community_forum_waste_presentation_2016.pdf.</p> <p>3.2 Consultation is being carried out with stakeholders such as Age UK in order to establish the requirements for assisted collections. Alternative arrangements will also be made for properties where it would be inappropriate to have wheelie bins, for example, those without front gardens and properties with communal bin storage. Residents should email the council if they feel where they live is inappropriate for wheelie bins, so that the council can investigate.</p> <p>3.3 Residents concerned about blocked drains were asked to report the problems to the council, which has a drainage service and a contractor to deal with key areas. Cormac noted that Tudor Drive and Lower Morden Lane seem to be particularly problematic.</p> <p>3.4 The Waste team understands that putting the bins back in place is a key issue and this has been made clear to the preferred bidder for the waste contract. The matter has been included in Merton's performance delivery framework, therefore will be inspected on a regular basis, but the council will also be relying on residents to report if their bins are not being put back properly post-collection.</p> <p>3.5 Waste collection, Litter and street cleaning will be dealt with by a different contractor to that which will be managing our parks, open spaces and grass verges. Client Neighbourhood Officers will ensure that the separate contractors work together to ensure a seamless service. The officers will also be visiting the Community Forums in due course.</p> <p>3.6 A local resident voiced several concerns about wheelie bins with regard to health, specifically: asking that waste collection be kept to weekly to avoid it becoming toxic and smelly; expressing concerns about the practicality of wheelie bins in terms of space and cost; and asking that a different colour bin be considered that might be more sympathetic to surroundings, e.g. stone coloured bins.</p> <p>3.7 Responding to a query, Cormac confirmed that the council's food waste is treated by anaerobic digestion. He also explained that the changes to waste collection are a decision taken by Merton in order to save money and make environmental improvements.</p>
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	<p>3.8 If wheelie bins are used by fly-tippers for dumping waste, the council will still empty them and will then take measures to advise residents on how to avoid the problem. Engagement with residents on such issues will take place first and foremost.</p> <p>3.9 Merton's recycling centres have high targets, therefore the centres should be recycling as much waste deposited as possible; however, some materials cannot be recycled, despite being labelled as such. Cormac agreed to speak to staff at the recycling centres to ensure as much waste is directed towards recycling as possible and to ensure that they help residents who might struggle with the steps up to the waste bins.</p> <p>3.10 Councillor Jones explained that the decision to introduce wheelie bins had been a political one. In some areas residents are in favour in others they aren't, but the driving factor for the decision was cost-saving.</p> <p>3.11 The council will no longer be providing food waste liners because 50% of the borough was not using them and was throwing them away. Residents will be able to buy the liners from supermarkets; it is hoped that weekly food waste collection will encourage more people to use the service.</p> <p>3.12 Refuse collectors are expected to clean up any waste they spill during collections. Any other waste on the streets should be reported to the council.</p>
	<p>4. <u>Update on Merton Adult Education</u></p> <p>4.1 Jill Iliffe, the Service Manager for Adult Learning in Merton, updated residents on the new adult education provision in the borough.</p> <p>4.2 Courses will be delivered by a variety of providers and most will take place at the South Thames College campus in Morden. The aim is to provide more vocational, family learning and employability courses in addition to the usual courses on subjects such as arts and crafts. Adult apprenticeships have not yet been commissioned; the council is in talks with providers for this area at the moment.</p> <p>4.3 Education for people with learning disabilities has not been commissioned out, and instead will continue to be provided by the council.</p> <p>4.4 Enrolment numbers for courses at South Thames College are not as high as they were for courses last year, but they are steadily increasing. There is an expectation that some students may wish to try out the new courses and facilities before signing up fully. Previous learners are being contacted to encourage them to rejoin.</p>

	<p>4.5 Fewer modern foreign languages courses are taking place because there is not enough demand for them.</p> <p>4.6 Responding to concerns that courses for students with learning disabilities are spread across three different venues and the safeguarding issues around this, Jill explained that extra support has been put in place for certain classes in specific areas in order to increase the safeguarding and wellbeing of learners.</p> <p>4.7 Whatley Avenue will continue to be used for educational purposes, as an interim school.</p>
	<p>5. <u>Council update – Councillor Stephen Alambritis</u></p> <p>5.1 Merton has been named by the Child Poverty Action Group as one of the top boroughs in terms of looking after low-paid families and children living in poverty.</p> <p>5.2 In line with statutory duty, over the last six years schools in the borough have been expanded to provide an extra 4,000 primary school places. The Leader expressed delight that adult education continues to be provided in the borough and also noted that Merton has a rolling programme to place solar panels on the roofs of schools.</p> <p>5.3 The regeneration programme for Morden Town Centre, More Morden, has launched. Further details can be found at http://www.merton.gov.uk/environment/regeneration/moremorden.htm.</p> <p>5.4 AFC Wimbledon will be returning to the borough, it is hoped sometime between August 2018 and August 2019. All councillors in Merton have welcomed the decision. An application for a dog track on the grounds was not received.</p> <p>5.5 The Boundary Commission has announced changes for Merton which would mean the borough would have five MPs instead of the existing two. Many wards would also be lost to neighbouring boroughs. Councillor Alambritis is working with the Conservative group leader, Councillor Moulton to express concerns to the commission about the proposed changes. Residents can also express concerns by visiting the Boundary Commission’s website.</p> <p>5.6 A resident expressed concern about bed-blocking in hospitals and asked if funding is available to help with the issue. Councillor Alambritis agreed that it is a concern and explained that through the South London Partnership, a working group on Health and Care is looking at addressing bed-blocking. Merton CCG is also aware of the problem.</p>

SA	<p>5.7 Asked if there were any plans to pedestrianise Morden, the Leader said he would like to see some kind of piazza area with buses moved a little further away from the tube station. However, nothing has been decided yet. Residents can have their say on such issues during the consultation. Councillor Sargeant added that Future Merton has secured funding to reconfigure the roads, so this is being considered. Traffic calming measures will also be taken into account as part of the More Morden project.</p> <p>5.8 Councillor Alambritis agreed to put forward to Future Merton a resident's suggestion that a level be built above the tube platforms where buses could be parked. He also agreed to ask officers about whether an underground car park could be built below the civic centre.</p> <p>5.9 Responding to concerns about rogue landlords who are letting properties to greater numbers of tenants than is appropriate for the property, Councillor Alambritis said that a register of landlords across London is currently being considered, but in the meantime, the council will keep an eye on any landlords that come to its attention and that allow overcrowding.</p> <p>5.10 Councillor Alambritis confirmed that Central Government funding for local authorities will cease in approximately four years' time. To replace the grants, councils will be able to keep some of the business rates they collect.</p> <p>5.11 A consultation on council tax in Merton is currently taking place. Residents are encouraged to take part by visiting www.merton.gov.uk/consultation.</p> <p>5.12 Councillor Alambritis said that the council is mindful of parking difficulties in the borough and an increasing number of CPZs being implemented as a result. Parking places in the borough have been removed to encourage people to use their cars less, and there is a possibility that no-car contracts could be used with residents of new properties built in the More Morden scheme, but a variety of parking solutions will be discussed and considered.</p>
	<p>6. <u>Soapbox</u></p> <p>6.1 A local resident asked for greater inter-departmental communication at the council, noting that some council officers had known about the Great Crested Newts in Morden Park but that this had not been communicated until later with regards to the new leisure centre build.</p>

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Colliers Wood and North East Mitcham Community Forum
19 October 2016
Chair's Report

Councillor John Dehaney chaired the meeting. Five residents attended, as well as five other councillors and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Police update

PCSO Dave Russell provided an update on policing issues in the area and shared the latest crime figures.

Detective Chief Superintendent Theresa Breen has started in Merton as the new Borough Commander. The Safer Neighbourhood policing model is changing with another PC to join each ward team before Christmas. These officers are being re-tasked from the Local Policing Teams and it is possible further changes will be made in the future to strengthen the ward teams. Across the Met Smart Water is being used to mark property. This is being targeted initially in areas with high rates of burglary so will not be coming to Colliers Wood in the first instance.

Operation Fortress has seen a high reduction in burglaries across Colliers Wood. The operation involves providing free burglary prevention surveys to residents and targeting those with UPVC doors left unlocked. Colliers Wood had the highest reduction and highest number of surveys in the borough. Since this work there has been a spike in burglaries during August and September 2016 due to the work of a single prolific offender who has now been arrested.

New priorities to tackle hate crime and support vulnerable people have been introduced. This includes working closely with local partners and ongoing outreach work to encourage victims to report incidents.

New anti-social behaviour powers are now being used. The new Community Protection Notice does not involve going to court and people can be arrested for breaching. This can lead to a Community Behaviour Order with a long timeframe and jail for breaches. This has already led to a landlord evicting an anti-social business tenant.

In answer to a question PCSO Russell said that he was not aware of the timetable for rolling out body worn cameras to officers in Merton.

Colliers Wood Library

Anthony Hopkins, Head of Library & Heritage Services, provided an update on the building of a new library in Colliers Wood. The main structures of the library are complete with the mechanical works still to be completed. A consultation on the interior of the new library took place over the summer and Anthony thanks those who got involved by coming to the meetings or

completing the online survey. The responses to the designs suggested were mainly positive with natural colours preferred. The results can be found at <https://arena.yourlondonlibrary.net/web/merton/donald-hope-redevelopment>

Final plans for the internal look of the library will be shared next spring before the works commence. The new library is due to open next summer.

Merton Council update

The Leader of the Council, Councillor Stephen Alambritis provided an update on borough wide and local developments.

As well as the new library in Colliers Wood opening in 2017 Stephen was pleased to report that all Merton's libraries would be staying open. The role of volunteers has been vital in achieving this.

On schools Stephen said that Merton schools were the third most improved in the country, and 20 primary schools expanded to create 21 new forms of entry. In addition solar panels are being installed on all primary schools. The need for more primary school places will soon create demand for new secondary school provision and the Council is working with the Harris Foundation to secure a site for a new school in nearby South Wimbledon. An announcement on this will be made shortly.

Work is also beginning on the new family leisure centre in Morden with a new habitat being created for crested newts. The facility is due to open in early 2018 when the old swimming pool would be demolished and returned to open land. Stephen was pleased to report AFC Wimbledon would be playing in the borough, hopefully in time for the 2018/19 season. Crossrail 2 is also being planned to come to Wimbledon and the council is working with TfL to protect the town centre.

The Council has frozen council tax since 2010 as well as not cutting support for low income households. We are now consulting on whether to continue the freeze as planned, or to increase council tax to either protect just adult social care or all services. You can complete the consultation form in My Merton or go to www.merton.gov.uk/consultations

The Council continues to lead on developing shared services with other boroughs. Wandsworth is now seeking to be the fifth borough to join our successful shared legal services.

In Colliers Wood Stephen was pleased to see that following the pressure from the Council the works on the tower are finally nearing completion with 180 new homes and additional retail outlets. The opening of the new Baltic Close outdoor space added a great facility for residents.

Upcoming events includes the two excellent fireworks displays on 3 and 5 November (www.merton.gov.uk/fireworks), remembrance Sunday (<http://www.merton.gov.uk/news-events/events/remembrance.htm>) and free parking in council car parks in the run up to Christmas.

In response to questions about the council tax consultation Stephen said a 2% rise equated to an extra £21.79 for a band D household in 2017/18, or £44 for 2017/18 and 2018/19 combined. There are huge pressures on social care services and the 2% precept will not address the gap in social care and health funding. Erin Cowhig Croft from Healthwatch Merton shared a report they produced earlier in the year which highlighted the impact of reductions in social care funding on individuals. The report can be found at http://www.healthwatchmerton.co.uk/sites/default/files/hwm_asc_focus_group_s_write_up_report.pdf. Stephen said that Merton was continuing to work with other boroughs from across South West London to look at health and social care provision across the borough.

In response to other questions Stephen said that the cinema chain that had been looking at a site in Mitcham had withdrawn but others may be interested. The possible extension of the Tramlink from South Wimbledon to Sutton was still being considered by TfL but no funding has been secured. The Council is ambitious for all the town centres and is currently prioritizing Mitcham and Morden as well as smaller areas like South Wimbledon.

The new waste collection contract will save the boroughs involved £2m each year and using wheeled bins will help increase recycling and reduce the litter created by foxes and other wildlife tearing open black sacks. Blocks of flats will continue to be collected separately and alternative arrangements will be made for properties that open directly onto the footpath. A weekly food waste collection will be maintained. The council will be continuing to fine those who litter and is already using new powers to fine fly-tippers.

Soapbox

Residents asked for an update on the future location of the Colliers Wood GP surgery. Councillor Caroline Cooper-Marbiah had recently met Merton CCG and confirmed they still planned to move the surgery but there has been no news since the meeting.

Councillor Cooper-Marbiah also agreed to follow up on residents' concerns about a property on Fortescue Road.

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COUNCIL MEETING – WEDNESDAY 23 NOVEMBER 2016

NOTICE OF MOTION

This Council places on record its thanks to Councillor David T Williams JP for his dedicated service as a councillor in the London Borough of Merton, which has now reached a cumulative period of 40 years since he was first elected in 1974 and has included time as Leader of the Council (2006-10), Mayor (2012-13) and Deputy Mayor (1981-2).

Cllr Stephen Alambritis

Cllr Oonagh Moulton

Cllr Peter Southgate

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Committee: Council

Date: 23 November 2016

Wards: Abbey, Figges Marsh, Ravensbury.

Subject: Estates Local Plan – submission to the Secretary of State

Lead officer: Chris Lee, Director of Environment & Regeneration; Simon Williams, Director of Community and Housing; James McGinley, Head of Sustainable Communities; Steve Langley, Head of Housing Needs and Strategy

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

Contact officer: Paul McGarry, Head of futureMerton; Steve Webb Housing business support and relationship manager; Tara Butler, Programme Manager, futureMerton. Valerie Mowah, Principal Spatial Planner, futureMerton.

Recommendations:

That, in line with Cabinet's recommendations on 14 November 2016, Council resolves:

- A. To publish the Estates Local Plan and associated sustainability appraisal for comments followed by submission to the Secretary of State for Communities and Local Government
- B. To delegate authority to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing to approve any amendments to the Estates Local Plan and sustainability appraisal that may arise from 24 November 2016 until the receipt of the Planning Inspector's final report, to approve consultation documents or officer's responses to comments received at the pre-submission consultation and during the examination process.
- C. To note the continued progress in the delivery of the borough's regeneration by this decision which moves forward the renewal of three of the borough's estates as a comprehensive programme to build new homes and enhance the housing available to residents
- D. To note the progress of financial negotiations regarding the Stock Transfer Agreement and associated documents with Circle Merton Priory Homes or any successor organisation
- E. To delegate variations to the Stock Transfer Agreement to the Directors of Environment & Regeneration, Community & Housing and Corporate Services in consultation with the Cabinet Member, and
- F. To note that there will be a further report to councillors in March 2017 confirming the anticipated viability of the overall project prior to the final submission to the Secretary of State.
- G. As resolved by the Borough Plan Advisory Committee and Cabinet, that the council has had regard to the Self Build Register when developing the Estates

Local Plan and that the council should not allocate specific sites for self build and custom housebuilding in the Estates Local Plan in order to prioritise rehousing residents who are already living on the three estates in new homes built to modern standards and to progress a viable regeneration project.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The primary purpose of this report is to seek members' agreement to the publication of the Estates Local Plan prior to its submission to the Secretary of State. Once submitted it will be subject to a Inquiry in public; should it pass the examination, Council will be asked to consider the final version for adoption, a process which is expected to take approximately twelve months.
- 1.2 This Plan is the framework policy for the regeneration of three large estates: High Path, Ravensbury and Eastfields. A well-planned and comprehensive regeneration of these estates is considered to be a better option than continued piecemeal renovations to maintain the Decent Homes Standard: such an approach both delivers over 1400 much needed new homes in the borough and secures long-term better quality housing for existing residents. The planning Inquiry will need to be satisfied that the plan is sound, financially viable and technically deliverable.
- 1.3 Approximately 60% of the properties on each estate are owned by Circle Housing Merton Priory (CHMP) since the Stock Transfer of March 2010 which also closed the Council's previous Housing Revenue Account. Regeneration is therefore delivered by CHMP, The financial deliverability of the programme is a key area of concern as the Council must ensure it does not incur costs through the programme, and must be able to assure the Planning Inspector that the proposals are viable and deliverable.
- 1.4 The submission of the Estates Local Plan and ongoing negotiations with CHMP are necessary conditions for the progress of regeneration but not themselves sufficient. In particularly there will be further decisions which members will need to consider over the progress of this fifteen year programme.
- 1.5 At their meeting on 8th November 2016, the Borough Plan Advisory Committee considered the Estates Local Plan with recommendations A, B and F above, which they endorsed. At the same meeting, the Borough Plan Advisory Committee also made the following recommendations:
- To ensure it is made clear that a key reason that regeneration on Ravensbury is being supported, despite local opposition, as a method of providing a viable, comprehensive replacement of all of the Orlit homes to modern Decent Homes standards.
 - To ensure that it is clear that estates regeneration is only supported where all three estates go forward to benefit from full regeneration, and not otherwise
 - *(included as recommendation G above)* To recommend that the council has had regard to the Self Build Register when developing the

Estates Local Plan and that the council should not allocate specific sites for self build and custom housebuilding in the Estates Local Plan in order to prioritise rehousing residents who are already living on the three estates in new homes built to modern standards and to progress a viable regeneration project

- To recommend that officers ask Circle Housing Merton Priory if CHMP would consider their sites, particularly smaller sites scattered across the borough, for self-build and custom housebuilding.

1.6 At their meeting of 14 November 2016, Cabinet resolved to recommend that council take forward all the recommendations A to G cited above in this report.

2. DETAILS

This section of the report covers:

- The regeneration context
- Planning policy
- The Estates Local Plan
- The ten commitments and residents offer
- The Circle Board and Resurgence.
- The formal relationship and agreements with CHMP
- The process for negotiating that relationship
- Governance and oversight

Regeneration context

2.1. Large scale regeneration of parts of the borough, including its larger housing estates, has been pursued over many years and through many policy evolutions. The ambitions for more and improved housing, enhancements to the quality of people's homes and environment, better transport and employment across the borough have been reflected in numerous strategies for planning, housing and the economy.

2.2 The broader regeneration objectives of the Council's Economic Development Strategy include enhancing district centres at Mitcham, and Morden and Colliers Wood, maximising use of existing public transport links, improving the urban fabric and environmental quality for residents and rebalancing investment and prosperity between the east and west of the borough. A key element of the Council's Core and Housing Strategies is to increase stock and improve access to appropriate sized homes and develop access to affordable and intermediate housing. The Estates Local Plan policies directly reflect these objectives and will be an

important consideration for the Planning Applications Committee (PAC) in considering specific applications at the appropriate time.

- 2.3 The Council has also been committed to ensuring its residents live in good quality housing, in particular ensuring that ex-Council housing is brought to and maintained at the Merton Standard, which is an enhanced version of the Decent Homes standard set by government. This commitment was enshrined in the Stock Transfer Agreement when the authority's stock passed to Circle Merton Priory Homes (CHMP). That Stock Transfer Agreement also recognised the ambitions for regeneration, and it contains clauses designed to enable large scale renewal.
- 2.4 Regeneration objectives represent long-term programmes extending over many years with multiple areas of work. The development of new housing and sustained improvement in the affordable housing stock are no exception. Establishing a robust policy framework in planning and legal agreements, upholding commitments to services and transparency with residents and delivering a very large construction programme is expected to take some 15 years. This report is an important milestone in that journey addressing primarily planning, legal and consultation issues.
- 2.5 Many elements of regeneration depend on or are led by other agencies and partners, including private sector developers, Transport for London or neighbouring boroughs. The Council is putting significant effort into these relationships. In this case the main partner is of course CHMP who own approximately 60% of the homes on each of the estates and most of the relevant land. The Council's financial interest in the regeneration programme is largely managed through the Stock Transfer Agreement and associated agreements which are therefore a fundamentally important part of the framework set out in this report.
- 2.6 This programme, like other regeneration initiatives, is complex financially. In particular, as the financial paragraphs set out, regeneration of these three estates is interconnected through the long-term effect on CHMP revenue. Members are therefore reminded that this is one project, emphasised by the proposed Estates Local Plan covering areas united by common strategic objectives.
- 2.7 In July 2014, the Council considered the work underway between CHMP and the authority to regenerate the three estates at High Path, Ravensbury and Eastfields. That meeting recognised the importance of this regeneration programme and authorised officers to proceed. That authorisation, including concluding financial negotiations, was confirmed by Cabinet in January 2016.
- 2.8 A range of options have been considered in the light of the objectives to improve residents' homes and delivering new housing stock. These are considered in more detail at paragraph 3 below, in the context of the Council's decision-making role in the programme. The review of CHMP arguments for comprehensive regeneration (as opposed to piecemeal repair) indicates that this is much the stronger option. The proposed approach delivers on housing and regeneration objectives in a way which is simply not possible by pursuing 'business as usual.'

Planning Policy

- 2.9 Members will be aware that the borough's planning policies sit within a complex framework of strategy, some set by the Council and others at London-wide and national level. All these policies and objectives are considered within the draft Estates Local Plan.
- 2.10 There are five documents which make up the borough's Development Plan:
- The Mayor's London Plan 2015 (and any subsequent amendments)
 - Merton's Core Planning Strategy 2011
 - The South London Waste Plan 2012
 - The Sites and Policies Plan 2014
 - Policies Map 2014.

The Draft Estates Local Plan, once adopted, will sit alongside these documents and form part of Merton's Local Plan.

- 2.11 The National Planning Policy Framework 2012 (NPPF) sets out the Government's policy on planning matters in England. All local plans should be in conformity with this national policy. The NPPF contains a presumption in favour of sustainable development.
- 2.12 The Mayor's London Plan March 2015 contains planning policies which guide all London boroughs on issues which benefit the whole of London, such as the number of new homes to be built, the size of town centres and transport issues. All other planning documents, including this Estates Local Plan must generally conform to the London Plan. The new Mayor has not yet begun formal consultation on amendments to the Plan, but has strongly signalled that any changes will both tighten the definition of 'affordability' and emphasise the proportion of affordable homes required in any new development..
- 2.13 The Merton Sites and Policies Plan and the Policies Map contain the detailed planning policies which guide planning applications for development in Merton and implement the more strategic principles set out in Merton's Core Planning Strategy and the London Plan. These documents also set out site allocations for new uses and illustrate where certain planning policies apply, such as town centre boundaries and neighbourhood shopping parades.
- 2.14 The core role of the Estates Local Plan is to guide development in the relevant areas, both for applicants bringing forward proposals and for members sitting on the Planning Applications Committee (PAC) when they consider those proposals. Without adopting such a document, it will be harder for developers (in this case CHMP) to have confidence that the Committee will support their proposals and they may therefore be less willing to commit to the investment needed. The Local Plan also helps the

PAC to ensure that proposals meet the Council's broader regeneration and community objectives.

Estates Local Plan executive summary

- 2.15 The Estates Local Plan has been prepared by the council to help guide what could be built and assess planning applications for three estates in Merton. Eastfields (Mitcham), High Path (South Wimbledon) and Ravensbury (Mitcham / Morden). If adopted, it would become part of the statutory Development Plan for the council and it has been prepared under the relevant government regulations and guidance associated with development plan-making.
- 2.16 Part 2 outlines the background to the document. It sets out its relationship to other plans and policies, the key drivers for the Plan, the case for regeneration, the overall design principles and the council's vision for each of these new neighbourhoods. It also defines the three geographic areas where the Plan applies, known as the Policies Map.
- 2.17 The Estates Local Plan will help shape significant investment in the borough and is a rare opportunity to support substantial improvements to the building fabric, pavements and roads, drains, street lighting, parks and landscaping of each area, to create neighbourhoods that will last. It will help provide new homes for existing residents at the same time as creating an attractive, well-connected neighbourhood and providing new homes to help address the needs of future residents.
- 2.18 The creation of new paths and streets within each estate and between the estates and the wider area will support walkable neighbourhoods, make it easier for people to find their way around, enhance the feeling of safety and security, and integrate the estates into the wider community.
- 2.19 It is important to note that the Estates Plan is based on deliverability evidence that shows that the three estates must come forward together to achieve regeneration. The estates regeneration programme presents a particular opportunity for the smaller estates at Eastfields and Ravensbury for which regeneration is only financially viable when connected with High Path.
- 2.20 The Estates Local Plan guides how new homes will be delivered via a co-ordinated strategy, considering the social, economic and environmental opportunities and impacts of growth and provides the framework for sustainable development of these areas.
- 2.21 The regeneration of all three estates as part of a single comprehensive programme has been presented to the council as the basis for being able to viably deliver regeneration and it is on this basis that the council is considering the deliverability of the Estates Local Plan. The delivery of attractive viable regeneration proposals on Eastfields and Ravensbury would not otherwise go ahead, were the smaller estates expected to be viably regenerated to a high standard as stand-alone developments.
- 2.22 Part 3, the main part of the document, looks at each of the three estate neighbourhood in turn. It proposes a set of detailed policies to guide

development. This is based on a detailed site analysis of the current neighbourhoods and a study of the historical context of the three estates.

- 2.23 The approach to Eastfields set out throughout the vision and policies in Part 2 of the plan is to plan for a “contemporary compact neighbourhood”: a new neighbourhood created with a distinctive architectural style in recognition of the existing estate’s experimental design with new traditional streets and paths through the estate improving links and views to the surrounding area. The creation of some landscaped streets and paths running through the estate will open up the estate improving access and views from the surrounding greener areas while retaining trees and green spaces within the neighbourhood. Improvements to the pavements, streets and drainage will also benefit the area.
- 2.24 The vision for High Path is to create a new neighbourhood, with taller brick-clad buildings set along a traditional street pattern which improves links to the surrounding areas. Buildings will be laid out as modern mansion blocks, a recognisable building type successful in other parts of London, which have a consistent height with good internal design and access to quality amenity space.
- 2.25 The approach to Ravensbury is to retain the character of its suburban parkland setting, retaining the attractive four-storey maisonettes in Ravensbury Court and creating a neighbourhood to the west. The townscape will be characterised by buildings arranged as traditional streets and spaces set in the wider parkland, improving links to the surrounding area, helping to manage flood risk and which protects and enhances landscape quality.
- 2.26 Part 4 sets out detailed design parameters to ensure design consistency across each estate. The plan ends by outlining how the plan will be delivered and implemented.
- 2.27 The Sustainability Appraisal / Strategic Environmental Assessment published alongside the Estates Local Plan demonstrates how the Plan has been informed by social, environmental and economic criteria as it has been created. This ensures that the final plan will facilitate sustainable development. Health impacts and equalities impacts have also been considered in the creation of the plan; the Health Impact Assessment and the Equalities Impact Assessment are available on Merton Council’s website via www.merton.gov.uk/estatesplan and available on request to future.merton@merton.gov.uk or 020 8545 3837.

Self Build and Custom Housebuilding Act

- 2.28 The council has a number of duties under the Self Build and Custom Housebuilding Act 2015. One of these is to have regard to the entries on Merton’s Self-Build register when carrying out functions relating to planning, housing, the disposal of land owned by the authority and regeneration.
- 2.29 To date (early November 2016) there are 195 individuals and two groups, although there may be duplicate names within the register.

- 2.30 Officers have had regard to the council's duties under the Self Build and Custom Housebuilding Act and associated regulations when preparing the Estates Local Plan. Officers do not recommend allocating sites for self-build and custom housebuilding as part of this Estates Local Plan on the basis that this is an estates regeneration programme and therefore the priority is rehousing residents who are already living on the three estates in new homes built to modern standards and providing new homes viably to meet housing need.
- 2.31 This does not preclude self-build and custom housebuilding within any or all of the three estates as part of the delivery of the plan, should this be a viable option supported by the landowner. In line with the recommendations of the Borough Plan Advisory Committee and Cabinet at their meetings in November 2016, it is recommended that CHMP are approached to see if they would consider supporting self build or custom housebuilding, for example by the sale of small surplus sites scattered across the borough.

Merton Council & CHMP's 10 Commitments and the residents offer

- 2.32 As detailed in Section 4 of this report, the council has carried out its own engagement to inform the production of the Estates Local Plan. The main respondents have been residents living within, nearby or owning property within the estates. Circle Housing Merton Priory have also provided an extensive response. Statutory consultees, including the Greater London Authority, Transport for London, the Environment Agency and other bodies have also provided responses. All of these have been considered in helping to shape this document.
- 2.33 When considering the approach to these estates, both CHMP and Merton Council have considered several options, set out in paragraph 3. When proposing a larger scale regeneration, both parties have been aware of the uncertainties and challenges this represents for residents and have sought through consultation and commitments to reassure them about the impact.
- 2.34 There has been extensive consultation on the proposals already, as set out in paragraph 4. In addition, and following the July 2014 Council decisions, the two organisations agreed a series of promises to residents, known as the '10 commitments'. These are listed below:

Ten Commitments

1 Circle Housing will consult with residents, consider their interests at all times, and address concerns fairly.

- 2.35 The council's extensive consultation is set out in Section 4 of this report. CHMP's response: In summer 2013 Circle Housing began consulting with residents of High Path, Eastfields and Ravensbury about the possible regeneration of the three neighbourhoods. Consultation activities, including one-to-one meetings with individual residents, have taken place at each project milestone. The master planning process and development

of the Residents Offer have been supported by on-going exhibitions, workshops and drop-in events for all residents. Feedback is collated and used to inform further iterations of the master plan and design of the new homes. We make every effort to show the correlation between residents' comments and the development of our designs with feedback presented at events, in newsletters and online.

2.36 In June 2015 we [CHMP] launched an independent survey of all households and published the results on our website. All individual enquiries from are dealt receive a personalised response from one of our regeneration managers.

- Other communications channels we use to keep residents informed include:
- Letters and newsletters with dates of the new master planning events delivered to all households at the same time. These are available in large print or translation
- Posters and flyers to advertise events
- Ongoing dialogue with the Wimbledon Guardian to make sure we are setting the news agenda for regeneration
- A dedicated project website
- Briefings with ward councillors and local MPs

2. Current homeowners will be entitled to at least the market value of their home should they wish to take the option to sell their home to Circle Housing.

2.37 This is a particularly important consideration as it reflects the strong concerns of residents that they are not financially disadvantaged by the regeneration in assessing the financial structure of the proposals for CHMP. It must also reflect the implications of the Secretary of State's recent decision regarding payments for properties on the Aylesbury Estate in Southwark.

2.38 CHMP's response: This is explicit in Residents Offer which includes sections for resident homeowners and landlords. The former receive market value plus 10% and the latter receive market value plus 7.5%. Valuation, legal and relocation costs are also included. Resident homeowners who wish to stay living in their neighbourhood after regeneration will be offered a replacement home with the same number of bedrooms as their existing home at no cost. They will own their home outright from when they move in and may only have to repay some or all of the difference between the replacement home and existing one if they move within 11 years. (Please note that a replacement home is likely to be worth more than an existing one).

2.39 CHMP's 'early buy back' scheme gives homeowners the option to sell their home to us on the same terms as above (not including the replacement home option) if they wish to move before the regeneration starts.

3. Existing Circle Housing Merton Priory tenants will keep all their rights, including tenancy conditions and the associated rent level, in the new neighbourhood as they do now.

2.40 These commitments, crucial to many tenants, remain in place.

2.41 CHMP's response: the Residents Offer published in May 2015 by Circle guarantees that current tenants will keep all their rights, including tenancy conditions and the associated rent level, in the new neighbourhood as they do now.

4. Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household.

2.42 CHMP's response: The Residents Offer published in May 2015 by Circle guarantees that current tenants will be rehoused in a new home of the appropriate size considering the number of people in the household. This will result in an increase in the number of habitable rooms being provided overall as none of the currently overcrowded households will be overcrowded in their new homes.

5. All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents' fuel bills.

2.43 This requirement is central to the Estates Local Plan and will need to be reflected in planning applications.

2.44 CHMP's Response: all new properties will be built to current energy standards and will be better insulated and easier to heat than those that they replace. Circle Housing's masterplan proposals and planning applications for early phases outside the masterplans will include details on the type of construction and energy strategies that will be in place to demonstrate this.

6. Circle Housing Merton Priory will keep disruption to a minimum, and will do all it can to ensure residents only move once if it is necessary to house them temporarily while their new home is being built.

2.45 The council will always expect that minimising disruption and specific support as key parts of the works which will be undertaken and managed by CHMP.

2.46 CHMP's response: Circle will keep disruption to a minimum by having workable decant and construction strategies in place. Housing needs of existing households will change over the course of the project and we will keep this under constant review. Wherever possible, existing residents will move directly into their new homes. If temporary housing is unavoidable Circle Housing will assist residents with their moves.

7. Circle Housing will offer extra help and support for older people and / or disabled residents throughout the regeneration works.

2.47 This is a key commitment that the council will be keen to ensure is maintained throughout all regeneration projects.

2.48 CHMP response: CHMP have committed to helping older and disabled residents throughout the regeneration works. This will include helping tenants and resident homeowners arrange and prepare for their move, arrange service and utilities connections, etc. CHMP offer help with things like re-hanging curtains and fitting lightbulbs, provided through a free handyperson service. If tenants or resident homeowners have any extra needs CHMP can offer support or refer them to specialist services. Each neighbourhood will have dedicated staff appointed to help residents every step of the way to help make the move go as smoothly as possible.

2.49 In our Residents Offer we promise to help residents / tenants 'arrange and prepare for your move. We'll pay for removals including packing materials and a packing service. For older and vulnerable residents, we'll offer help with things like re-hanging curtains and fitting lightbulbs. If you have any extra needs connected with your move, we can offer support or refer you to specialist services.

- Extra help could include:
- Help with claiming benefits at your new address
- Help with changing electricity, water, phone and other utility supplies
- Advice about home aids and adaptations

8. Circle Housing will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service.

2.50 Whilst the regeneration plan is instead of the refurbishment needed to bring homes up to the Merton standard of decency, it will still be important that during the regeneration phase all homes are maintained to an adequate standard of repair, including responsive repairs. Commitment 8 gives Circle's commitment to ensure that this happens. We will continue to work closely with Circle, using the established system of performance reporting, to ensure that this commitment is met. This is all the more important given recent concerns on this point.

2.51 CHMP response: we are committed to ensuring that all homes across its stock including those identified for regeneration are maintained as per residents tenancy and leaseholder agreements. Any required repairs will be remedied within the current contractual timescales in accordance with the nature and urgency of the repair. In addition Circle carry out independent quality checks of repairs undertaken and routine property checks will be ongoing throughout the regeneration programme. Where it is mandatory Circle Housing will continue to ensure serviceable items are inspected and certified safe within the required periodic timeframe to ensure statutory and regulatory requirements are adhered to. In addition periodic inspections and assessments will continue, with associated identified actions and or consequential works tracked and managed

9 Any growth in the number of homes will be consistent with the Council's Development Plan so that it is considered, responsible and suitable for the area.

2.52 This commitment is reflected in the council's estates plan which contains a thorough analysis of each neighbourhood. The council's commitment in this area will then need to be reflected in the planning applications made by CHMP.

2.53 CHMP's response: our regeneration proposals take into account the Council's Development Plan so that the growth in homes is proportionate, while addressing the borough's urgent need for high-quality new housing.

10 As a not for profit organisation, Circle Housing will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods.

2.54 This will be monitored through the legal agreements between the council and CHMP

2.55 CHMP's response: As a not for profit organisation with a social purpose of enhancing life chances, Circle Housing invests any surplus back into building and maintaining homes and supporting communities.

More information on resident's offer.

2.56 Homeowners have raised concerns with the council during Estates Local Plan consultations and throughout 2015 and 2016 about their residents offer and in particular what "like for like" actually means. While this is set out in the 2015 residents offer, the council have exercised its due diligence to residents in seeking clarification from CHMP on this important matter. CHMP have provided this clarification as follows:

<p>A) Do resident homeowners get like for like?</p>	<p>The Residents Offer details the Replacement Home Option which is offered to those resident homeowners who were living on one of the three neighbourhoods on the 27th May 2015 (when the Residents Offer was published). The Replacement Home Option confirms:</p> <ul style="list-style-type: none"> • If you are currently a freeholder you will be offered a freehold on your new property • If you are a leaseholder you will be offered a new 125-year lease on your new property • The new home will be at least as large as the home it replaces • Every Replacement Home will have private outdoor space • If you live in a house you will be offered a house, if a flat a new flat and a maisonette a new maisonette • The new home will have the same number of bedrooms as the existing home had when it was first built • There will be a Replacement Home for every resident homeowner who chooses to stay • They will be entitled to a £3,000 disturbance allowance
<p>B) If you are a freeholder now, will you be a leaseholder (and therefore liable for</p>	<p>If you are a resident homeowner and a freeholder we will offer you a new freehold property.</p> <p>If you are a resident homeowner and a leaseholder we will be offering you a new 125 leasehold at no cost and irrespective of how long you have to</p>

<p>service charges) in the new development?</p>	<p>run on your current lease</p>
<p>C) What circumstances will shared ownership or shared equity products be offered to resident homeowners? What circumstances are envisaged where these products will be offered to resident freeholders?</p>	<p>There is no shared ownership option (which involves paying rent on the part of the home owned by the Housing Association) in the Residents Offer.</p> <p>CHMP include a shared equity option (where no rent is payable) as a “safety net”. This is to ensure that those residents who have a mortgage and for some reason are unable to transfer it to their new Replacement Home (perhaps because their circumstances have changed) will still be able to take up the offer of a new home and stay in their neighbourhood. In those circumstances we will meet the financing gap using shared equity. This helps us fulfil our commitment to provide a Replacement Home for any resident homeowner who chooses to stay and at no cost to them.</p> <p>Where one of CHMP’s tenants exercises their Right to Buy after the 27th May 2015 (when the Residents Offer was published) CHMP will offer them a new home of the same size and typology on a shared equity basis.</p> <p>These are the only circumstances where shared equity is applied in the Residents Offer.</p>
<p>D) Where will all resident homeowners live during the redevelopment process and who will pay for this?</p>	<p>CHMP will always try to move resident homeowners straight into their new Replacement Home, i.e. without the need to be temporarily housed. The phasing plans for all three neighbourhoods have been designed to accommodate this approach.</p> <p>For a small number of existing resident homeowners this may not be possible, for example as a consequence of their choice of location and its position in the phasing plan. CHMP may be able to offer a temporary Circle Housing home in their neighbourhood or another part of Merton, though this would need to be agreed with the London Borough of Merton who retain nomination rights as part of the 2010 Transfer Agreement.</p> <p>A disturbance payment of £3,000 will be available. Resident homeowners won’t be charged rent as long as they agree to the terms set out in the Residents Offer regarding accepting the market value plus 10 per cent for their existing home, the value of the new home and the licence agreement for the temporary home.</p> <p>Anyone living in a temporary home for longer than one year will be entitled to an additional £3,000 disturbance payment.</p>
<p>E) Is “like for like” tenure; number of bedrooms; habitable rooms or house / flat?</p>	<p>The Replacement Home option means that if you live in a house which was originally built as a three bedroomed house, then the Replacement Home will be a three bedroomed house. The owner of a two bedroomed flat will be offered a new two bedroomed flat, etc.</p> <p>Every Replacement Home will be at least as large as the home it replaces.</p> <p>Every Replacement Home will have private outdoor space (i.e. a garden, balcony or roof terrace) irrespective of whether the original home had this or not.</p>

- 2.57 CHMP has made a detailed residents' offer as part of its consultation and preparation for regeneration which was published in May 2015. They have also made a series of commitments on repairs and maintenance. These service elements, while not directly relevant to the decisions within this report, are of considerable importance to residents.
- 2.58 Members are also requested to note that the Homes and Communities Agency has given approval for the merger of Circle Housing and Affinity Sutton.

Circle Board

- 2.59 Circle Housing are implementing a programme across the group of amalgamating the individual housing associations within the group into one large association. Circle see this process known as 'Resurgence' as a key means of achieving greater efficiency and effectiveness and as necessary to ensure they can deliver regeneration schemes such as the one proposed in Merton. In Merton this would result in the disbandment of the CHMP Board and the creation of a local Community Panel
- 2.60 Negotiations continue regarding the establishment of a local Community Panel specifically for Merton residents. While not a planning or regeneration matter, it interconnects with the relationship between the organisations and their reputations with residents.
- 2.61 CHMP are currently in consultation with residents on the plans. The consultation ends on 30 November 2016 and the results are due by 7th December 2016.
- 2.62 Circle Housing seeks to complete the process by March 2017 and will require the support of the Council to achieve this.
- 2.63 Members are requested to note the process of Resurgence that is underway that following the resident consultation and the finalising of the Community Panel Terms of Reference, further information will be presented to Council in February 2017 in order for Members to make to make a decision on this matter.

Formal relationship with CHMP

- 2.64 This section of this report addresses a number of matters in the formal legal agreements with CHMP:
- the Stock Transfer Agreement (STA) and clawback,
 - the Council's possible role in land assembly
 - arrangements regarding nominations
 - process for negotiations and delegations

- 2.65 On 9th July 2014, council agreed to a variation of the Stock Transfer Agreement. This suspended CHMP's obligations to carry out work required to achieve the Decent Homes standard on the three estates for up to 18 months to enable CHMP to explore estate regeneration. Council also agreed to start the preparation of an Estates Local Plan to explore regeneration.
- 2.66 The Cabinet meeting of January 2016:
- delegated authority for concluding financial negotiations to the Directors of Environment and Regeneration
 - delegated authority for agreeing a programme to deliver Decent Homes to the Director of Community and Housing, and
 - required amendments to the Stock Transfer Agreement to come back to Cabinet and Full Council
- 2.67 In January of this year, after the 18 months had been reached, Cabinet reviewed the position and decided that CHMP must be held to their Stock Transfer Agreement commitments to deliver Decent Homes for residents during preparation for and delivery of this renewal programme. Authority was delegated to the Director of Community and Housing to agree an approach to delivering these works. CHMP have made a detailed proposal which has largely been agreed by the Director of Community and Housing and is in the process of being formalised.

Stock Transfer Agreement

- 2.68 There are a number of issues on which the Stock Transfer Agreement needs to be updated but which have no financial impact. Heads of Terms for this Deed of Variation being drafted. As these are technical matters it is recommended that negotiating final agreement within these Heads of Terms is delegated to the Director of Environment and Regeneration, Director of Community and Housing and Director of Corporate Services.
- 2.69 The financial impact of discussions on clawback are discussed at Section 6. Members will see from that section that there is no proposed change on the percentage rate of payment for sold properties, although there is outstanding discussion on the rate of payment (e.g. quarterly or annual).

Land Assembly

- 2.70 The estates each sit in different ways in relation to their surroundings, offer slightly different challenges in respect of retaining residents close to home during any temporary decant period and a range of opportunities to improve the urban fabric while optimising the number of new homes. CHMP may need to assemble land to realise these opportunities.
- 2.71 If the current owners of sites that prevent comprehensive and effective regeneration are resistant to sale, the Council will be asked to consider exercising its Compulsory Purchase powers. Property acquired in this way would then be sold to CHMP as part of the programme. If a situation should arise where regeneration can only be delivered through use of

those powers then a separate and further decision will be required by members about whether to proceed. This report is not a decision to exercise such powers nor does it delegate the specific exercise of such powers to any councillor or officer.

- 2.72 CHMP have undertaken to indemnify the Council against any and all reasonable costs involved in using these compulsory purchase powers. The details of such a legal agreement would be reported to members at the time they were asked to consider using such powers on specific sites.

Nominations and void management:

- 2.73 New affordable homes which replace those existing now will be covered by the existing Nomination Agreement which ensures that 100% of True Voids are made available as nominations to the Council. When the planning consents confirm that new affordable homes for rent will be provided (which are not replacements of existing affordable homes), the Council will need to negotiate and enter into a new supplementary agreement for nominations.

- 2.74 Negotiations have begun with CHMP on the use of void properties on the estate, especially those bought back from owners, with the intention using them to help the Council with the discharge of its obligations to people that are homeless or in housing need.

Process of negotiation, governance and oversight

- 2.75 Members are therefore recommended to:
- Continue the delegation (as agreed by Cabinet in January 2016) of negotiation with CHMP on financial viability matters to the Director of Corporate Services, Director of Community and Housing and Director of Environment & Regeneration in consultation with relevant Cabinet members, and
 - Delegate final conclusion of the Deed of Variation to the Stock Transfer Agreement to the Director of Corporate Services, Director of Community and Housing and Director of Environment & Regeneration in consultation with relevant Cabinet members.
- 2.76 Members of course retain a keen interest in the service provided by CHMP to its tenants, leaseholders and residents on the estates, even though the Council is no longer providing these landlord services. At its meeting July 2014, members expressed continued concerns about the quality of relevant services to residents and have closely monitored performance since.
- 2.77 In addition to the Cabinet consideration in January 2016, the *Sustainable Communities Scrutiny Panel* discussed the programme on the following dates:

29 September 2015:

- Overview of Stock Transfer and update on delivery commitments
- CHMP Regeneration programme

- Repairs and Maintenance Programme

11 June 2015:

- Update on regeneration
- Report of Housing Scrutiny Task Group

7 September 2016

- Circle Housing Merton Priory merger with Affinity Sutton

- 2.78 The Sustainable Communities and Transport Partnership has also monitored the programme with discussions in March and June 2015 and March and September 2016.
- 2.79 The Borough Plan Advisory Committee has closely monitored the development of the Estates Local Plan, specifically at their meetings in September 2014 and January, April, September and November 2016.
- 2.80 The most recent meeting of Borough Plan Advisory Committee took place on 8th November 2016. At this meeting councillors resolved to advise Cabinet of the following recommendations, which Cabinet resolved to recommend to this council at their meeting on 14th November 2016
- to publish the Estates Local Plan and associated sustainability appraisal for comments followed by submission to the Secretary of State for Communities and Local Government
 - To delegate authority to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing to approve any amendments to the Estates Local Plan and sustainability appraisal that may arise from 24 November 2016 until the receipt of the Planning Inspector's final report, to approve consultation documents or officer's responses to comments received at the pre-submission consultation and during the examination process.
 - To ensure it is made clear that a key reason that regeneration on Ravensbury is being supported, despite local opposition, as a method of providing a viable, comprehensive replacement of all of the Orlit homes to modern Decent Homes standards.
 - To ensure that it is clear that estates regeneration is only supported where all three estates go forward to benefit from full regeneration, and not otherwise
 - To recommend that the council has had regard to the Self Build Register when developing the Estates Local Plan and that the council should not allocate specific sites for self build and custom housebuilding in the Estates Local Plan in order to prioritise rehousing residents who are already living on the three estates in new homes built to modern standards and to progress a viable regeneration project
 - To recommend that officers ask Circle Housing Merton Priory if CHMP would consider their sites, particularly smaller sites scattered across the borough, for self-build and custom housebuilding.

2.81 It is proposed that these reports will continue at significant milestones in the project.

3. ALTERNATIVE OPTIONS

3.1 The strategy proposed in the Estates Local Plan and the CHMP comprehensive regeneration programme are initially driven by two housing objectives (although, as paragraph 2 makes clear, there are other regeneration objectives achieved). The aims are to improve the housing stock and to increase the supply of dwellings. This options analysis looks first at the key decision in this report, to publish and submit the Estates Local Plan, and then at the issues surrounding regeneration and replacement.

3.2 Unlike some authorities embarking on comprehensive estate regeneration, Merton Council does not own the housing stock, and little of the land surrounding the estates. Planning policy is therefore its key lever in steering and controlling the regeneration, supported by legal responsibilities placed on CHMP through its agreements with the Council.

Production of the Local Plan

3.3 Two options are available for the Council regarding its planning policy framework:

- do not create a local policy framework and rely on the NPPF and London Plan for guidance in determining applications from CHMP
- produce an Estates Local Plan

3.4 These options have been evaluated against their contribution to the housing objectives, broader regeneration aims, the cost to the Council, and the risk assessment of achievement. Each option has been graded for its contribution:

1 Low: this option has no or very little impact to support the Council's objectives (including managing with available resources)

2 Limited: the option has only a small contribution to the objectives, applying only in specific circumstances

3 Useful: will help the Council procedurally or financially in achieving its objectives

4 Significant: makes a major contribution to delivering the objectives

5 Crucial: this option is a necessary condition of delivery, without which the programme cannot go forward

	No local planning policy framework	Produce an Estates Local Plan
Contribution to improving existing stock through Decent Homes	Limited as such improvements would not normally require planning consent unless new homes were being built	
Contribution to developing more	Low as although both NPPF and the London Plan are in	(1) Significant as allows Council to set its expectations for growth, rooted in

new homes	favour of new developments they provide relatively little local guidance on key matters relating to local character and capacity, site layout, density etc which fundamentally affect the amount of housing delivered	existing and developing policies regarding site layout and access, open space, connectivity and services. (2) Significant in providing clarity and certainty to residents as to what the regenerated estates could be like and to CHMP (as developer and investor) on the Council's position and therefore helping the regeneration to proceed to an agreed Plan (3) Useful in enabling PAC to make robust decisions which are less likely to be subject to appeal or inspection
Contribution to broader regeneration aims	Limited as it will be entirely in the power of the developer whether to include e.g. employment or retail in the proposals	Significant as a thorough policy framework can set out such expectations, in addition to principles regarding transport, design quality, accessibility and safety that are specific to the character and needs of each area.
Cost	Significant: this option has no immediate cost	Low: there are costs to developing a Local Plan. To minimise the impact on council taxpayers and the public purse, CHMP is making a major contribution to these costs (see para 6 below)
Risk assessment of delivery	Green: no action is required	Amber: adopting the Estates Local Plan is a lengthy process including an Inquiry which is not within the Council's control regarding timing or outcome.

3.5 This appraisal suggests that the Council's objectives are better supported by developing an Estates Local Plan and so it is recommended to proceed.

Regeneration options set out during the development of the Estates Local Plan

3.6 The issues and options consultation on the Plan earlier this year set out three options:

- refurbish existing homes via the CHMP decent homes programme,
- consider selective infill developments to increase housing supply and
- consider a full-scale regeneration of the three estates.

3.7 It should be noted that the majority of the options assessment for this programme rests with CHMP as owner, developer and investor. There are several elements of their consideration which are of specific interest in their support to the Council's objectives:

Issue	CHMP position	Commentary from Merton Council perspective
Delivery of additional homes	The plans propose an additional 1489 homes (based on September 2016 iterations of the masterplans). New homes will not be generated by a repair-based strategy.	Creating additional housing in the borough is key objective of several strategies and a major driver of national government policy. Consideration of the quality of the new neighbourhoods and homes proposed will be an important consideration for Merton's Planning

		Applications Committee.
Delivery of affordable housing	All affordable housing units will be re-provided and overall numbers (currently) projected to increase by 38, which would not happen in a repair-based strategy.	The proposals will need to be compliant with the London Plan and Merton's Core Planning Strategy requirements for affordable housing (as they are at the time of determination) which will be an important consideration for Merton's Planning Applications Committee when applications are received.
Increased size and rooms available in affordable housing	On the basis of habitable rooms the proposals indicate a c12% growth in affordable provision. These are all for affordable rent, at not more than 65% of local market levels. (Shared equity properties are not included in this calculation). This would be impossible in a repair based strategy.	Eradicating overcrowding is a key objective so increasing the supply of bigger affordable homes is a significant contributor to help meet housing need.
Increased size properties	All new homes built to London Plan and London Housing SPG space standards and have private outdoor space (including balconies). Changing the sizes of existing properties is impossible without replacement.	Significant amenity and size improvement for residents.
Addressing major structural issues with the dwellings	Some of the properties are in need of major structural works or can be expected to fail in the next few years. This is particularly important in respect of the Orlit houses in Ravensbury. (Such properties are classed as defective due to problems with the cement processes used in construction which in turn affect the steel beams and joints used in the house frame.) Replacing or very major repairs to these properties will be required, probably during the anticipated life of the regeneration programme.	The judgement of the best technical strategy is a matter for CHMP as owner of the properties. Officers recognise the problems with this method of construction which has been widely reported.
Other placemaking features including open space, community facilities, employment and retail space, job creation.	These are much greater under the regeneration proposals than in the repair-based strategy, including significant elements of employment space and improving current unkempt open space being particular benefits	A repair based strategy which does not alter the footprint of existing buildings cannot achieve these gains.
Disruption and dislocation for residents.	This is being managed as carefully as possible but is inevitable in a large scale programme	The repair based approach is of course less disruptive in the short term.
Financial impact.	CHMP's case for regeneration (updated October 2016) states that refurbishment and partial redevelopment of the three estates	The costs of all options fall entirely on CHMP. Provision of additional, homes, particularly affordable housing, will help to address

	will each incur costs of over £40million. For whole site regeneration, there would potentially be a profit of £9million.	overcrowding, improve the council's ability to manage its housing duties. Regeneration will require negotiation of and variation to the stock transfer agreement between the council and CHMP which will have financial implications depending on what is negotiated.
Process costs.	Complete renewal will be a higher process cost during the regeneration but should be reduced costs afterwards as repairs and complaints reduce	There are increased process costs to achieve agreement, but these are subject to an indemnity agreement from CHMP.

3.7 This outline appraisal of the issues raised by CHMP in considering the options between repair and renewal supports their assessment that renewal is preferable. In particular it is the stronger strategy for long term delivery of more housing, better quality homes and comprehensive regeneration.

3.8 The sustainability appraisal also reviewed the options of refurbishment and full regeneration (see section 8) and concluded that full regeneration was the preferred option.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1 This report is primarily concerned with the planning policy framework, and to a lesser extent with the legal framework enabling regeneration. As mentioned in the first of the Ten Commitments above in this report, to date CHMP have also conducted extensive consultation on the detail of their proposed masterplans and regeneration.

Planning consultation with the public

4.2 Merton Council led consultations at each stage of the Local Plan preparation, summarised in the report of community consultation as an appendix to this report. There have two stages of consultation:

- September to November 2014: short leaflet and a long questionnaire, public meetings, meetings with residents groups
- February and March 2016: draft plan published, a short questionnaire, public meetings, drop in sessions on evenings and weekends and meetings with residents groups

4.3 Both rounds received a wide range of responses including letters, petitions, forms, hard copy and web replies from a wide range of residents and residents groups.

4.4 In the second stage, when residents were asked to comment between options for complete regeneration, partial regeneration and ongoing repair and maintenance, 312 responses were received:

- High Path: 106 responses,
- Eastfields: 86 responses,

- Ravensbury: 113 responses
- 4.5 There were also some multiple responses from the same household (2% each on Eastfields and High Path and 10% on Ravensbury).
 - 4.6 On both Eastfields and High Path the option of entire regeneration received the most support, preferred by 64% for Eastfield and 42% for High Path residents.
 - 4.7 By contrast, Ravensbury respondents had a strong preference for the repair option.
 - 4.8 The consultation also asked residents about eight policies relating to townscape: height, traffic movement, street network, the natural environment, design quality open spaces and environmental protection.
 - 4.9 The consultation responses for Eastfields and High Path showed support for all of the policy areas bar building heights, especially quality design of buildings and open space, support for traditional streets alongside the need to resolve traffic problems and high value placed on having access to well-designed parks, open spaces and play areas. Overall response rates on policy issues were very low on Ravensbury as many respondents didn't provide any information beyond their names, address and preference for repairs / partial regeneration / full regeneration. However the Ravensbury Residents Association provided an extensive 58-page response with detailed comments on the draft Estates Local Plan
 - 4.10 Building heights evoked the strongest responses overall, due to concerns about daylight, privacy, crime, micro-climates and deterioration in the character of the area.

Planning consultation with other organisations and statutory consultees

- 4.11 As part of the consultations on the Estates Local Plan between 2014 and 2016, the council has consulted various statutory organisations including the GLA, Transport for London, Historic England, the Environment Agency, Natural England and others.
- 4.12 Responses were received from most of these organisations which were used to inform the plan. All of the responses received can be found online via www.merton.gov.uk/estatesplan and are summarised in the Report of Consultation accompanying the Plan.
- 4.13 The council has also fulfilled its duty to co-operate requirements in consultation with other London boroughs, particularly its neighbours of Kingston, Sutton, Croydon, Lambeth and Wandsworth. While the estates regeneration project is a very significant project for Merton, the three estates are not located close to neighbouring boroughs and, from their perspective, propose a steady but modest increase number of homes spread over 10 years. Therefore other London boroughs have not identified significant issues of co-operation required on this particular plan over and above ongoing co-operation on housing.

Amendments to the draft Estates Local Plan

- 4.14 Following the stage 2 consultation, officers considered the consultation results, sustainability appraisal and other research including national and regional planning policy to consider what is the most appropriate option regarding estates regeneration and amendments to the draft Estates Local Plan.
- 4.15 A summary of these amendments was presented to the Borough Plan Advisory Committee in September 2016:
- Addition of composite plan for each estate and various amendment to improve consistency and clarity of plans.
 - Strengthening the townscape policies for each estate to ensure that how the estate looks and feels is linked to the overall vision.
 - Amendments to street network and movement and access policies and justification to clarify that vehicle and pedestrian movement should be managed separately from issues of the provision of a street, road or path: if a new road is provided (street network), whether it is open to two-way vehicle traffic should be a separate and more detailed consideration under movement and access; helping to address concerns about rat running and traffic movements.
 - Strengthened policy on environmental protection to clarify expected detail on flood risk mitigation, air quality, energy efficiency of building
 - For land use on each estate, updated policy to place a greater emphasis on the local character and site analysis of each neighbourhood, optimising (not maximising) housing supply, moving away from the rigid formulaic approach to density.
 - For building heights, improved guidance based on site analysis, area character and local context and removal of reference to fixed storeys
 - Section on design codes substantially amended to specify design requirements for planning applications - providing greater clarity as to what is expected of developers
 - Amendments to improve consistency regarding protection of existing trees and extending the trees along Merton High Street
 - Revisions to the delivery and implementation section to strengthen this
 - A number of text changes recommended by various respondents to improve or clarify the document, address factual errors

5 TIMETABLE

Timetable for Estates Local Plan

- 5.1 Presuming agreement to this draft Local Plan at full Council, the Plan will be formally published for a last period for comment. At this stage the council is not seeking any further amendments to the Plan, as respondents will have the

opportunity to comment to an independent planning inspector This period will last for six weeks and will run till late January or early February 2017. Following this period any consequential amendments will be incorporated, As set out in the recommendations, councillors will review the viability of the programme overall and the final draft submitted to the Secretary of State for Local Government and Communities by the end of March 2017.

- 5.2 The Planning Inspectorate will appoint an Inspector who will conduct an Inquiry. There is approximately a six month gap between submission and the Inquiry, the public hearing for which is expected to take approximately two weeks (depending on the volume of evidence submitted). The Inquiry is therefore likely to be completed somewhere in the Autumn of 2017.
- 5.3 Following the Examination and depending on the views of the Inspector there may be further amendments to the Estates Local Plan before it is finally resubmitted to Council for adoption. This is likely to be about one year from now.
- 5.4 Members should note that in the overall timetable this report is a key milestone. CHMP, like any applicant, may submit a planning application at any time. CHMP have said that they will submit outline planning applications for each of the estate to the Council in December 2016 as the Estates Local Plan proceeds to adoption. These planning applications for the whole estates would be determined after the Estates Plan examination and inquiry in public or after the formal adoption of the Estates Local Plan. This enables CHMP to confirm their proposals fit with the policy framework but will speed up regeneration and reduce resident uncertainty in the following years. A key issue raised by residents at the public consultations (whether they supported the regeneration or not) was the length of time it was taking and the associated uncertainty of not knowing whether regeneration would happen and therefore not being able to make investment decisions for their own homes or lives. Progressing with a programme that keeps the communities together and minimises the length of each regeneration phase will minimise uncertainty and disruption for those involved.
- 5.5 As the options appraisal at paragraph 3 sets out, without an Estates Local Plan framework, the PAC will be guided by Merton's statutory development plan (Merton's Core Planning Strategy 2011, Merton's Sites and Policies Plan 2014, the London Plan 2015) and national policy in making its decisions. As this draft Estates Local Plan moves forward, building in the views following consultation, it will gain weight in requiring the various policies to be followed, and support investor confidence.

CHMP regeneration planning applications timetables

- 5.6 CHMP have provided the following timetable for their regeneration proposals, (subject to other matters including approval of planning applications)
 - Planning approvals for Ravensbury Phase 1 - September 2016
 - High Path Phase 1 Planning application submitted – September 2016

- Outline Planning Applications (masterplans) for all three sites submitted – December
- High Path Phase 1 planning application determined – January 2017
- Ravensbury Phase 1 start on site – February 2017
- High Path Phase 1 start on site (subject to planning approval) – August 2017
First new homes ready for occupation at Ravensbury – March 2018
- First new homes ready for occupation at High Path – February 2019

6. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 There are several areas of ongoing financial analysis within the programme which are set out in summary below, which in turn inform the proposed ongoing approach to negotiating changes in the Stock Transfer Agreement. These include the CHMP Business Plan and indemnities operating between the Council and CHMP.

The CHMP business plan for regeneration

- 6.2 CHMP have of course undertaken significant analysis of the viability of the proposals and have operated an open book policy enabling the Council to see all elements of that appraisal. The Council has also commissioned independent reviews of this Business Plan, using independent advisers BBP. BBP consider the overall model used by CHMP to generally fit for purpose within the current agreements.
- 6.3 Members are reminded that the Business Plan operates across all three estates and cannot be unpicked to operate estate by estate. This is both because of the management of cashflow and the opportunities for additional properties for sale offered at different points in the programme.
- 6.4 It is crucial that the Business Plan shows a project which is viable (i.e. does not result in a loss to either CHMP or the Council) and is robust in its assumptions that underly the viability. The Planning Inspector will wish to see this confirmed during the Inquiry, even while recognising the variability of some key assumptions, so ensuring the Business Plan creates a robust, viable and deliverable programme is both a financial and planning matter for the Council to consider.
- 6.5 The Business Plan relies on assumptions about the costs of the project over many years and the income to be achieved by sales and rents. The number of properties, the rate of sales (whether shared equity or complete) and the ratio of market to affordable rents are therefore all key to viability. The assumptions made by CHMP do show the project to be viable, but some of them need further analysis and testing as following paragraphs set out.
- 6.6 It is of course the case that both the costs of the programme and the value of properties (both rental and sale) will change across time, and may also be considered especially unpredictable in the current trading context. Therefore it is impossible to predict all elements of the outcome, especially the repayments which might be made to the Council under the 'clawback'

provisions of the Stock Transfer Agreement. However, a formula governing such calculations was set out in the Agreement at the time of transfer.

6.7 Four aspects of the Business Plan financial assumptions are of particular importance for the Council in considering the decisions regarding the Stock Transfer Agreement and proceeding with the Estates Local Plan:

- Core assumptions in the model
- The 'clawback' model
- The treatment of VAT
- The effect of delay

Core assumptions in the model

6.8 The Business Plan makes certain assumptions about the development mix, income (to CHMP), costs, investment returns and the treatment of ongoing improvements.

6.9 Current development assumptions are based on early stage masterplans and will be subject to review as planning applications are prepared. The Council as Planning Authority will be considering the detailed applications and will have to determine how applications fit with policy aspirations (including the current policy requirement for 40% of the additional homes to be affordable.)

6.10 Income estimates based on consumer and house prices and building cost indices were considered broadly in line with forecasts at the time of the last review. Discussions are still underway regarding the estimates of sales prices, phasing of sales and early discounting, sales rates and rental income, all of which may be affected by post-referendum uncertainty.

6.11 A wide range of cost assumptions must be made in such a model. Further detail is still required on some elements (e.g. the costs of demolition). Others reflect policy assumptions (including the Community Infrastructure Levy charge payable on the development). Some are related to money directly payable to or by the Council (see below) and the residents offer.

6.12 The investment returns expected in the model are considered reasonable, and are lower than a mainstream developer would anticipate given the risks involved over such a long timescale.

The 'clawback' provisions

6.13 The Stock Transfer Agreement contains a provision within which the sale of additional dwellings (excluding commercial property) is subject to sums to be paid to the Council as a percentage of the sales achieved, depending on whether the proposed regeneration is a "Relevant Development or an "Estates Redevelopment". The agreement includes the current situation of a comprehensive regeneration (agreed as an "Estate Redevelopment") resulting in more properties being created and assumes the Council would receive 5% of the greater of (a) the price received on disposal by way of open market sale of any dwelling comprised within the Estate Redevelopment or (b) of the open market value of the dwelling comprised in such disposal..

- 6.14 CHMP have committed to delivering the programme with the existing 'clawback' agreement. The council would only receive clawback if the regeneration programme goes ahead and the specific numbers are generated by the assumptions in the model which (as the previous paragraphs spell out) are themselves subject to change. Such potential receipts calculations will vary depending on the particular inputs at the time of calculation (e.g. interest rate levels, project costs etc.). The latest iteration of the Business Plan confirms that the project is financially viable and this will be monitored over time.

The treatment of VAT

- 6.15 The Stock Transfer Agreement created an income to the Council arising from the way VAT is managed by CHMP. These receipts are factored into the Council's medium term financial projections and reviewed every six months. This income will be lost during the regeneration programme, representing some £3m across the 11 year build programme.
- 6.16 CHMP have now included an element for this income in their Business Plan but detailed technical matters mean that CHMP and the Council are still to reach agreement on the precise amount that should be taken into account.

The effect of delay on the programme: will the prospects for viability improve?

- 6.17 It is important to consider whether the cost:value ratio would improve in the future and so the Council's financial interests would be best served by delay.
- 6.18 Inevitably such considerations involve economic projections, but several factors can be identified for consideration:
- Costs will increase as more tenants exercise their Right to Buy
 - Increasing pressure to implement Decent Homes Works divert funds away from replacement and make the business case for renewal harder
 - Ongoing and increasing pressure on housing associations which reduce their room to manoeuvre
 - Moody's and Standard & Poor's have both commented that changes in government policy and reducing surpluses are affecting associations' credit ratings, which in turn reduces their access to cheap loan finance
 - Projections for the housing market in London. In 2015, Merton saw strong house price growth but the situation is now uncertain
 - Outlook for the construction market including resourcing problems (eg for supply of bricks) and labour supply, where there have been severe restrictions on builders' capacity following the 2007/08 crisis. This situation has been improving but may now also become more constrained.
- 6.19 As well as meeting housing need the projects should secure significant direct and indirect benefits including new construction and other jobs and fiscal benefits (through providing new homes for residents, Council Tax etc) which would not be achieved by reverting to an ongoing programme of repair. In addition, of course, delay would have social consequences given

the uncertainty and poor housing experienced by residents as set out in the regeneration context.

- 6.20 It is therefore considered that significant delays to the project could seriously undermine its viability and make implementation more challenging in the future. Hence this report recommends agreement to Heads of Terms for the Stock Transfer Agreement and delegation of agreement to officers to ensure the programme proceeds.

Indemnities

- 6.21 To minimise the impact of this regeneration programme on council taxpayers across Merton, the council have negotiated with CHMP to indemnify the Council for costs associated with delivering the regeneration programme and related matters including the costs of the Inquiry for the Estates Local Plan. An estimate has been made in the Business Plan and an agreement relating to these costs is being drawn up and forms part of the financial agreements referred to in previous reports and in the recommendations to this report.
- 6.22 Costs associated *with land assembly* are the most significant element of these indemnities. It will be crucial to agree with CHMP how these costs are calculated and their payment when incurred. This must include any costs incurred by the Council if residents or businesses claim financial loss due to blight during the programme. A draft Heads of Terms for the CPO Indemnity Agreement is being prepared between the two parties. Once agreed between the council and CHMP it will form part of the financial agreements.
- 6.23 At the time of the stock transfer, the Council gave CHMP an indemnity relating to the costs of asbestos removal and management where they exceeded £6m across the whole stock. The potential extent of this warranty given the regeneration proposals will now have to be revisited and potentially renegotiated in the light of the Estates Local Plan. These risks will be part of the viability assessment conducted before the submission of the Plan.

Monitoring and Payment Agreement

- 6.24 The Council is considering the best arrangement for managing payments by CHMP across the stock transfer provisions, indemnities for CPOs (if pursued) and costs, and VAT. As part of the financial negotiations, a Monitoring and Payment Agreement will be negotiated which reflects these issues and opportunities and formally comprised in a written agreement.
- 6.25 In negotiating the agreements with CHMP, it will therefore be important to consider
- the acceptability of the assumptions underpinning the outcomes and how sensitive or risky they are in achieving viability thresholds
 - the preferred approach to managing the various indemnities
 - how best to manage payment of the clawback provisions
- 6.26 These items will form part of the negotiations referred to above with the objectives of both securing the relevant indemnities and ensuring that the

process of this programme is cost neutral to the Council. In turn, the impact of those negotiations will be influence the overall viability of the programme which will be reported back to council in early 2017.

7. LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The key areas relating to the Stock Transfer Agreement and its associated documents, the potential for the Council's role in Land Assembly, a Payment Plan and indemnities are discussed at preceding paragraphs, in addition to the proposed delegations for concluding relevant agreements.
- 7.2 It will be important to ensure that these agreements tie the three estates together, reflecting the financial, housing and planning relationships between the three which make this one overall programme.
- 7.3 The Town and Country Planning (Local Planning)(England) Regulations 2012 have informed the statutory procedure to be followed before a Local Plan is submitted to the Secretary of State for independent examination. The Estates Local Plan has been prepared in conformity with these regulations. The Estates Local Plan is also in conformity with the National Planning Policy Framework 2012, the London Plan 2015 and other associated guidance.
- 7.4 Failure to adhere to the statutory procedure or a lack of robust evidence to support the Plan may result in legal proceedings to challenge the validity of the plan.

8. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Under section 19(5) of the Planning and Compulsory Purchase Act 2004, sustainability appraisal is mandatory for new or revised Development Plan Documents. The appraisal includes an assessment of the likely significant impacts - economic, social and environmental – of the plan.
- 8.2 The sustainability appraisal also incorporates a Strategic Environmental Assessment in accordance with the requirements of European Directive 2001/42/EC, transposed into legislation by the Environmental Assessment of Plans and Programmes Regulations 2004, section 12.
- 8.3 The sustainability appraisal assessed the three options for regeneration for each of the estates (i.e. full regeneration, partial regeneration and refurbishment). As a consequence, refurbishment only was rejected for each of the estates. Refurbishment would not enable an increase in the quantity or quality of homes and meet the needs of the borough in terms of current housing needs and projected changes in population growth. The long-term financial modeling carried out demonstrates a significant cost in the short term, however the benefits would also only be short term and the estates would require further investment to maintain the properties at a livable standard.

- 8.4 The sustainability appraisal selected full regeneration for Eastfields and High Path and partial regeneration for Ravensbury in recognition of the opportunity to provide new, modern, energy efficient, high quality homes that meet current decent home and space standards and improve the urban design, landscape, layout and accessibility of the site.
- 8.5 The sustainability appraisal also assessed each of the policies in the draft estates Local Plan and this ongoing assessment informed the submission version attached to this report. The majority of the effects of the policies are found to be positive. Negative impacts are recorded in relation to climate change, energy and carbon and waste as a consequence of the amount of new development that will occur. The sustainability appraisal also identifies the need to review new detailed data that emerges, for example within planning applications, to ensure that any adverse impacts are suitably addressed. It also highlights the risks to the delivery of the Estates Local Plan that are beyond the council's control, such as the state of the wider economy and the impact of climate change.
- 8.6 A shorter non-technical summary is available at the front of the appraisal.

Equalities Impact Assessment summary

- 8.7 The Public Sector Equality Duty is a responsibility laid on the Council by the Equality Act 2010. It consists of a general equality duty and specific duties, which help authorities to meet the general duty. In summary, those subject to the equality duty, must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
 - Advance equality of opportunity between people who share a characteristic and those who don't
 - Foster good relations between people who share a characteristic and those who do not.
- 8.8 The duty covers age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. (These are the 'protected characteristics.)
- 8.9 The Act sets out that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics.
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 8.10 The Act states that meeting different needs involves taking steps to take account of the impact of different experiences (for example, addressing

different forms of disability). It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the equality duty may involve treating some people more favourably than others.

- 8.11 The Act requires the Council to have a 'continuing and ongoing regard' for this Duty. It can show this regard in a range of ways as the Act is not prescriptive on this matter, but the most common is to conduct Equalities Impact Assessment (EqIA)at key decision points. In preparing the Estates Local Plan, officers carried out an EqIA (contained within the Sustainability Appraisal)
- 8.12 As with the Sustainability Appraisal, the Equalities Impact Assessment of the Estates Local Plan has informed and influenced the development of the submission version of the Estates Local Plan and will continue to be reviewed towards adoption. A specific indicator on Diversity and Equality has been added to the SA Framework to ensure that equalities issues are identified, although these will also be incorporated within many of the Sustainability Objectives, for example housing, access to services and facilities, social deprivation, health and wellbeing etc.
- 8.13 The EqIA assessment has shown that regeneration will result in major positive impacts for the issues of housing, access to activities and social deprivation. Minor positive impacts are achieved for diversity and equality and education and skills.
- 8.14 Regeneration is likely to have a positive effect on socio-economic inequalities, including offering opportunities for increase in training and new skills in the construction of the development and the provision of more energy efficient homes that require less maintenance.
- 8.15 A key expectation of the delivery of the regeneration is the commitment to keep existing community together in each neighbourhood and for existing residents to have a guaranteed right to return to a new home in a regenerated neighbourhood without being financially disadvantaged. The level of impact is uncertain at this stage with regards to wellbeing: residents will have more efficient, warmer, well maintained homes once redevelopment has taken place. However there will be significant disruption to residents as a result of the redevelopment. The phasing and decanting will need to be carefully considered an regularly monitored to minimize adverse impacts upon residents
- 8.16 The ongoing discharge of the Duty will require further consideration at the points where planning applications are received, the adoption of this plan and other decisions the Council may need to consider under its various powers. Members will be aware that the Duty does not require them to avoid all harmful effects but to recognise them, eliminate them wherever possible (and always with regard to unlawful discrimination or harassment) and mitigate any remaining consequences.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 The process of preparing the Estates Local Plan and preparing for the estates regeneration has not itself had Crime and Disorder implications.
- 9.2 The sustainability appraisal of the Estates Local Plan considers each of the policies against social, environmental and economic objectives, including those relating to crime and disorder.
- 9.3 The draft Plan does not require a specific planning policy relating to Crime and Disorder but instead incorporates a number of policies which enhance safety and perceptions of safety in the public realm and in residential areas. Collectively these policies support an approach of 'secure by design', creating places where people feel and are safe at all times of day and night, whether on foot, cycle or car, and both inside their homes and in public space.
- 9.4 The design principles include:
- *Blocks arranged so the fronts face outwards* protecting residents' privacy, creating a more 'legible' layout where people do not get lost or find it so easy to hide, building in natural surveillance and security
 - *Active frontages on the street* also enhance surveillance and create more activity at street level
 - *Well-designed public or communal amenity space*: will be well lit, while providing both privacy and surveillance, as well as providing easy and convenient access for all potential users
 - *Defensible space between the back of the footway and building frontage* will support better perimeter blocks and frontages
 - *Legible and accessible layouts* with convenient and accessible layouts encourage walking and cycling and hence more active streets where community cohesion flourishes
- 9.4 These principles are reflected in the estate-specific policies contained within the Estates Local Plan and will support an improved quality of life for current and future residents.

10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

Risk assessment

- 10.1 Risks are listed below with a red/amber/green rating based on an assessment of their likelihood and impact, together with the anticipated mitigation. They are categorised as risks related to developing the plan and emerging housing policy, those related to renegotiation of agreements, and those relating to the delivery of the regeneration programme itself.

10.2 The sustainability appraisal of the Estates Local Plan has also identified specific risks to the Estates Local Plan and potential mitigation measures.

Risks related to the preparation of the Estates Local Plan and housing services

Risk	R/A/G rating	Mitigation
The examination in public does not result in an approvable plan	AMBER	A thorough Plan which has been developed in accordance with proper processes and good representation at the examination will mitigate against this risk
CHMP'S housing services (eg repairs) fall below an acceptable level	AMBER	Continued detailed monitoring and close liaison
Not achieving decent homes or ongoing risks of poor housing	GREEN	The proposed renewal strategy is considered the best way to improve the quality (including size) and quantity of housing
Not achieving the housing growth envisaged in the London Plan	AMBER	Even with the additional properties in this proposal Merton Council has further targets, in particular for affordable housing.

10.2 *Risks to the Council connected with the negotiations*

Risk	R/A/G rating	Mitigation
Failure to agree changes to the Stock Transfer Agreement and the associated documents that meet the requirements that will enable the regeneration to proceed	GREEN	The changes are not anticipated to be controversial for either partner
Failure to agree a new Nomination Deed to cover additional affordable homes built (i.e. not replacement dwellings)	GREEN	The changes are not anticipated to be controversial for either partner.
Failure within the Council and then with CHMP to develop a Payment Plan (including provision for 'clawback') which meets the principles set out in this document	AMBER	Robust modelling of financial, reputational and delivery risks associated with different models and the capacity of both organisations to manage those risks.
Ensuring that the Business Plan model is robust, fit for purpose and well understood, and demonstrates viability at a level accepted to both partners and to the Planning Inspector	GREEN	Ongoing and detailed analysis with robust advice to the Council. Review by Cabinet in advance of submission.

10.3 *Risks to the Council connected with the regeneration programme*

Risk	R/A/G rating	Mitigation
Delays in the programme make it increasing unviable and do not address housing need now and in the future	AMBER	Continuing to move the programme forward

The risks associated with any large scale construction programme	AMBER	These risks primarily sit with CHMP as developer. The council will need to ensure that eg highways network management, public communications etc are robust
That regeneration results in poor quality neighbourhoods without the non-housing benefits identified	GREEN	The Estates Local Plan and robust planning management are key to mitigation.
Delivery capacity with CHMP and in the wider economy	AMBER	This is a long term and large scale programme, challenging even for a large and robust housing association, especially when capacity within the construction sector may be constrained. Capacity will need to be closely monitored throughout the programme.

Health and Safety Implications

- 10.4 No specific health and safety implications have been identified related to the preparation of the Estates Local Plan or the planning of the regeneration programme.
- 10.5 In considering the management of the regeneration programme the Council's Public Health Team has prepared a health impact assessment which has identified some areas where mitigation action is appropriate. These are considered in paragraph 8.
- 10.6 As the programme gets underway and sites come under construction there will of course be important facets of health and safety management which will be the responsibility of CHMP and their contractors.

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

1. Estates Local Plan Development Plan Document
2. Sustainability Appraisal / Strategic Environmental Assessment, including the Equalities Impact Assessment
3. Report of Community Consultation (including comments from the GLA and other statutory consultees)

Documents available online at:

<http://www.merton.gov.uk/environment/planning/planningpolicy/localplan/estatesplan.htm>

Other supporting documents are available on request

12. BACKGROUND PAPERS

- National Planning Policy Framework
- DCLG guidance on local plan preparation
- London Plan
- London Plan Housing SPG

- Merton's Local Plan: Core Strategy DPD 2011
- Merton's Local Plan: Sites & Policies DPD 2014

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Committee: Council

Date: 23 November 2016

Wards:

Subject: Council Tax Support Scheme 2017/18

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: David Keppler, Head of Revenues and Benefits

Recommendations:

-
- A. That Council agree to the uprating changes for the 2017/18 council tax support scheme detailed in this report in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

2 DETAILS

- 2.1. As part of the Spending Review 2010, the Government announced that it intended to localise council tax benefit (CTB) from 1 April 2013 with a 10% reduction in expenditure. These plans were included as part of the terms of reference for the Local Government Resource Review and as it currently stands, the Welfare Reform Bill contains provisions to abolish CTB.
- 2.2. Following a formal consultation exercise full Council agreed on the 21 November 2012 to absorb the funding reduction and adopt the prescribed default scheme in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.
- 2.3. Council have subsequently agreed to continue with the same scheme on an annual basis for 2014/15, 2015/16 and 2016/17.
- 2.4. Each year the Government "uprate" the housing benefit scheme and the new council tax support scheme for pensioners. This is where state pensions and benefits are increased by a set percentage and the Government also increase the applicable amounts and personal allowances (elements that help identify how much income a family or individual requires each week before their housing benefit starts to be reduced) and also non dependant deductions (the amount a non child who lives with the claimant is expected to contribute to the rent and or council tax each week).

- 2.5. The Government have stated that under the new local council tax support scheme pensioners must not be worse off and that existing levels of support for them must remain and this protection will be achieved by keeping in place existing national rules, with eligibility and rates defined in Regulations broadly similar to those that previously existed. This is known as the Prescribed Pensioners scheme.
- 2.6. When full Council adopted the Governments default scheme in November 2012 it was not clear what would happen with regards to the uprating of the default scheme from April 2014 onwards. Advice received from the Department of Communities and Local Government (DCLG) at the end of September 2013 stated that if a Council did not formally agree a revised scheme for the following financial year which would include any “uprating” then its local scheme for the previous year would automatically become its default scheme and as a consequence the “uprating” would not take place and many residents would face an increased council tax bill.
- 2.7. This means that if Merton wants to continue with its council tax support scheme which is broadly similar to the old council tax benefit scheme it would have to formally consult and agree on the “uprating” each year. Merton have subsequently agreed this approach in prior years and is now seeking agreement to the same for 2017/18.
- 2.8. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral. Increases in payments for non-dependants living in households would not be applied and some residents receiving disability benefits or premiums could face higher council tax bills. However, the exact detail will not be known until December 2016 when the details for the housing benefit and Prescribed Pension Scheme are issued.
- 2.9. The Government will uprate the housing benefit scheme from the 3 April 2017 and the detail of this process is unlikely to be known until early December 2016. The Government will also uprate the Prescribed pensioner scheme for council tax support from 1 April 2017. Once the detailed information is known it is proposed to use the data from these to uprate the council tax support scheme.
- 2.10. From April 2016 there was a change to “backdating” rules for the working age housing benefit scheme. When the consultation for the 2016/17 Council Tax Support scheme took place this change had not been announced by the government and therefore not included in the consultation.
- 2.11. To adhere to the principal of trying to mirror the Council Tax Support scheme to the old Council Tax Benefit scheme and the Housing Benefit scheme for working age people, the consultation for the 2017/18 scheme included this change. So from 1 April 2017 working age claimants will only be entitled to apply for one month backdated Council Tax Support reduced from three months. The consultation also incorporates that any new changes to the housing benefit scheme introduced after the consultation and agreement of the Council Tax Support Scheme will be included in the Council’s 2017/18 scheme. This also includes any new changes introduced part way through the year.

- 2.12. In 2015/16 £122,000 council tax support was granted as backdated award. This figure includes backdated awards for pensioners of up to six months which is not changing. With the reduction from three months to one month maximum backdating for working age claimants in line with Housing Benefit it is estimated that the cost will reduce by £25,000.
- 2.13. The uprating of the council tax support scheme will be effective from the 1 April 2017.
- 2.14. A formal consultation exercise regarding the change of the scheme was undertaken between 27 July 2016 and 14 October 2016. Only 19 responses were received, 12 opted to apply the uprating and 7 opted not to apply the uprating.
- 2.15. Specific comments on the consultation were:-
“Please don’t introduce charges for people on benefits like some boroughs have.”
“Please ensure those that need support continue to receive it, and it would be useful if you increased council tax for all to ensure you have the funds.”
The full consultation analysis are shown in Appendix 1
- 2.16. This level of response is in stark contrast to the consultation exercise undertaken in the summer of 2012 when the Council first proposed to absorb the funding reduction and ensure that no Merton residents would be worse off due to the change in scheme. Then there were 1,007 responses of which 820 opted to retain the same level of support as council tax benefit and keep the level of contribution towards the council tax down for eligible applicants. Only 69 opted to implement a new council tax support scheme that’s offers less assistance and means that certain groups of people would have to pay more council tax.
- 2.17. The Council has also consulted with our major precepting authority, the Greater London Authority. The GLA has no further specific comments on these proposals at this stage as it regards them as being a legitimate matter for local determination.

3 ALTERNATIVE OPTIONS

- 3.1. The only alternative option would be not to undertake the uprating of the scheme and continue with the existing scheme. This would result in some of the poorest residents facing increased council tax bills from April 2017 and go against the wishes of those responding to the consultation.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. A consultation exercise has been undertaken and the results of this are detailed in 2.14 above and shown in Appendix 1 attached.

5 TIMETABLE

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

Task	Deadline
Consultation with public and precepting authority on proposed change to the scheme	27 July 2016 to 14 October 2016
Report to full Council for agreement to proposed change to the scheme	23 November 2016
Detailed analysis of the housing benefit and Prescribed Pensioner schemes uprating to establish exact parameters to be applied for the uprating of the council tax support scheme	December 2016 – or as soon as the information is available from the Department of Work and Pensions
Deadline for agreement of amended scheme	31 January 2017
Testing of IT software for amended scheme	February 2017
Implement amended scheme	1 April 2017

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Based on current expenditure for 2016/17 it is estimated that £11.1 million will be granted in council tax support for 2017/18 assuming there is no change in the council tax. This figure includes the Greater London Authorities share of the scheme, the cost just for Merton is £8.1 million. This continues the downward trend in each year that the scheme has been operating for an initial figure of £13.4m.
- 6.2. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral.
- 6.3. If the maximum period of backdating is reduced from three months to one month for working age claimants in line with Housing Benefit it is estimated that there would be a £25,000 saving on the scheme.
- 6.4. The council has recently submitted its Council Tax Base Return (CTB) to Government. This is based as at October 2016 and incorporates the latest information on council tax support and discounts and exemptions. This will be used to calculate the Council Tax Base for 2017/18 and the MTFs 2017-21 will be updated as appropriate during the budget process.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Council must formally agree its council tax support scheme for 2017/18 by the 31 January 2017.
- 7.2. If a new scheme is not agreed by this date then the scheme the council administered for the previous year (2016/17) would become the default scheme for 2017/18.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. A formal consultation exercise has been undertaken. The results of this are detailed in 2.14 above and attached at Appendix 1.
- 8.2. Any changes to the council tax scheme which results in reductions of support will mean some residents facing an increase in their council tax bills. Some of these residents, due to the yearly uprating undertaken by the Department of Work and Pensions, would not have previously been faced with increased council tax bills. In the past it has sometimes proved difficult in collecting council tax or community charge from residents who are on limited income and or benefits.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 None for the purpose of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

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

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

Appendix 1. Consultation results and equalities breakdown

12 BACKGROUND PAPERS

- 12.1. None

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Step 1:1.00-1:

Please select the option that you would prefer the council to adopt:

Option 1 – Incorporate any changes made to the HB scheme and the prescribed CTS scheme to ensure it aligns with these schemes.

Option 2 - Continue to award Council Tax Support based on the current scheme, including the current rates of applicable amounts, personal allowances and non-dependent deductions.

This single response question was answered by 19 respondents.

Response	Number of Respondents	Percentage of Respondents
Option 1	12	63.16%
Option 2	7	36.84%

Step 1:2.00-1:

Do you currently receive Council Tax Support?

This single response question was answered by 19 respondents.

Response	Number of Respondents	Percentage of Respondents
Yes	5	26.32%
No	14	73.68%

Step 1:3.00-1:Please use the space below to provide any further comments on the Council Tax Support Uprate consultation.

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

Response	Number of Respondents
As a 'civilised' community we need to support people who are not able to cope financially through no fault of their own...	1
As a single person household, having retired (but still working part time locum) I receive a rebate. I appreciate in times of financial downturn I shall receive less rebate	1

Cost of living in the borough is now very high meaning people not eligible for support can also find council tax too high, if anything I feel that efforts should be concentrated on keeping tax for small dwellings and housesharers low (as this is the only viable option for people who struggle financially).	1
If you cut it - people will die.	1
Please don't introduce charges for people on benefits like some boroughs have	1
Please ensure those that need support continue to receive it, and it would be useful if you increased council tax for all to ensure you have the funds.	1
with an increasingly elderly population and rising housing pressures the council should be increasing the support it provides by as much as is politically possible.	1

Step 1:4.00-1:

If you would like to be kept in touch about the Council Tax Support uprate consultation, please leave your postal address and/or email address below.

This open response (Free text) question was answered by 3 respondents.

Response	Number of Respondents
	1
	1
Only if you make it very simple to understand	1

Step 2:5.00-1:Are you?

This single response question was answered by 18 respondents.

Response	Number of Respondents	Percentage of Respondents
Male	7	38.89%
Female	11	61.11%

Step 2:6.00-1:What is your age group?

This single response question was answered by 18 respondents.

Response	Number of Respondents	Percentage of Respondents
Under 16		
16-24		
25-34	5	27.78%
35-44	2	11.11%
45-54	2	11.11%
55-64	4	22.22%
65-74	4	22.22%
75 or over	1	5.56%

Step 2:7.00-1:Are you...?

This single response question was answered by 18 respondents.

Response	Number of Respondents	Percentage of Respondents
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Committee: Council
Date: 23 November 2016

Wards: All

Subject: The addition of Waste Management Schemes to the Capital Programme in 2017/18 (from the Financial Report 2016/17 – August 2016)

Lead officer: Cormac Stokes, Head of Street Scene and Waste

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Zoe Church, Head of Business Planning, zoe.church@merton.gov.uk

Recommendations:

- A. That Council approve the following new Capital Schemes for Phase C of the South London Waste Partnership

Schemes	2017-18 £000s	2018/19 £000s	Total £000s	Useful Life
SLWP Vehicles *	1,286	2,670	3,956	8
SLWP IT	42	0	42	8
SLWP Depot	73	0	73	15
SLWP Wheelie Bins	0	2,674	2,674	15
Total **	1,401	5,344	6,745	

* to note that this expenditure will be required regardless of whether or not the Phase C of the Waste Partnership is progressed.

** This investment will significantly contribute towards the estimated £1.7 million of annual revenue savings (allowing for the debt charges of the scheme)

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to approve the capital schemes required to progress Phase C of the South London Waste Partnership (SLWP)
- 1.2. In accordance with the Authority's Financial Regulations any addition of £500,000 or more to the Capital Programme for a new scheme must be authorised by decision of Council.

2 DETAILS

- 2.1. The Partnership is made up of 4 South West London boroughs - Kingston, Croydon, Sutton and Merton. It has been enormously successful in procuring waste disposal contracts and facilities that will save the Council tax payers of these boroughs hundreds of millions of pounds over the coming years. Its partnership experience and

purchasing power is now being applied to other areas.

- 2.2. If Members of the 4 boroughs agree, we will procure contracts for a wide range of environmental services including: waste collection, street cleansing, grounds and parks maintenance, winter gritting and fleet maintenance as well as commercial waste collection. This would be a very significant step and one driven by the financial challenge we face. There is only so much that can be saved by a single council acting alone and the economies of scale of 4 boroughs working together are simply out of reach. These economies of scale offer savings around vehicle purchase and route optimisation, depot rationalisation as well as management efficiencies that we cannot deliver in isolation.
- 2.3. This report specifically progresses the capital funding required for Phase C of the waste services contracts. It is Council procedure that any new capital scheme £500,000 or more must be approved by Council. This report breaks down the capital Funding Requirement into four elements.
- 2.4. This investment will significantly contribute towards the estimated £1.7 million of annual revenue savings (allowing for the debt charges of the scheme). In addition, the vehicles expenditure will be required regardless of whether or not the Phase C of the Waste Partnership is progressed.

3 ALTERNATIVE OPTIONS

- 3.1. Alternative options were considered by Cabinet in November 2014. The agreed options were to undertake a joint procurement through the South London waste Partnership using complete dialogue.
- 3.2. The only alternative option available to the Council is to request that the bidder funds the required Capital and recharge this back to the Council. The Council would also still face the need to make budget savings already built into the MTFS.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. There is no statutory duty to consult on changes to these services. The decisions have been made by Cabinet under the authority delegated to them. It is not usual to consult on this type of service before the specification is formed as there are often so many different opinions from a wide variety of stakeholders that it makes it very difficult to put a specification that satisfies everyone.

5 TIMETABLE

- 5.1. Will be added to the Capital Programme immediately

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Revenue

- 6.1.1 This investment will significantly contribute towards the estimated £1.7 million of

annual revenue savings (allowing for the debt charges of the scheme)

6.2. Capital

6.2.1 As a result of the announcement of the preferred bidder for Phase C Waste and Grounds Maintenance Contracts. The following schemes will need to be added to the capital programme in 2017/18 as it has been confirmed that it will be cheaper for all the partners to fund the capital expenditure themselves:

Schemes	2017-18 £000s	2018/19 £000s	Total £000s	Useful Life
SLWP Vehicles	1,286	2,670	3,956	8
SLWP IT	42	0	42	8
SLWP Depot	73	0	73	15
SLWP Wheelie Bins	0	2,674	2,674	15
Total	1,401	5,344	6,745	

6.2.2 The vehicles expenditure will be required regardless of whether or not the Phase C of the Waste Partnership is progressed.

6.2.3 The debt charges for both these schemes are summarised below and will be funded from the savings from the two SWLP contracts:

Calculation of Debt Charges to Revenue - Internal Borrowing

	Year 1 £000s	Year 2 £000s	Year 3 £000s	Year 4 £000s	Year 5 £000s	Year 6 £000s	Year 7 £000s	Year 8 £000s
MRP @ 7 years - Vehicles	0	184	565	565	565	565	565	565
Reduction in Vehicle Replacement Programme	0	0	(150)	(150)	(150)	(150)	(150)	(150)
MRP @ 7 years - IT	0	6	6	6	6	6	6	6
MRP @ 15 Years - Depot	0	5	5	5	5	5	5	5
MRP @ 15 Years - Containers	0	0	178	178	178	178	178	178
Internal Interest in Model @ 0.5%*	7	33	29	25	21	18	14	10
Total	7	227	633	629	626	622	618	614

* 7 years used as repayments period dovetails with the contract period

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. In accordance with the Authority's Constitution the proposed capital schemes for SWLP Vehicles and Wheelie Bins require Council approval for inclusion in the Capital Programme. SWLP Depot and IT costs are included as they are all interlinked as part of the Phase C tendering process.

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. It is envisaged that this proposal is linked to two items on the Key Strategic Risk Register:

KSR49 Developing a Corporate Business Plan and Setting a Balanced Budget for 2017-21 and Beyond, and

KSR61 Failure to deliver the Multi-Year Savings Programme

Both these risks are red. The proposals contained in this report are pivotal to the delivery of the Environment and Regeneration Savings Package over the current planning period.

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

11.1 None

12 BACKGROUND PAPERS

12.1. Background papers held within the Resources Division of Corporate Services.

Committee: Council

Date: 23 November 2016

Wards: All

Subject: Procurement of External Auditors

Lead officer: Caroline Holland, Director of Corporate Services

Lead Member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Margaret Culleton, Head of Internal Audit,
margaret.culleton@merton.gov.uk

Recommendation:

- A. To recommend that this Council opts in to the appointing person arrangements made by Public Sector Audit Appointments Limited (PSAA) for the appointment of external auditors.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Local Audit and Accountability Act 2014 abolished the Audit Commission and put in place a new local audit and accountability framework for local public bodies in England. This framework allows local bodies the freedom to appoint their own auditors from an open and competitive market and to manage their own audit arrangements, with appropriate safeguards to ensure independence.
- 1.2. This report outlines the options available and recommends utilising Public Sector Audit Appointments Limited for appointing the Council's auditors.

2 DETAILS

2.1. BACKGROUND

- 2.2. The Local Audit and Accountability Act 2014 abolished the Audit Commission and put in place a new local audit and accountability framework for local public bodies in England. This framework allows local bodies the freedom to appoint their own auditors from an open and competitive market and to manage their own audit arrangements, with appropriate safeguards to ensure independence.
- 2.3. As part of closing the Audit Commission, the Government novated external audit contracts to PSAA on 1 April 2015. The audit contracts had been due to expire upon conclusion of the audits of the 2016/17 accounts, but could be extended for a period of up to three years by PSAA, subject to approval from the Department for Communities and Local Government.
- 2.4. Under these provisions, the Council's existing contract with Ernst & Young was extended to the conclusion of the audit of the 2017/18 accounts.

- 2.5. Beyond this contract, under the 2014 Act the Council will have to appoint its own auditor at least once every five years and may need to consult the advice of an independent auditor panel, publishing information about the appointment of an auditor within 28 days of making the appointment.
- 2.6. The scope of the audit will still be specified nationally; the National Audit Office (NAO) is responsible for writing the Code of Audit Practice which all firms appointed to carry out the Council audits must follow. Not all audit firms will be eligible to compete for the work, firms will need to demonstrate that they have the required skills and experience and be registered with a Registered Supervising Body approved by the Financial Reporting Council.

3 OPTIONS

- 3.1. The Council's existing contract with Ernst & Young will expire at the end of 2017/18. Subsequent appointments must be made by 31 December of the preceding financial year, for a maximum period of five years. The Council must make its first appointment by 31 December 2017 for 2018/19 onwards.
- 3.2. In making the appointment the Council will have two options:
- a) Conduct its own procurement. This would require the Council to appoint an Independent Auditor Appointment Panel (The Panel). The Panel would be responsible for advising the Council on the procurement of external auditors and overseeing and advising on the maintenance an independent relationship between the Council and the external auditor. The Panel would need to comprise of a majority of independent members and have an independent chair. The definition of independence excludes any person who has been a member or officer of the Council within the last five years. This would lead to additional costs as the current constitution of the Standards/General Purposes Committee does not meet these requirements and therefore The Panel would be separate from it. The Council would have the option of not following the advice of The Panel, however, it would need to publish the reasons for not doing so and therefore expose itself to challenge. The Council would not be able to take advantage of reduced audit fees that may be available through national procurement contracts (see option b) and the assessment of bids and decision on awarding contracts would be taken by independent appointees and not solely by elected members. There is a risk that the small size of the audit contract may not be attractive to bidders.
- b) Procure through Public Sector Audit Appointments Limited (PSAA). The Local Audit (Appointing Person) Regulations enables an appointing body to procure on behalf of a number of principal authorities. The LGA set up the PSAA to be responsible for appointing auditors to local government, police and local NHS bodies, for setting audit fees and for making arrangements for the certification of housing benefit subsidy claims. If the PSAA was used for procuring the Council's external auditors, there would be no requirements to have a Panel. To obtain the best price, audit appointments are expected to be made on three year contracts, with an option to extend to five years. Using PSAA as the Appointing Person is attractive as it removes a great deal of administration and arrangements that will otherwise need to be put in

place and improves the effectiveness of procuring in what is a specialised activity area.

The PSAA has a framework in place and would appoint an auditor from one of the following:

- BDO LLP
- Ernst & Young LLP
- Grant Thornton UK LLP
- KPMG LLP
- Mazars LLP

The principal benefits from such an approach are as follows:

- PSAA will ensure the appointment of a suitably qualified and registered auditor and expects to be able to manage the appointments to allow for appropriate groupings and clusters of audits where bodies work together;
- PSAA will monitor contract delivery and ensure compliance with contractual requirements, audit quality and independence requirements;
- Any auditor conflicts at individual authorities would be managed by PSAA, who would have a number of contracted firms to call upon;
- It is expected that the large scale contracts procured through PSAA will bring economies of scale and attract keener prices from the market than a smaller scale competition;
- The overall procurement costs would be expected to be lower than an individual smaller scale local procurement;
- The overhead costs for managing the contracts will be minimised through a smaller number of large contracts across the sector
- A sustainable market for audit provision in the sector will be easier to ensure for the future.

3.3. The following table summarises the advantages and disadvantages of either option:

Option	Requires an Audit Panel of independent members?	Advantages	Disadvantages
a) Council conducts its own procurement	Yes	I) Full local input to the appointment.	I) Time and resources needed for procurement process; II) More expensive; III) Burden of managing contract; IV) Must establish a panel of independent members with associated costs of recruitment and running the panel; V) Risk of receiving none or a low number of tender bids, due to the smaller size of audit contract; VI) Risk of receiving none or lower quality tender bids; VII) The assessment of bids and decision on awarding contracts will be taken by independent appointees and not solely by elected members.
b) Council opts-in to the sector lead procurement, run by Public Sector Audit Appointments, of the external audit service.	No	I) Assured appointment of a qualified, registered, independent auditor; II) The cheaper option, through economies of scale; III) Time and resources saved on procurement; IV) Convenient; V) No requirement to establish an auditor panel of independent members to manage audit contract.	I) Less local input to the appointment, though still some input (as Councils will be consulted by PSAA).

4 CONCLUSIONS

4.1. Members are recommended to pursue Option b, as this offers the potential for economies of scale and importantly the highest probability of securing auditors with the necessary experience to effectively audit this local authority. If Members approve this option, during the compulsory appointing period, which is not yet specified, Officers will give notice to PSAA of the decision to become an opted-in authority.

5 CONSULTATION UNDERTAKEN OR PROPOSED

- 5.1. Early indications are that neighbouring local authorities either have or are looking to opt in to the PSAA framework.

6 TIMETABLE

- 6.1. This report was presented to Standards/General Purposes Committee on 3 November and they recommended the council use PSAA to appointment the external auditors.
- 6.2. The formal invitation to join PSAA's sector led scheme was received on the 27th October 2016. The Authority has until the end of March to express an interest.

7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 7.1. None for the purposes of this report.

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1 In July 2016, the Secretary of State for Communities and Local Government specified PSAA as an appointing person under regulation 3 of the Local Audit (Appointing Person) Regulations 2015.
- 8.2 For audits of the accounts from 2018/19, PSAA will be able to appoint an auditor to relevant principal authorities that choose to opt into its national collective scheme. Appointments for 2018/19 must be made by 31 December 2017.
- 8.3 The current audit contracts were procured by the Audit Commission and novated to the PSAA.

8.4 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.4.1 None for the purposes of this report.

8.5 CRIME AND DISORDER IMPLICATIONS

- 8.5.1 None for the purposes of this report.

8.6 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.6.1 None for the purposes of this report.

8.7 BACKGROUND PAPERS

- 8.7.1 Local Audit (Appointing Person) Regulations 2015
- 8.7.2 Local Audit and Accountability Act 2014
- 8.7.3 PSAA National Audit Scheme Prospectus.

Committee: Council

Date: 23 November 2016

Wards: All

Subject: Appointment of Independent Person

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Julia Regan, Head of Democracy Services, 0208 545 3864

Recommendations:

1. That Council agrees to appoint Pam Donovan as an independent person for the purposes of Chapter 7 of the Localism Act. The independent person will be invited to attend meetings of the Standards and General Purposes Committee in that capacity
 2. That the appointment is made for a period of three years from 24 November 2016
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report seeks Council's approval of the appointment of one independent person which we are required to appoint under Chapter 7 of the 2011 Localism Act.

2 DETAILS

- 2.1 The functions of the independent person, set out in the council's constitution, are:
 - the independent person must be consulted and views taken into account before the authority takes a decision on any allegation it has decided to investigate;
 - the independent person may be consulted by the authority in circumstances where the authority is not taking a decision whether to investigate the allegation;
 - the independent person may be consulted by a member of the authority against whom an allegation has been made.
- 2.2 The independent person will also be invited to attend meetings of the Standards and General Purposes Committee in that capacity.
- 2.3 Following the resignation of Suresh Patel on 31 August 2016, the Standards and General Purposes Committee agreed to the appointment of an interview panel, comprising one councillor nominated from each political group to interview and recommend the appointment to Council.
- 2.4 The interview panel comprised Councillor Peter McCabe, Peter Southgate and Janice Howard. Paul Evans, Assistant Director of Corporate Governance,

attended as an observer. Interviews took place on 4 November 2016, and the panel recommended the appointment of Pam Donovan to the post.

3 ALTERNATIVE OPTIONS

3.1 The Council must appoint at least one Independent Person.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1 None.

5 TIMETABLE

5.1 The appointments made by Council will take effect on 24 November for a period of three years.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1 Independent persons are paid £100 per meeting. The recommendations in this report will not lead to any increase in the overall budget for allowances.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1 See body of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1 None specific to this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1 None specific to this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1 None specific to this report

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

11.1 None

12 BACKGROUND PAPERS

12.1 None.

Committee: Council

Date: 23 November 2016

Wards: All

Subject: Member Dispensations

Lead officer: Paul Evans, Assistant Director, Corporate Governance, 020 8545 3338

Lead member: Councillor Mark Allison Cabinet Member for Finance

Contact officer: Susanne Wicks, Senior Democratic Services Officer, 020 8545 3357

Recommendations: That Council

- A. Grant the following dispensations to all members from Section 31(4) of the Localism Act 2011 on the basis that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business to impede the transaction of the business, such dispensations to be made in respect of members of the Council and take effect from 23 November 2016 for the period of four years:
- i. housing, where the member is a tenant of the authority; provided that those functions do not relate particularly to that member's tenancy or lease;
 - ii. school meals or school transport and travelling expenses, where the member is a parent or guardian of a child in full time education, or is a parent governor of a school, unless it relates particularly to the school which the child attends;
 - iii. an allowance, payment, pension or indemnity given to members;
 - iv. any ceremonial honour given to members; and
 - v. setting Council Tax or a precept under the Local Government Finance Act 1992.
- B. Note that any appeals against the decision to grant or refuse a dispensation made by the Monitoring Officer will be considered by the Standards and General Purposes Committee.
- C. Note that where the Monitoring Officer has used his delegated authority to grant a dispensation, a report on the authorization be submitted to the next meeting of the Standards and General Purposes Committee.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. On 21 November 2012, Council agreed to grant a general dispensation under s33 of the Localism Act 2011, for a period of four years, which expired on 21 November 2016.
- 1.2. This report seeks agreement to grant the dispensations for a further four years.
- 1.3. In 2012, Council also agreed to delegate authority to the Monitoring Officer to to grant dispensations pursuant to section 33 Localism Act 2011.
- 1.4. This report also asks Council to note that, as the Standards Committee was decommissioned in May 2016, any appeals or reports on authorisations will be made to the Standards and General Purposes Committee.

2 DETAILS

- 2.1. The provisions on dispensations from members taking part in or voting on matters were significantly changed by the Localism Act 2011.

General dispensations

- 2.2. Prior to the introduction of the Localism Act, general dispensations were provided to all Members, by way of statutory instrument with regard to prejudicial interests in any business of the authority where that business related to functions of the authority in respect of:
 - I. housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - II. school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - III. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - IV. an allowance, payment or indemnity given to members;
 - V. any ceremonial honour given to members; and
 - VI. setting council tax or a precept under the Local Government Finance Act 1992.
- 2.3. The restrictions on Members taking part in decision where they are in arrears in Council Tax (Local Government Finance Act 1992, s106) could not be dispensed with under the new regime and remain in force.

Individual dispensation

- 2.6. Previously, under the 2007 Code of Conduct, a Member who had a prejudicial interest could apply to a sub-committee of a Standards Committee for a dispensation.

- 2.7 Under section 33 of the Localism Act 2011, a dispensation may be granted in the following circumstances:
1. where so many members of the decision-making body have Disclosable Pecuniary interests in a matter that it would “impede the transaction of the business”. In practice this means that the decision-making body would be inquorate as a result;
 2. where, without the dispensation, the preparation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 3. where the authority considers that the dispensation is in the interests of persons living in the authority’s area;
 4. where, without a dispensation, no member of the Cabinet would be able to participate on this matter; or
 5. where the authority considers that it is otherwise appropriate to grant a dispensation.

2.8 Any grant of a dispensation must specify how long it lasts and only be in effect up to a maximum of 4 years.

2.9 In November 2012, Council delegated authority to grant dispensations be delegated to the Monitoring Officer, with a right of appeal to the Standards Committee. It was also agreed that the Monitoring Officer would report any use of the authority to the next meeting of the Standards Committee.

2.10 As the Standards Committee was decommissioned in May 2015, all appeals and reports on any authorisations will be made to the Standards and General Purposes Committee.

3 ALTERNATIVE OPTIONS

3.1 The Council could decide not to grant the general dispensations and all dispensations would be considered either by the Monitoring Officer, who has been designated as the proper officer of the authority for the purposes of written requests by a Member(s) or co-opted Member(s) of the authority for the grant of a dispensation.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. The Standards and General Purposes Committee considered this matter at their meeting on 3 November 2016 and agreed to recommend the proposed dispensations to Council.

5 TIMETABLE

5.1. If agreed, the dispensations will elapse in November 2020.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purposes of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. Contained within the body of the 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. Agreement to the list of general dispensations will ensure that members will be able to participate in such items without risk of a criminal investigation and that the decision making on such matters is lawful.

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

11.1 None

12 BACKGROUND PAPERS

12.1. None

Committee: Council

Date: 23 November 2016

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

Contact officer: Susanne Wicks, Senior Democratic Services Officer, 020 8545 3357

democratic.services@merton.gov.uk

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. Approves the updated terms of reference for the Standards and General Purposes Committee and subsequent update of Part 3B of the Constitution.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks Council note changes made to committee membership under delegated authority since the publication of the agenda for the Council meeting held on 14 September 2016.
- 1.2. The report also asks Council to agree the revised terms of reference for the Standards and General Purposes Committee. The Committee considered their terms of reference at their meeting of 3 November and agreed the revisions.
- 1.3. Part 3B of the Constitution will be updated to include the newly agreed terms of reference.

2 DETAILS

- 2.1. The following membership changes have been made under delegated authority in accordance with section 1.4 of part 3F of the Constitution:

Committee	Member resigning	Replaced by	Date
Healthier Communities and Older People Scrutiny Committee	Gregory Udeh	Russell Makin	14.10.16
Healthier Communities and Older People Scrutiny Committee	Russell Makin	Gregory Udeh	07.11.16

- 2.2. The terms of reference for the Standards and General Purposes have been revised, and are now more succinct than the previous version, which was an amalgamation of the terms of reference of the two individual committees. The new terms of reference are attached as Appendix A.

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 A: Terms of Reference for Standards and General Purposes Committee.

10 BACKGROUND PAPERS

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

Terms of Reference Standards and General Purposes Committee

a) Membership

12 councillors, excluding the Mayor or Leader.

Independent Persons are invited to attend in an advisory or non-voting capacity.

b) Role and functions

Promotion and maintenance of high standards of conduct and probity within the Council:

- To promote and maintain high standards of conduct and probity by councillors and co-opted members
- To receive reports from the Monitoring Officer on dispensations granted to councillors and co-opted members.
- To hear appeals from councillors and co-opted members where a dispensation has been refused by the Monitoring Officer.

Assistance to councillors and co-opted members

- To receive reports upon, monitor, manage and advise the Council on the implementation of the Council's Member Development Strategy and Member Development Programme, including training on the Member Code of Conduct.

Enforcement of the Code of Conduct

- To oversee the arrangements for the enforcement of the Council's Member Code of Conduct, including amendments to the procedure and assessment criteria.
- To oversee the maintenance of the Register of Members' interests, including approval of the form of declaration and guidance to members.
- To establish sub-committees to deal with pre-hearing issues.
- To hear complaints made against Members and to decide what action, if any, to take, in consultation with the Independent Person.

Financial Governance and Audit Matters

- To approve the Council's statement of accounts, and to consider any reports produced by the Chief Finance Officer, in accordance with the duty to make arrangements for the proper administration of the Council's financial affairs,
- To consider reports and receive recommendations from External Audit.
- To consider reports and receive recommendations from Internal Audit. To monitor the effectiveness, development and operation of risk management and governance.

- To formally agree the Annual Governance Statement and review the improvement plans.

Other functions

- To monitor and review the operation of the Council's Constitution as required by Article 15.1 of the Constitution, including the Financial Regulations, and to make appropriate recommendations to the Council in relation thereto.
- To monitor and receive regular reports on the operation of the Regulation of Investigatory Powers Act 1998 (RIPA).
- To maintain an overview of complaints handling and Local Government Ombudsman investigations, including receiving reports of payments exceeding £1000 to persons adversely affected by any maladministration on the part of the Council, as identified in a report by the Local Government Ombudsman.
- To determine (under Section 3A of the Local Government and Housing Act 1989) applications by Council employees for exemption from political restriction.
- To monitor amendments to and the operation of the Staff Code of Conduct.
- To assist in the appointment of independent persons.
- To discharge the Council's functions in relation to elections.
- To consider any issues, which in the professional opinion of the Chief Executive or Chief Officers, should be referred to the Committee, and to report back decisions and recommendations.
- Except for matters reserved by statute for consideration by Full Council, to determine any matter which has been specifically referred to the Committee for consideration.
- To determine all other matters which are non-executive functions and which are not otherwise reserved to Council are not within the terms of reference of any other committee and which are not delegated to an officer.
- To exercise the function, powers and duties of the Council as trustee of trusts for which the Council is Corporate Trustee except insofar as those functions that have been delegated to Chief Officers of the Council.

Committee: Council

Date: 23 November 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

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 14 September 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 14 September 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 Mary Jane Jeanes entitled 'Assurances for Merton's EU Citizens.'
- 2.3 In response to the petition, officers have advised that the borough has experienced an increase of newly arrived migrant communities from across the world, including EU countries, over the last decade. This has contributed to making Merton a diverse and thriving borough. The council values the richness of cultures that this brings and the contribution that newly arrived communities have made.
- 2.4 The council will continue to support these communities to peacefully coexist and live, work and access public services in Merton. Following the Referendum results the council sent a message to its entire staff giving reassurance that the result would not affect employment contracts and that they will continue to be employed. The borough also made a public declaration that hate crime would not be tolerated as Merton is a cohesive and diverse borough where people from different backgrounds have lived and worked together harmoniously for many years. This has been followed up by an active communications campaign during Hate Crime Awareness Week in October.
- 2.5 The council will continue to liaise through the Local Government Association to ensure that its ability to deliver high quality services is not detrimentally affected by the UK's withdrawal from the EU and that it can continue to access the highest calibre workforce drawn from all parts of the community.

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.