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CABINET
4 JULY 2016

(7.15 pm - 7.57 pm)

PRESENT: Councillor Stephen Alambritis (in the Chair), Councillor Mark Allison, Councillor Nick Draper, Councillor Caroline Cooper-Marbiah, Councillor Edith Macauley, Councillor Tobin Byers, Councillor Martin Whelton, Councillor Katy Neep and Councillor Ross Garrod

Paul Ballatt (Assistant Director of Commissioning, Strategy and Performance – CSF), Ged Curran (Chief Executive), Paul Evans (Assistant Director of Corporate Governance), Caroline Holland (Director of Corporate Service), James McGinlay (Head of Sustainable Communities), Yvette Stanley (Director of Children, Schools and Families), Cormac Stokes (Head of Streetscene and Waste), Simon Williams (Director for Community and Housing), and Chris Pedlow (Senior Democratic Services Officer).

ALSO PRESENT: Councillors James Holmes, John Sargeant and Peter Southgate.

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies were received.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations of pecuniary interest were received.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting held on 6 June 2016 were agreed as a correct record.

9 SOUTH LONDON WASTE PARTNERSHIP - PROCUREMENT OF WASTE COLLECTION AND RELATED ENVIRONMENTAL SERVICES (Agenda Item 9)

The Leader of the Council announced that he would be taking item 6 Reference from Scrutiny on the South London Waste Partnership (procurement of waste collection and related environment services) as part of this item's discussion.

The Cabinet Member for Street Cleanliness and Parking presented the report which detailed the outcome of the procurement exercise for the preferred bidder and reserve bidder for both Lot 1 (waste collection, street cleaning, winter maintenance, vehicle procurement and fleet maintenance) and the Lot 2 (parks, arboriculture,

cemeteries and grass verges and tree maintenance services). In presenting the report Members were reminded that the proposals would lead to 6 days a week waste collection, through the use of wheeled bins across the Borough for the first time and an all year round street cleaning service. Also the proposal sought value for money for the Council whilst seeking an improved service for our residents and an approach that would increase recycling rates across the Borough. The Cabinet Member for Community and Culture also spoke on the report confirming that he supported the proposals in relation to Lot 2. He was excited about how the new contract would work in relation to our parks and especially in continuing to work with the Friends of our Parks to ensure our parks continue to be great places for our residents to visit.

Councillor Abigail Jones, Chair of the Sustainable Communities Overview and Scrutiny Panel was invited to present the Panel's reference, highlighting that at the scrutiny meeting there was not a unanimous view on the process as a whole, with some views being expressed over the financing of the wheeled bins. A number of proposals were put forward to be passed on to Cabinet, but only one carried was as detailed in the reference before the Cabinet, which suggested to Cabinet that further work be carried out over the number of household that would need support with using the wheeled bins and to look at the number of households that won't be able to have the wheeled bins. The Cabinet Member confirmed he was more than happy to take on board the reference and would ensure that it occurred as part of the fine tuning with our preferred bidder.

Terry Downs (GMB steward in Greenspaces) addressed the meeting on this issue.

In considering the proposals Cabinet made it clear how pleased they were with the proposals as it would improve and modernise services for our residents, they would further look at the results of the pilot in Lavender Ward to see what could be learnt. The Leader commented that he and his Cabinet would be working with officers, our partners and our preferred bidders to ensure there would be some flexibility in start date of the proposals to ensure that the commencement of the new approach met with the needs of our residents.

RESOLVED

That Cabinet,

1. recognises the Administration's desire, in the context of Merton's continually decreasing funding from Central Government, to maintain and enhance the borough's public realm, open spaces and parks; noting the results of the wheeled bin pilot in Lavender Fields ward and the Administration's desire to introduce wheeled bins to ensure cleaner streets and the need for any solution to be affordable
2. having noted the endorsement from the Joint Waste Committee (7 June 2016) approves the appointment of Veolia ES (UK) Ltd as Preferred Bidder for LOT 1 services including waste collection, street cleaning, commercial waste collection, winter maintenance and vehicle procurement and fleet maintenance

in relation to the procurement exercise undertaken by the South London Waste Partnership (SLWP) for Waste Collection and Related Services. This is for a period of 8 years with the option to extend for two further periods of 8 years, a maximum total of 24 years.

3. approves the appointment of The Landscape Group Ltd as Preferred Bidder for LOT 2 services (including Parks, Grounds maintenance, Cemeteries, Verges and Tree maintenance) . This is for a period of 8 years with the option to extend for two further periods of 8 years, a maximum total of 24 years.
4. approves the appointment of Amey LG Ltd. as Reserve Bidder for LOT 1 services and Veolia ES (UK) Ltd as Reserve Bidder for LOT 2 services.
5. agrees to, following fine tuning discussions with the Preferred Bidders and there being no material changes to the proposed solution beyond the scope of the proposed solution set out in this report, delegate authority to the Director of Environment and Regeneration in consultation with Cabinet Members to authorise the London Borough of Croydon to award the contract for both Lots, on behalf of the four boroughs of Sutton, Merton, Kingston and Croydon (the SLWP).
6. agrees to, based on the principles of the Inter Authority Agreement (IAA), delegate authority to the Director of Environment and Regeneration in consultation with appropriate Cabinet Members to agree the IAA and the arrangements relating to the management of the contracts.
7. notes the statutory requirement under section 123 of the Local Government Act 1972 requiring the Council to advertise its intention to grant leases of areas of Public Open Space for those depots and staff facilities within parks and open spaces required to facilitate the operation of the contract(s).
8. notes the work in hand to establish fit for purpose Contract Management and Clienting functions and delegates this to the Director of Environment and Regeneration to finalise

6 REFERENCE FROM SCRUTINY ON THE SOUTH LONDON WASTE PARTNERSHIP (PROCUREMENT OF WASTE COLLECTION AND RELATED ENVIRONMENT SERVICES) (Agenda Item 6)

RESOLVED

That Cabinet notes comments made by the Sustainable Communities Overview and Scrutiny Panel when taking its decisions on South London Waste Partnership – procurement of waste collection and related environment services.

4 FINANCIAL MONITORING 2015/16 - MAY 2016 (Agenda Item 4)

The Cabinet Member for Finance presented the report which provided the first of the regular monthly financial monitoring updates, in respect of the 2016/2017 financial year. It was noted that the net overspend expected at the year-end was £4.4million, under 1.2% of the gross budget and the Cabinet Member emphasised to his colleagues that he was working hard with officers to address the overspend. Members also noted that the significant work was occurring on ensuring that previously identified savings would be achieved during the course of the financial year.

RESOLVED:

That Cabinet

- 1). notes the financial reporting data relating to revenue budgetary control, showing a forecast net overspend at year end of £4.4million, 1.2% of the gross budget.
- 2). reviews the capital information within the report and the adjustments to the Capital Programme detailed in Appendix 5b and approves the following:

Scheme	2016/17 Budget	Adjustment	Revised 2016/17 Budget
	£	£	£
191-193 Western Road	115,000	(115,000)	0
Schools Capital Maintenance & Accessibility	805,900	165,000	970,900
Devolved Formula Capital	0	367,820	367,820
TFL Quietways Cyclepath	0	308,820	308,820
B707a-c/708/709a-c Wimbledon Way Wayfinding Disks	0	52,000	52,000
Total	920,900	778,640	1,699,540

- 3). approves the virement for £204k for Legal Services from Education to Social Care where this is the more appropriate service area to manage it from.

5 EXPANSION OF SOUTH LONDON LEGAL PARTNERSHIP (Agenda Item 5)

The Cabinet Member for Finance presented the report which sought Cabinet approval to allow Wandsworth Borough Council, to join South London Legal

Partnership (SLLP). It was noted that the SLLP currently supports four Council's across South London and with Wandsworth wanting to join, it showed what a success the SLLP had been.

RESOLVED

That Cabinet:

- 1) agrees that Wandsworth Borough Council are admitted to join the South London Legal Partnership.
- 2). agrees to delegate to the Director of Corporate Services authority to make any necessary amendments to the collaboration agreement and agrees the final document.

11 COURT OF APPEAL AMENDMENT TO SMALL SITES AFFORDABLE HOUSING EXEMPTION (Agenda Item 11)

The Cabinet Member for Environmental Sustainability and Regeneration presented the report that required the Council to amend its policy to stop seeking affordable housing contributions from small sites of 10 homes / 1,000 square metres or less within planning decisions. It was noted that the reason for the required change was as a result of a Court of Appeal decision on a similar matter. In presenting the report the Cabinet Member expressed his regret over the need for taking such a decision, but emphasised that there was clear legal advice recommending the change in policy.

RESOLVED

That Cabinet agrees that the Council should currently stop seeking affordable housing contributions from small sites of 10 homes / 1,000 square metres or less within planning decisions.

8 EXCLUSION OF THE PUBLIC (Agenda Item 8)

RESOLVED

That the public are excluded from the meeting during consideration of the following report(s) on the grounds that it is (they are) exempt from disclosure for the reasons stated in the report(s).

10 HARRIS WIMBLEDON SECONDARY SCHOOL - REQUIRED SITE APPROVALS (Agenda Item 10)

The Leader of the Council announced that he would be taking item 7 Reference from Scrutiny, on Harris Wimbledon Secondary School - Required Site Approvals as part of this item's discussion.

The Cabinet Members for Finance and Education presented the report which details a proposed site for a new secondary school in Wimbledon – Harris Wimbledon. The Cabinet were guided through the exempt comprehensive report that provided details of the proposed site, legal and financial aspects and other practical implications aligned to the proposal including the role of the Education Funding Agency (EFA) in setting the opening date of the new school. It also noted that the report included information over the possibility of using the Whatley Avenue Adult Education centre as a temporary school, for pupils in year 7 and 8, for a period of 2 years whilst Wimbledon Harris was being built.

Councillor Dennis Pearce, Chair of Children and Young People Overview and Scrutiny Panel presented to the Cabinet the Panel's reference, highlighting their views as contained in paragraph 2.3 of the reference, including that the need for further discussion with the EFA and with the landholders on the project.

RESOLVED:

That Cabinet approves all the recommendations contained with the exempt report and minute.

7 REFERENCE FROM SCRUTINY ON HARRIS WIMBLEDON SECONDARY SCHOOL - REQUIRED SITE APPROVALS (Agenda Item 7)

RESOLVED

That Cabinet notes comments made by the Children and Young People Overview and Scrutiny Panel when taking decisions on Harris Wimbledon Secondary School site approval as detailed paragraph 2.3 of the report.