

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, Mike Brunt, Michael Bull, Adam Bush, 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 13 July 2016

Time: 7.15 pm

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

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact democratic.services@merton.gov.uk or telephone [020 8545 3361](tel:02085453361).

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

Council Meeting

13 July 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

18 MAY 2016

(7.15 pm - 8.31 pm)

PRESENT

Councillors Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Hamish Badenoch, John Bowcott, Mike Brunt, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Fidelis Gadzama, Ross Garrod, 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, Katy Neep, 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.

Prior to the commencement of the meeting the Council held a minute silence for the sad passing of former Councillor Maxi Martin who had died recently. The Mayor invited Councillors Stephen Alambritis, Oonagh Moulton, Peter Southgate, Edith Macauley, Dennis Pearce and Andrew Judge, to say a few words on former Councillor Maxi Martin.

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors Michael Bull, Suzanne Grocott and Ian Munn.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No pecuniary declarations were made.

3 ELECTION OF MAYOR FOR THE 2016 / 2017 (Agenda Item 3)

The Mayor called for nominations for the office of Mayor for 2016-2017.

It was moved by Councillor Stephen Alambritis, and seconded by Councillor Marsie Skeete that Councillor Brenda Fraser be elected as Mayor for 2016-2017 (*A copy of the nomination speeches are included within Appendix A to these minutes*) Councillors Oonagh Moulton and Peter Southgate addressed the meeting expressing their support for the nomination.

There not being any other nominations the Mayor put the motion to the meeting and it was

RESOLVED UNANIMOUSLY

Councillor Brenda Fraser made the statutory declaration of acceptance of office and was invested with the Mayor's chain and badge of office.

The new Mayor announced that her Deputy Mayor of the Municipal year 2016-2017 would be Councillor Stan Anderson. Councillor Stan Anderson signed the declaration of acceptance of office and was invested with the Deputy Mayor's badge of office.

The Mayor announced that her consorts would be Lloyd Fraser and Gillian Fraser and that in her chaplain would be Reverend Gerry Stanton.

The Deputy Mayor announced that his consort would be Jennifer Anderson. The Mayor presented badges to the outgoing Mayor, Deputy Mayor and their respective consorts.

The Mayor, Councillor Brenda Fraser, thanked Council for her election for the forthcoming year and announced that her Mayoral two charities as Age UK Merton and the Avanti Club.

(A copy of her acceptance speech is included within Appendix B to these minutes).

5 VOTE OF THANKS TO THE RETIRING MAYOR (Agenda Item 5)

The Mayor invited Councillor David Chung to receive the Council's vote of thanks.

The Leader of the Council, Councillor Stephen Alambritis, moved and the Leader of the Conservative Group, Councillor Oonagh Moulton, seconded the vote of thanks to the retiring Mayor.

In doing so both Group Leaders along with the Leader of the Merton Park Ward Independent Residents Group, Councillor Peter Southgate (*A copy of these speeches are attached as Appendix C to these minutes*) and Councillor Martin Whelton spoke in praise of Councillor David Chung's year in office.

RESOLVED UNANIMOUSLY:

That the Council places on record its sincere thanks and appreciation to Councillor David Chung for the dedicated manner in which he has served as Mayor of the London Borough of Merton for the year 2015-2016.

Mayoral Citation:

Councillor David Chung. Mayor of Merton 2015-2016

At the time of his election as Mayor in May 2015, Councillor David Chung had completed 13 years as a councillor representing residents in Longthornton ward, Mitcham.

Councillor Chung has taken every opportunity to highlight the good things in Merton and has attended 333 engagements in his mayoral year. The Mayor's chosen charities for 2015-2016 were Merton Centre for Independent Living and Friends In St Helier. He also supported the children's charity One Life. Councillor Chung very much focussed on community organisations representing the more vulnerable in the borough.

During his mayoralty, Councillor Chung raised the profile of disabled people in Merton, recognising that further work needs to be done with regards to people who live with disabilities. He emphasised the need to work with the Social Model of Disability. He also sought to shine a light on elderly people in Merton, in particular, those who live on their own, and on issues around growing older. He supported the Silver Sunday initiative and invited over 120 older people and their carers to afternoon tea. At this memorable event, he spoke about the importance of keeping active and also of how friendship helps to maintain a healthy body and mind. He demonstrated his commitment to championing health by completing a sponsored swim at Canons Leisure Centre, highlighting the importance of exercise.

Councillor Chung's love of music and of education shone through as he organised a 'Winter Warmer' concert, produced by Merton Music Foundation. Attended by 280 people, this charity event brought together an eclectic wealth of musical talent from children across Merton and raised over £1,500 for his charities.

The Mayor visited many schools and spoke to the children about democracy and the role of the Mayoralty. He also invited the borough's headteachers to the Mayor's parlour.

The Mayoress and the Mayor visited 144 businesses in the Mitcham area and held three receptions for the business community in recognition and appreciation of their role as the wealth producers in the borough. Councillor Chung also hosted a reception in honour of Faith in Action's Merton Homelessness Project.

The Mayor has a love of cricket and has forged a link with the Lord's Taverners, a charity which gives young people a sporting chance. He negotiated with the CEO of the Berkeley Foundation to include Merton as a participant in the Lord Taverners Disability Cricket Championship. With Merton School Sport Partnership, the borough will participate in the Lord's Taverners' Disability Cricket Championship each year. As part of this project, the Mayor also successfully set up with the Berkeley Foundation, an opportunity for eight young people from the borough to attend Longridge Activity Centre during the summer holidays.

Councillor Chung has also initiated an annual cricket competition to encourage further integration among the many diverse communities within Merton. Enabling teams from different backgrounds to play together and to give young people the opportunity to continue playing once they have left school, are two of the motivations behind this initiative. Councillor Chung has instigated work to form a committee to continue this initiative into the future.

Mitigating climate change is also close to the Mayor's heart and he has supported the Going Green event at South Thames College, which celebrated environmentally-conscious businesses in the borough. He was also guest of honour at Merton's environmental sub-group in early 2016 at which experts from the community discussed how the borough could plan for a low carbon future.

Throughout his mayoralty, Councillor Chung has focused on the unsung heroes of the borough – those people who do so much for the benefit of our communities, but who are rarely praised for their work. In recognition of the work of carers who provide care and support to vulnerable individuals, the Mayor hosted a reception for people in 34 organisations including Mencap.

The New Year's Day Parade in Central London was a great highlight of the year, displaying Merton's talent for creativity and the arts with its fantastic magic carpet-themed float. This brought in £4,000 for the Mayor's charities.

The theme for the Mayor's Charity Ball reflected the flora and fauna of Councillor Chung's homeland, Guyana. The All England Lawn Tennis Club was adorned with beautiful photographs of the rainforest and many of the animals who live there. Impressive photographs of Guyana's Kaieteur Falls were also on show, enabling the Mayor to highlight his passions for the natural environment and his position on what should be done to minimise the effects of climate change. Over 184 guests supported the fundraising night raising in excess of £8,500. Adding this to all the other fundraising events the Mayor has organised, his chosen charities will benefit from a share of about £40,000.

The complete and unstinting support of his wife of 47 years, the Mayoress Mrs Irina Chung, a Christian, played a significant part in the achievements of the Mayor's mayoralty. Recognition is also due for his Deputy Mayor, Councillor Pauline Cowper and the support of her consort and husband, Michael Cowper.

A humanist himself, the Mayor invited representatives of a variety of faiths to conduct the reflection at council, building social cohesion by celebrating differences.

Councillor Chung is recognised by the council for his community-focused work and his unstinting support of disabled people and the elderly in Merton. His belief in the importance of community and the part that everyone has to play in making Merton a successful place has resulted in a very rewarding mayoral year.

6 MINUTES OF THE PREVIOUS MEETING (Agenda Item 6)

That the Minutes of the meeting held on 6 April 2016 were agreed as a correct record.

7 CONSTITUTION OF COMMITTEES AND OTHER BODIES (Agenda Item 7)

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

Councillor David Simpson also spoke on the item

The recommendations were put to the vote and were carried – votes in favour 37, and votes against 0 with 19 abstentions.

RESOLVED

That the Council:

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

The nomination of Cllr Brenda Fraser, For Mayor of Merton 2016-2017 By Cllr Stephen Alambritis, Leader of the Council

Mr Mayor,

I first took soundings from within my Labour group **last year** about nominations for Mayor elect **this year**

I was delighted to hear one name constantly being referred to

When I shared that information with other political leaders in Merton **that** name pleased them

When I asked that councillor if they were happy to be put forward **that** person obliged Mr Mayor

That name, that councillor, that person is the individual I am about to nominate for the position of Mayor of Merton for the municipal year 2016/17

I am of course referring to Councillor Brenda Fraser

And this is the bit where I feel a bit like Eamon Andrews and presenting "This is Your Life" **complete** with red folder!

Brenda Fraser, you were born in Kingston Jamaica and lived at 4b Milk Lane

Your parents came to England in the 1950's and you followed them soon after and made your home in Mitcham

You met Lloyd in a restaurant **locally** and got married **internationally**

Why do I say that?

Well, You found a job abroad and told Lloyd to wait for you

Lloyd did not think much to that idea and followed his instincts and sought you out in your new work place where the wedding took place in of all places, **Canada!!!**

You have two grown up children in Gareth and Gillian and you are both now proud grandparents to Lucas

Mr Mayor

Cllr Fraser was elected to Merton Council in 2010 and has served Longthornton Ward since then

She has also has served on many **important committees**

Brenda's career has taken in the worlds of health education policing and the law

Brenda went **straight** into the nursing profession when she arrived in England and has also worked for the Police. Sticking with the legal theme Brenda is also a Justice of the Peace

Brenda spotted what a great educational establishment Labour Prime Minister Harold Wilson set up in the 1960's and she has been a lecturer in health at the **Open**

University

Her educational credentials were recognised when she was appointed to the board of South Thames College

Mr Mayor

I know Brenda will talk about her choice of Deputy Mayor and without naming names

I am delighted with her choice

I also know Brenda will name her chosen Charities and there again I will leave her to name them

Those are her choices but I now want talk about Brenda's choice in music

And of course it can only be soul music and I know Brenda will bring real soul to her Mayoral year

Brenda's favourite singer of all time is of course soul legend Luther Vandross
Vandross had hits such as "**The Best Things in Life are Free**"

While there is not much going **for free** here in the council

I do know Brenda will be free in abundance with her time for the community in the coming year

Vandross was also commonly referred to as "**The Velvet Voice**"

Mr Mayor velvet feels good in my book and I have a feeling we are about to have an excellent and busy community filled Mayoral Year with an equally excellent hardworking Mayor

Finally Mr Mayor let us not forget that Brenda who will soon become Merton's **first ever female Jamaican mayor**

Jamaica was originally known as Xaymaca meaning "The Land of Springs"

I know that Cllr Brenda Fraser will spring some wonderful and surprising events on us in the forthcoming year and I for one cannot wait!

So, Mr Mayor

It gives me great pleasure to nominate and I urge this council to then elect Cllr Brenda Fraser as Mayor of the London Borough of Merton for the Municipal year 2016-2017

Speech by Councillor Marsie Skeete in seconding the nomination of Councillor Brenda Fraser as Mayor.

I would like to second Cllr Brenda Fraser's nomination as Mayor.

Cllr Fraser has been my ward colleague since 2014 where she has been a great example to me of the difference a local Councillor can make to the every day lives of our residents.

I think she knows every single resident in Longthornton – she knocks on their doors morning, noon and night until she catches them in!

But this means she knows exactly what local people are concerned about.

On many occasions when we've been out and about she's disappeared into a resident's back garden to look at an overhanging tree or an overflowing drain.

No problem is too small for her to champion and no issue is too big for her to handle.

I have learned a lot from Cllr Fraser over the last two years and I believe she is an excellent choice for our mayor. She will be a role model for all of us, and for women and black women in particular.

I'm proud to live in the best city in the world, a city that chose a British Pakistani to be our mayor.

And tonight I'm equally proud to live in the best borough in that city, a borough that is choosing a Jamaican woman as our Mayor for Merton.

Councillor Fraser's acceptance speech: 18th May 2016

This is a very emotional occasion for me as I reflect on the task ahead and the journey getting here.

Firstly I would like to thank all those involved in selecting me to be the Mayor of Merton for the Municipal Year 2016-17. It will be a privilege and a honour to serve all the people of Merton. I promise to serve all groups and I am aware that we have come from various parts of England and indeed the World to make Merton our home. Secondly, I am grateful to all those who have travelled from different parts of the Borough and indeed different areas of England and overseas to witness this momentous ceremony. I might get myself into trouble for choosing a few people in the Chamber to extend special thanks for being here but I must take this chance. There are several relatives from Jamaica and the USA but among them is my uncle Joseph Gordon who will be eighty-eight in August. He felt he had to travel with his wife from the USA to celebrate with me because he did not want to miss this occasion. I am truly grateful to him. There is also my ex-manager from the NHS - Sister Barbara Bohanna and her sister who means a lot to me. There is my son Gareth his wife Julie as well as my dear grandson Lucas, who is three years old, thank you all for coming.

I hope to follow in the footsteps of all the previous Mayors of Merton and as the first Jamaican female Mayor for Merton I have an additional task of making my Country proud.

Finally, I would be delighted if you all would join me in the reception downstairs which follows this ceremony.

Councillor Stephen Alambritis, Leader of the Council, London Borough of Merton, Moves the Mayoral Citation and the Vote of Thanks in Honour of Councillor David Chung, Mayor of Merton 2015-2016

At the time of his election as Mayor last year, Councillor David Chung had completed 13 years as a councillor representing residents in Longthornton ward.

Councillor Chung has attended 333 engagements.

The Mayor's chosen charities were Merton Centre for Independent Living and Friends In St Helier.

During his mayoralty, Councillor Chung raised the profile of disabled people in Merton, recognising that further work needs to be done with regards to people who live with disabilities.

He emphasised the need to work with the Social Model of Disability.

He supported the Silver Sunday initiative and invited over 120 older people and their carers to afternoon tea.

At this memorable event, he spoke about the importance of keeping active and also of how friendship helps to maintain a healthy body and mind.

He demonstrated his commitment to championing health by completing a sponsored swim at Canons Leisure Centre.

Councillor Chung's love of music and of education shone through as he organised a 'Winter Warmer' concert, produced by Merton Music Foundation.

The Mayor visited many schools and spoke to the children about democracy and the role of the Mayoralty.

The Mayoress and the Mayor visited 144 businesses in recognition and appreciation of their role as the wealth producers in the borough.

The Mayor has a love of cricket and has forged a link with the Lord's Taverners, a charity which gives young people a sporting chance.

With Merton School Sport Partnership, the borough will participate in the Lord's Taverners' Disability Cricket Championship each year.

Councillor Chung has also initiated an annual cricket competition to encourage further integration among the many diverse communities within Merton.

Mitigating climate change is also close to the Mayor's heart and he has supported the Going Green event at South Thames College.

Given his strong focus on climate change Cllr Chung will be pleased to note that we are joined tonight by Merton & Wandsworth's recent victorious Assembly Member, Leonie Cooper AM, who has just been elected chair of the GLA's powerful Environment Committee

Throughout his mayoralty, Councillor Chung has focused on the unsung heroes of the borough – those people who do so much for the benefit of our communities, but who are rarely praised for their work.

In recognition of the work of carers who provide care and support to vulnerable individuals, the Mayor hosted a reception for people in 34 organisations including Mencap.

The New Year's Day Parade in Central London was a great highlight of the year, displaying Merton's talent for creativity and the arts with its fantastic magic carpet-themed float. This brought in £4,000 for the Mayor's charities.

The theme for the Mayor's Charity Ball reflected the flora and fauna of Councillor Chung's homeland, Guyana.

The All England Lawn Tennis Club was adorned with beautiful photographs of the rainforest and many of the animals who live there.

Over 184 guests supported the fundraising night raising in excess of £8,500.

Adding this to all the other fund-raising events the Mayor has organised, his chosen charities will benefit from a share of about £40,000.

One confession he has made in public is that he ate an embarrassing amount of strawberries at the opening of the Wimbledon tennis championship last summer

But in view of all his hard work we will forgive him!!

The complete and unstinting support of his wife of 47 years, the Mayoress Mrs Irina Chung, played a significant part in the achievements of the Mayor's mayoralty.

Recognition is also due for his Deputy Mayor, Councillor Pauline Cowper and the support of her consort and husband, Michael Cowper.

Councillor Chung is recognised by the council for his community-focused work and his unstinting support of disabled people and the elderly in Merton.

His belief in the importance of community and the part that everyone has to play in making Merton a successful place has resulted in a very rewarding mayoral year and less strawberries for us!!

But, Finally Madam Mayor

We now need to **RESOLVE UNANIMOUSLY**: that the council places on record its sincere thanks and appreciation to Councillor David Chung, for the dedicated manner in which he has served as Mayor of the London Borough of Merton for the year 2015-2016

I Beg So To Move

Conservative's tribute to Outgoing Mayor Cllr David Chung presented by Councillor Oonagh Moulton

Dear Madam Mayor

Thank you for the opportunity to place on record the Opposition Councillors' thanks and our appreciation to Councillor David Chung for his dedicated service and commitment to the Borough over his year as our Mayor of Merton.

Fundraising events and Mayoral charities

Mayor Cllr Chung has held many very successful and innovative events which many of us have enjoyed supporting and he has raised money for his chosen charities the Merton Centre for Independent Living and Friends in St Helier.

In addition he has also supported the children's charity One Life and the Alzheimer's Society.

His fundraising efforts culminated in the Mayor's Ball to which he brought a very original theme and all his efforts have raised a wonderful sum for his chosen charities.

Focus on disabled and unsung heroes

Mayor Chung is particularly recognised for his unstinting support of disabled people throughout his year and through his work he has raised the profile of disabled people. He has also focused much of his work on the many unsung heroes across the borough and he has recognised the inspiring work undertaken by the many carers who provide day in and day out care and support to vulnerable individuals right across our borough. He has also shown to us all the importance of championing health and exercise by completing a sponsored swim and many of us were proud to support his efforts.

Love of sport, music and education

I know of his deep interest in education and passion for sport and music from my earlier work with him on the then Life Chances Overview & Scrutiny Panel. I was pleased to see his support for the wonderful work of the Merton Music Foundation and especially the Winter Warmer Concert. It was also great to see that his love of cricket inspired a special charity match.

I know all Members would like to join with me in thanking and paying tribute to the outgoing Mayor Cllr Chung and the wonderful support of his Mayoress and wife Irina along with The Deputy Mayor Cllr Pauline Cowper and the support of her consort Michael Cowper. They all deserve our thanks and recognition for what has been a very rewarding year.

MPWIR tribute to outgoing Mayor David Chung, presented by Councillor Peter Southgate

On behalf of the Merton Park Independents, I am pleased to add our voices to the vote of thanks to the retiring Mayor, Councillor David Chung.

One of the pleasures of welcoming a new Mayor each year is finding out more about them during their year of office than you had discovered in the course of the previous ten years, or longer. So it has proved with David. I was aware of his interest in education because he held the portfolio in Cabinet when I first became a councillor, but I learned a lot more about him as his Mayoral year progressed. I came to know and like his easy speaking style, thoughtful and yet intimate with his audience, sharing personal experiences to make a point.

I remember David talking about his love of gardens and gardening when he presented the annual awards for the Merton in Bloom competition. The following evening I was back in the council chamber for the presentation of awards to the library volunteers, and David gave a vivid account of his childhood in Guyana, when he would run out of school to go straight to the library, the source of his lifelong love of books and learning. What a polymath, I thought – gardening, reading – how did he find time for it all?

I would like to pay tribute too, to the Mayor's support for charity during his year in office, not just his chosen charities, CIL and FISH, but more widely the charitable and voluntary sector in Merton. I recall him attending the AGM of Faith in Action, where he heard about the funding difficulties they faced. Although he was careful not to make any rash commitments, his support and the publicity his visit generated did result in increased contributions from individual donors and faith organisations and helped to put FIA on a more sustainable financial footing.

Likewise his support for CIL as one of his two nominated charities helped them win a much higher profile in the borough during a challenging period for the funding of disability, and has made sure we all understand the lives of the disabled and those who care for the disabled a little better.

Throughout he has been supported by Irina, always at his side and as full partner in her role as Mayoress. She deserves our thanks too. Now they can both look forward to a well earned retirement from their duties as first citizens of the borough, even as they look back on an eventful year of service to us all.

From Councillor John Dehaney to the Cabinet Member for Finance

What consideration he has made of the implications of the EU Referendum result.

Reply

I was disappointed with the result of the referendum, not only because I personally campaigned for a remain vote, but because I am deeply worried about the impact this decision will have on some of our residents who are most in need. Already we have seen the value of the pound drop, and with 40% of our food imported from the EU this is likely to result in increased prices, hitting our poorest residents hardest. It is still too early to assess what the long term impact on our residents will be but we will be watching developments as they (rapidly) unfold and factoring them in to our planning where we can have some degree of expectation. However in many cases we simply do not know what the impact will be.

Supplementary

Can the Cabinet Member tell me what impact the Leave vote will have on council resources.

Reply

I personally think the result was a very sad one. The political impact will be huge. One of the reasons we campaigned so hard to remain was the economic impact. The pound has already fallen. If the economy suffers there will be more cuts and more austerity. I can promise that this administration will all we can to minimise suffering but I have to say I think it's likely we'll have more difficult decisions to make and I am very sorry this has happened.

From Councillor Abdul Latif to the Cabinet Member for Community and Culture

The Wandle Meadow Nature Park has had little or no investment to improve the state of this valuable local asset. Why has the Council removed bins and therefore encouraged the dumping of rubbish; allowed pathways to become totally unusable by the disabled; and allowed the park to become generally overgrown thereby providing cover for anyone who is up to no good whilst putting law abiding residents in danger?

Reply

Wandle Meadow Nature Park is a recognised site of nature conservation value and the management prescriptions for this site are designed to protect and enhance that biodiversity interest.

Over recent years, the spread of scrub and bramble has been controlled so that the area by the seasonal ponds and central parts of the site remain open. The grassland within the central area of the site is also cut in alternate years. Much of the

remainder of the site is being allowed to mature into woodland with tree thinning anticipated from time to time as required.

With regard to disabled access, a major new pedestrian bridge has been installed at this location in recent times. This is compliant with the Disabled Discrimination Act and the ramped access to the rest of the site is also compliant with the Act too. The gravel surfaced paths across the site, whilst not an ideal surface for wheelchair users, are nevertheless appropriate for this type of site; similar surfaced paths are present in many other nature reserves throughout London.

Whereas the riverside path verges may become overgrown from time to time, particularly in high summer, this is cut back at intervals, most especially at these times of the year.

In the near future, the lighting at this site will be upgraded and a new path installed across the reserve to nearby Garfield Recreation Ground as part of TfL's 'Quietways Programme'.

We are not aware that any bins - other than dog waste bins - have been removed from this site recently. On the rare occasions when this does occur it is typically a response to the fact that the litter bins in question are attracting waste items into open spaces sites unnecessarily from the local neighbourhood.

Neither are we aware of any particular issues of anti-social behaviour at this location above the background levels that typically occur in parks and open spaces, and despite its management as a more naturalistic environment.

Supplementary

Residents have complained to the Council about the potential danger to the public from cyclists and motorbike riders using the Wandle path between Chaucer Way and Plough Lane. Can the Cabinet member explain to me why public safety on this pathway is being ignored?

Reply

I went to see the Wandle Nature Park the other day as a result of this question and there is a lot of surface water around at the moment. A reason for that is the nature of the park, it's on a flood plain, it has the nature ponds that fill up when the weather is very wet, and you'll have noticed in recent months the weather has been extraordinary. There's a problem with cycling and motorcycling in many of our parks and that's one we have and will address. We are aware of it and are dealing with it. There is a cycle path alongside the footpath. I hope that goes some way to answering the question and I look forward to discussing it with you and your residents.

From Councillor Marsie Skeete to the Leader of the Council

What plans does he have in place to work with the newly elected Mayor of London?

Reply

I am delighted that we finally have a London Mayor who will take both the opportunities and challenges the city presents seriously and will stand up for our diverse population. I have already spoken to Sadiq Khan about some of the issues we want him to focus on going forward and have specifically raised the issues of the AFC Wimbledon stadium application and the Crossrail2 proposals. I am optimistic that with a full-time Mayor now in place we will have a much more productive relationship with City Hall.

Supplementary

I would like to ask the Leader, does he agree that a new Mayor will respond to Merton residents who for far too long have faced rapidly increasing tube fares, rising rents and [not audible on recording]. Does he also have plans to work with our new Assembly Member, Leonie Cooper?

Reply

Madam Mayor I do believe that the new Mayor of London is addressing issues pertinent to all London residents. He is tackling knife crime. He's just reassured EU nationals that they will always be welcome in this city. He's called for employers to close the gender pay gap. He's tackling hate crime. He's putting Londoners' security at the heart of Brexit negotiations. He has an action plan to combat London's toxic air. He's finding savings to fund the fares freeze and to introduce new office based protections for SMEs, and is one of most pro-business Mayors ever. He is launching new night time tube services and the one hour hopper bus fare has been introduced.

I was pleased that Leonie Cooper won in the Assembly elections. I have had conversations with her already and I am seeing her on Saturday. There are two things to say about Leonie; she is Chair of the London Assembly Environmental Committee, so she's a good friend in very important position, and she is at one with this borough and this party and deserves cross party support to ensure Crossrail2 is a success and doesn't come here at any cost.

From Councillor Gilli Lewis-Lavender to the Cabinet Member for Street Cleanliness and Parking

Following the recent implementation of the administration's decision to remove separate dog waste bins from across the borough, many residents – and particularly parents - are understandably concerned about dog owners now being expected to use the same bins as for general waste. This is due to the potential for contamination of the general waste bins which are often used by children in Merton's parks. What assessment of the impact of this policy change on the public health of residents in Merton has been conducted by the Council and what were the results?

Reply from the Cabinet Member for Community and Culture

In comparison with neighbouring boroughs, Merton has been relatively late in adopting an “any bin will do” policy in respect of dog waste disposal. Park users who are also familiar with parks in, for example, Sutton borough should already be familiar with this practice.

The potential health risks associated with litter bins are not new, or very much altered in principle given that it has always been possible in practice for dog waste to be deposited in litter bins even when dedicated dog waste bins were provided; that in the past dog waste bins were commonly filled with general waste by users; and that, furthermore, soiled nappies are often deposited in general waste bins too, typically those within children’s playgrounds.

Both Waste Services and Greenspaces have reviewed and revised their relevant risk assessments in relation to litter bins in response to this policy change and have adopted relevant measures to mitigate those risks such as: implementing controls to ensure that bins are emptied more frequently; plans to roll-out additional hi-tec compactor bins that includes an access flap that isolates the waste from users; and to adopt plaza (lidded) bins as standard in parks henceforth.

The vast majority of dog waste deposits in parks bins are bagged-up, of course.

While answering the question, I’d like to add my plea that all Members encourage residents to take their general litter home with them from the park on those busy summer days when they’re already full. It is common practice for parks across Britain and Europe to ask that of the public; and besides, it’s common sense for us all to respect our parks and open spaces, rather than littering it and expecting other people to clear up after us.

Supplementary

Several residents in my ward and others such as Trinity have raised concerns to councillors about the rubbish bins . All too often the existing bins are overflowing, especially in the summer which encourages even more litter. Given that the separate dog waste bins have been removed, will the Cabinet Member help reverse the decline in overall numbers of bins by agreeing to provide traditional litter bins across Merton as soon as possible.

Reply

The policy came into force just as we came into our Cabinet position, and you’ll notice and I think there’s no point in denying, that there was some confusion as the policy changed over. That’s regrettable, but I can say the confusion is over. There have been many new bins put in across the borough, the dog bins have been removed and it is going to work. However, where there are situations where there is greater need for bins I do expect that councillors across the chamber will tell Cllr Garrod and tell me where there is specific need. One thing I will say is that where there is an overflowing bin, that’s regrettable but at this time of year they fill up very quickly in parks. It’s people who see a bin and rather than take rubbish home, dump extra stuff around it. I would urge all Merton residents if they see a full bin, to take their rubbish home. I would urge every councillor here to encourage their residents

to do just that. It's far better than complaining about a full bin.

From Councillor Fidelis Gadzama to the Cabinet Member for Children's Services

Could she outline how she intends to ensure she focuses on our safeguarding duties in her new role as Cabinet member for Children's Services?

Reply

I am absolutely clear that ensuring that council services and schools are safeguarding Merton's children effectively is one of the most important areas of my new portfolio. In broad terms I will be holding service leads to account in terms of performance but I will also be seeking to support practitioners and managers who undertake some of the most difficult and stressful work the council does. I also intend to use my role to influence how other agencies fulfil their safeguarding duties.

In specific terms I will be a standing member of Merton's statutory Safeguarding Children Board and will also meet regularly with the Board's Independent Chair. I will also be a standing member of the council's Corporate Parenting group, chaired by the Chief Executive. I will meet regularly with the Director of Children's Services and the Assistant Director for Children's Social Care and Youth Inclusion and intend to bring both support and challenge to those meetings. I will regularly receive data on performance in order to inform my conversations with senior managers. Furthermore, I will be attending the Children and Young People Scrutiny Panel at which I will expect challenge from colleague elected members. Finally, and importantly, I will have regular contact with young people to hear directly the safeguarding concerns they may have.

Supplementary

Given her prioritisation of the council's role in safeguarding our children, could she outline what factors she expects the council to take into account when considering the results of the Rutlish Path consultation?

Reply

Obviously this is about a balance of needs. We are proud of Merton's open spaces. However, safeguarding does need to take priority. I am sure we can all agree that the safety of our children is paramount. I am looking forward to the results of the consultation, and working with residents and ward councillors to understand what the need is so we can come to a resolution that ensures we protect our green spaces and safeguard our children.

From Councillor Oonagh Moulton to the Leader of the Council

There has been no Annual Residents' Survey now since 2014. Can the Leader update me on what arrangements are being made to ensure that the Annual Residents' Survey takes place again this year and how the Council plans to

benchmark the results against other London councils going forward?

Reply

We will shortly be inviting market research organisations to quote for the 2016 resident's survey. Our expectation is that fieldwork will take place in the autumn with the results available in either late 2016 or early 2017. Part of this process will include exploring opportunities for benchmarking but with no London wide survey taking place any more it will not be possible to benchmark in the same way as in previous years.

Supplementary

The Leader announced at last week's meeting of the Overview and Scrutiny Commission that a consultation would be launched in September on the level of council tax. For the sake of transparency, can he set out for this chamber both the timetable for the consultation and proposed costs. And can he explain how he is intending to ensure that not only is it fair and balanced but that as many residents as possible have the opportunity to contribute?

Reply

We undertake surveys regularly at LB Merton. Yes, we will liaise with residents through My Merton. We have an excellent staff who will carry out the annual residents survey, which we weren't able to do this year but will endeavour to do next year. The dates for consultation will be fleshed out in the very near future.

From Councillor Abigail Jones to the Cabinet Member for Regeneration, Environment and Housing

Could he update us on his plans for improving our transport infrastructure?

Reply

Improvements to Merton's transport infrastructure are guided by the Mayor's Transport Strategy and Merton's Local Implementation Plan (LIP)

Our Transport Vision

That in 2031 Merton is a place where people would chose to use sustainable transport modes. It will have a safe, accessible and sustainable public realm with reducing levels of traffic congestion.

Objectives

- Mitigate against the negative impact of transport on climate change;
- Reduce road traffic casualties;
- Encourage active transport (walking and cycling);
- Reduce the impact of traffic congestion levels;
- Contribute to the improvement of all public transport and community transport services;

- Improve the general transport infrastructure, including arrangements for parking and loading;
- Improve accessibility and address the issue of social inclusion within the transport network; and
- Further develop Merton's relationship with strategic partners to support the regeneration and reinvigoration of the town centres in the borough

Key Challenges

- Conversion of town centre one-way systems to two-way working;
- Road traffic casualty reduction;
- Public transport provision;
- Balancing the road space requirements for all transport modes with the need to reduce traffic congestion;
- The condition of footways and carriageways, street clutter and confusing signage; and
- Parking for all road users and freight access to local business centres

Funding

The key funding source for the LIP programme comes from Transport for London (TfL). Merton also seeks to maximise other funding sources via developer contributions, CIL, central government, Mayor of London, public transport providers and partnerships with the business community and Merton Partnership.

Major Projects

Merton's Major Scheme projects form an integral part of the borough's regeneration and investment programme. Following the successful delivery of Raynes Park Enhancement Plan in 2011 and Destination Wimbledon Major in 2012, focus has now shifted towards developing similar schemes in Merton's remaining town centres.

The approach and plans for each scheme has been individually shaped to address the specific strengths and problems of the area in partnership with the wider community, local businesses and other stakeholders.

The areas in order of priority are:

- Rediscover Mitcham
- Connecting Colliers Wood
- moreMorden

Rediscover Mitcham

A major regeneration scheme for the transformation of the transport offer and public realm is progressing well in Mitcham Fair Green with the first phase recently completed including;

- New Market Square & feature lighting
- Refurbished Clock Tower and wild-flower gardens
- Majestic Way refurbishment and cycle lanes
- Introduction of short term parking around Fair Green
- Croydon Road segregated cycle lanes
- Bus stop accessibility enhancements, around Mitcham

- Restoration of Three Kings Pond with improved water quality and biodiversity.

The next phase of Rediscover Mitcham will start late July 2016 and run till December 2016 which will see the re-introduction of buses in London Road, increasing Mitcham's public transport accessibility levels and directing footfall towards businesses in the town centre.

Connecting Colliers Wood

The area of Colliers Wood around the station has a rich history, is crossed by the River Wandle, is well served by open space, benefits from good transport links and has strong retail offer and Colliers Wood Tower's transformation continues apace. Yet despite its strengths the area presents visitors and residents with a poor impression of a low quality and disjointed public realm dominated by the busy A24.

Connecting Colliers Wood is transforming the town's public spaces. Due to complete in August 2016, Colliers Wood will have new paving, better lighting, CCTV and cycle parking around the station. Baltic Close is transformed into a pedestrian and cycle friendly home-zone with improved access to the Wandle Trail.

Further improvements to the riverside @ M&S-Sainsbury's include new paving, lighting and wider footpaths and riverside piers. The road system has been simplified to improve traffic flow and provide more convenient and shorter pedestrian crossing points.

The public realm design detail begins to reveal the area's rich heritage (Colliers Wood gets its name from the charcoal works in the area) emphasised with charred timber cobbles and lamp columns. Wandle Park gateways are made of metallic glazed brick reflecting the lustre-wear from William De Morgan's factory and the areas new benches are bespoke William Morris patterns, reflecting the large printing blocks that would have been found at Abbey Mills.

moreMorden

At the heart of Morden town centre is the busy A24 London Road, which divides the town centre in two. The bus station outside the tube at Morden is convenient for commuters but presents an unwelcoming environment to visitors to Morden and suffers from poor air quality.

Overall, the design and quality of streets and public spaces for pedestrians, motorists, cyclists and public transport users in Morden is under-par and the council has spent the past 18 months preparing the evidence base and research that will support a £9m Major Scheme package of works by Merton Council and TfL to overhaul Morden's public realm. The first stage was approved in April 2016.

We are proposing to reduce the dominance of traffic, remove the gyratory, create new public spaces and achieve a step-change in the quality of Morden's High Street.

There's a lot of testing still to do and the council will consult on options in due course. The scheme would be implemented in 2018/19.

Crossrail 2

Crossrail 2 is set to be a huge project which will have a significant impact on Wimbledon town centre. In the long-term, Crossrail 2 will bring opportunities to the area. We are a pro-growth borough and want the best for Merton.

All parties at Merton Council support Crossrail 2 in principle, but not at any cost. The council has a duty to represent current businesses and residents of the borough and has significant reservations about the proposals. As they stand at the moment, they will cause an unacceptable level of upheaval and disruption for businesses and residents. The council recognises its duty to represent the people living and working in Merton. The welfare and interests of those who would be directly affected by the works and the eventual development will continue to be its priority.

We are working closely with TFL to assess various options and the impact of Crossrail 2 in Merton.

Supplementary

Can the Cabinet Member update us on what we are doing to convince the Government that the current plans for Crossrail 2 won't work for Wimbledon residents and businesses.

Reply

The Council supports Crossrail 2 but not at any cost. We are working very closely with businesses and local residents in Wimbledon about the proposals which are unacceptable. I am also liaising closely with the GLA and TfL and shortly I'll be meeting with the Deputy Mayor for Transport.

Clearly Crossrail 2 will bring huge economic benefits to the town but we must ensure that issues in terms of retail businesses are addressed. We want a thriving business community in Wimbledon, but we also recognise the considerable role of retail in the town centre.

There will be further consultation by Crossrail 2 in September and I look forward to working with residents, businesses and councillors about the proposals and to engaging with the local community to ensure there are proposals that work for them.

From Councillor Linda Taylor to the Cabinet Member for Community and Culture

How much does the Council spend each year on grass cutting in the borough?

Reply

The cost of grass cutting in the borough is not a specific item in itself within the Greenspaces' financial accounts, owing to the manner in which the grounds maintenance service as a whole is delivered within Merton. The actual spend can only be estimated therefore.

The core grass cutting service within Greenspaces, covering parks, open spaces and highways verges is delivered by 6 full-time grass cutting staff (4 for parks & open spaces; 2 for highways) supported by 4 seasonal staff for the highways operation during the cutting season).

The core team equipment includes 2 tractors, 4 ride-on mowers, plus assorted smaller powered tools, including pedestrian mowers, strimmers and blowers.

Fuel, oil, sundry small parts and spares and regular equipment servicing and maintenance are all relevant costs.

The borough's conservation hay meadows are cut by specialist agricultural contractors annually at an additional cost.

Excluding the capital costs of the team's operational equipment and relevant management support costs, the front-line delivery costs of the grass cutting operations, including staff, fuel, servicing, etc. as outlined above, is estimated to be in the region of £225,000 per annum.

Supplementary

If the Cabinet Member is anything like me he will have received very many complaints about delays in cutting grass verges and small green spaces and pocket parks. I would like to know if he will apologise to the residents for the very poor value for money that they have received this Spring from the grass cutting service. Will he guarantee the outsourcing of Merton's parks maintenance to a third party will not lead to the council losing control of the grass cutting schedule, or that the lessons learned from this year's copious problems would be addressed or rectified in future years?

Reply

Yes of course it is a great shame that the grass verges have grown fast in this very wet weather, and it's regrettable that there have been delays in getting them cut. This isn't an excuse but this is something we contract out because we don't have the staff to do it, and because it's not very well paid, the contracting company has difficulty in recruiting staff. It's something we've been dealing with and we do hope it will be sorted out in the very near future.

From Councillor Peter McCabe to the Cabinet Member for Regeneration, Environment and Housing

Does the Cabinet Member think the leaseholders of the Watermeads estate have been treated properly by Circle Housing Merton Priory over the cost of repairs and maintenance to their homes?

Reply

The Council has taken advice from Circle Housing Merton Priory and is assured that residents of Watermeads estate have been treated fairly and in

accordance with Section 20 consultation, which commenced on the 7th October 2015. As part of this process the main issues and concerns coming from residents were failure to consult, unreasonable costs, unnecessary works and disruption. In order to deal with these matters Circle Housing Merton Priory commissioned independent reports on all areas of concern and Circle have now reached a decision to carry out remedial work in a number of areas rather than full replacement. This has resulted in a reduction in overall costs from £2.1 million to £1.2 million. Revised costs were sent to leaseholder in week commencing 6th June and they were invited to a "meet the contractor" which occurred at the end of June. The work has now commenced and is expected to take 16 weeks.

Supplementary

I would like to ask if the Cabinet Member would agree with me that he might get a better view of how leaseholders are being treated by talking with leaseholders and councillors without whose intervention, the leaseholders would have been overcharged by £10K each.

Isn't it time that the relationship we have with them came to an end and we gave this organisation a good kick up the backside for a persistent failure to do things properly.

Reply

I recently met the Chief Operating Officer of Circle Housing, Austin Reid, and I expressed the concerns which I know many members share about the performance of Circle Housing, which has in many areas been completely unacceptable, including their repairs services. A number of colleagues have spoken to me about issues experienced in their ward. Clearly there is a duty and responsibility for Circle Housing to put their house in order, and I am glad to meet with any councillors who have experience of problems and please feedback to me as they should be held to account for their performance, which has been pretty lamentable over the last few years.

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From Councillor Sally Kenny to the Cabinet Member for Adult Social Care and Health

Can he update us on the local NHS's Sustainability and Transformation Plan (STP) and how it might impact older people in the borough.

Reply

The STP for Southwest London was submitted to NHS England on June 30 as required. The document is not currently in the public domain. Whilst the Council has been involved in discussions on the STP, it is principally an NHS document and has been led by the Clinical Commissioning Groups for Merton, Wandsworth, Croydon, Sutton, Richmond and Kingston. However what I can say is that Merton Council along with other local authorities has worked hard to seek to shape the plan, and as a result of this there is now a greater emphasis on prevention and on care in community settings. It is common knowledge that across the country too many older people are admitted to or stay in hospital when they don't need to, with all the consequences on their own ability to live independently and on NHS finances. Southwest London is no exception. It is therefore hoped that this plan will lead to more older people being able to receive the right treatment in the right place.

Supplementary

Does the Cabinet Member agree with me that there is a danger that the STP will again turn out to be a way of ending services at St Helier Hospital, putting older, vulnerable people in need of emergency care at risk, and how has he responded to this threat?

Reply

I would like to thank Councillor Kenny for all the work she has done campaigning for St Helier Hospital over the last few years. The first thing I'd say is that I think we have to welcome the approach the NHS has taken on the STP. Officers that I have been talking to have been through many NHS reconfigurations and say that there is definitely a step change this time and they are involving us in these discussions far more so than they have done previously. I think we have to welcome that and we have to work collaboratively with the CCG on that. But in terms of her question, there will be proposals around acute reconfiguration as part of the STP. In discussions I've had to date with the CCG I've been clear about this Administration's position on St Helier, and been clear that if it is used as a stalking horse to resurrect those proposals then we will have to take the line previously taken and do all we can to disable it.

From Councillor Brian Lewis-Lavender to the Cabinet Member for Street Cleanliness and Parking

Whilst we appreciate that the parking charges in Sir Joseph Hood Memorial Playing Fields are designed to deter commuters from parking there, is this fair to local residents using the park, many of whom have to drive to it because they are elderly or disabled or else have children as well as picnics and games to transport there?

Reply

The proposal to introduce parking charges in parks was only taken with some reluctance, but it is undeniable that the currently free car park at Sir Joseph Hood MPF suffers from some abuses from commuters utilising Motspur Park train station and from local businesses to the detriment of parks users.

The proposed pay and display scheme attempts to strike an appropriate balance between discouraging commuter parking and not unduly penalising genuine parks users. Charges will not apply on Sundays or Bank Holidays, for example, nor in the evenings or early mornings and the proposed hourly rate will be minimal for most typical park users who might enjoy the park for, say, 1-2 hours per visit.

Supplementary

I would just like to say that it was a surprise to many in my ward that pay and display ticket machines were installed in the car park of Sir Joseph Hood Memorial Playing Fields before either residents, park users or ward councillors were consulted. Those living in nearby roads, many of whom are elderly and rely on being able to park close to their homes, are understandably fearful that drivers who can no longer park in the park will try to park in the already congested roads. Will the Cabinet Member reassure these residents that he will suspend this pay and display scheme until full consultation has taken place.

Reply

As I stated in the original response, it was with some reluctance that we have introduced these schemes. We need to strike a balance between those that are abusing the parks, particularly commuters, to allow residents who need to use their cars to go to parks, to enjoy them. In terms of the pricing structure, I understand that it's still under consultation and I would encourage the councillor to feed into that process.

From Councillor Mike Brunt to the Cabinet Member for Street Cleanliness and Parking

Could the Cabinet Member update me on how the proposed new joint South West London waste collection service will take into account the needs of our older residents?

Reply

With the proposed introduction of wheelie bins, Waste Services will work closely with the preferred bidder during fine tuning to recommend / update the existing 'Assisted Collections Policy'.

The preferred bidder acknowledges that given the extra weight / size of the bin that there will be a need to review the assisted collection policy and ensure that all residents who meet the new criteria are provided with an assisted collection. Please

note that those residents currently on the scheme will remain eligible for the assisted collection service.

Prior to the introduction of wheelie bins, we would welcome the opportunity to meet with relevant community groups, and I have already met with the Centre for Independent Living to discuss any additional support required for elderly and disabled residents.

Supplementary

Does the Cabinet Member agree that the Conservatives' opposition to wheelie bins across the borough will mean no end to the problems of detritus from ripped open black sacks from foxes and cats.

Reply

I'd like to congratulate Councillor Brunt on his victory in Figges Marsh. We know from the literature delivered how much interest the councillor takes in litter and how much he will be working with me in order to improve street cleanliness across the borough and hopefully support the introduction of wheeled bins. After all, 50% of street litter in residential streets is compounded by the bags split by foxes. So I hope that the Opposition get on board and move with the times and support the roll out of wheeled bins.

From Councillor David Williams to the Cabinet Member for Adult Social Care and Health

Can the Cabinet Member confirm a) the Council's projected deficit for 2015-16 as per the calculations/assumptions included in this year's Budget papers i.e. the amount by which the Council was expecting to overspend in the last financial year at the point at which the latest swathe of Adult Social Care cuts were agreed by Budget Council in March 2016; and b) the Council's actual deficit (or overspend) for 2015-16 as shown in Merton's recently published draft accounts?

Reply

- a) When the Council agreed its council tax and expenditure and income levels for 2016/17 the latest available monitoring information was based on expenditure to 31st December 2015 and there was a projected overspend in 2015/16 of £2.605m at that time.
- b) The Council's unaudited draft accounts for 2015/16 showed a net overspend of £0.694m for 2015/16 outturn.

Savings for Adult Social Care have been agreed by Cabinet in 2013/14, 2014/15 and in 2015/16 for the years 2016/17 up to 2018/19, as has been the case for a number of years to assist with our long term financial planning.

A Savings Mitigation Fund Reserve of £1.3m was created in 2016/17 in response to the concerns raised at Scrutiny to reduce the impact of the savings in 2016/17 on vulnerable residents.

Supplementary

Does the Cabinet Member think it business-like to invite the council to take budget decisions that cut essential services because there is no room for manoeuvre, and 29 days later find that they are better off than they thought by £1.99M? Wouldn't a business that gets its financial forecast so wrong go bust if it wasn't in the public sector?

Reply

I think that, as the nature of our amendment to the motion makes clear, the very nature of financial forecasts is that they have to be estimates, but they're the estimates that we have to work within. I think it's regrettable, as our amendment makes clear again, that it led to some of the decisions that were taken, but obviously this is the data that we have to work with and it is likely to lead to fluctuations from time to time.

From Councillor Jerome Neil to the Cabinet Member for Community and Culture

How does our leisure offer contribute to helping our older residents live active and fulfilled lives?

Reply

The leisure centre contract with the operator GLL, requires them to provide for older people within their leisure offer

This year's development plan covers;

- Walking football at the Canons Multi use games area, this is being looked at with a view to holding competitions against other centres
- The current 55+ clubs at Canons and Wimbledon have a very health membership, various activities are played such as Badminton, indoor bowls. The group compete in the GLL 50 plus games each year at the Copper Box in the Olympic stadium
- Following feedback from members, there is a new group formed to organise social events
- GLL have a target to increase the older membership by 3%

In addition:

- Healthy walks are organised by the Council
- The Watersport centre has a 50 plus sailing group
- There are green gyms in various parks, these are free to all
- There are also bowls clubs based around the borough

Supplementary

May I congratulate the Cabinet Member on the recent decision by the Planning Committee to agree on a design for the new Morden Leisure Centre, something we heard a great deal about from the Conservatives when they were in power and which we delivered. Will he tell us how the new leisure centre will cater for the whole family, in particular the older residents in my ward, St Helier.

Reply

I'd like to thank the Planning Committee for putting the leisure centre through. I know an awful lot of hard work has gone into it. Although it's easy to say "we built it and you didn't", I know the reason why you couldn't; because at the time it was costing too much to build it. When I came into post that was still the case and we found cheaper ways of doing it. We will build this leisure centre to budget and in time and that's the pledge you get from me.

It will be a family centre and it will be for the whole family, including older people and I'm not going to tell you exactly what that means for older people right now, because we will consult and we will continue to consult until we get what older people want.

From Councillor Charlie Chirico to the Cabinet Member for Cabinet Member for Regeneration, Environment and Housing

Further to my recent question to the Cabinet Member Community and Culture about housing schemes for over 55s in Merton, what leverage is there within Merton's current planning policies to help deliver more housing that is both of high quality design and appropriate to the needs of older residents in the borough?

Reply

Merton's Local Plan [Sites & Policies 2014] provides the planning policy provision for over 55s housing.

Policy DM H1 Supported care housing for vulnerable people or secure residential institutions for people housed as part of the criminal justice system

Links to Core Planning Strategy policy CS 8 Housing Choice

Policy aim

To provide a variety of accommodation with different levels of support or care, that is both appropriate to the needs of the potential residents and that is sensitive to the surrounding residential environment.

Policy

a) The suitability of proposals for supported care housing will be assessed having regard to the following criteria:

- i. Demonstrable need;
- ii. The proximity of the site to public transport facilities;
- iii. The provision of a safe and secure environment;

- iv. The provision of an adequate level of amenity space which is safe and suitable;
- v. The provision of adequate parking facilities for residents, staff and visitors;
- vi. The convenience of the site's location in relation to local shops, services and community facilities;
- vii. The quality of accommodation complies with all relevant standards for that use.

b) Generally, proposals for supported care housing will be expected to provide affordable housing in accordance with Core Planning Strategy Policy CS8 Housing Choice, unless nominations for people in housing need can be made available through the council.

c) The council will resist development which results in the net loss of supported care housing for vulnerable people or secure residential institutions for people housed as part of the criminal justice system unless either:

- i. adequate replacement accommodation satisfies criteria DM H1 a (i) to (vii) inclusive above;
- or,
- ii. it can be demonstrated there is a surplus of the existing accommodation in the area; or,
- iii. it can be demonstrated that the existing accommodation is incapable of meeting relevant standards for accommodation of this type.

d) Where the council is satisfied that the requirements of criterion (c) of this policy have been met, the council will require that an equivalent amount of residential floorspace (Use Class C3) to be provided to help meet Merton's need for permanent homes. These proposals will be considered in respect to Core Planning Strategy Policy CS8.

The Council have recently approved a number of schemes in the borough for specialist housing including Circle Housing's new sheltered housing schemes at the Oaks in Lower Morden and Doliffe Close in Mitcham. As part of the Nelson Hospital redevelopment an assisted living residential scheme was provided by McCarthy & Stone.

Supplementary

Many older residents nearing retirement or in the early years of retirement are looking to downsize into a smaller house or a ground floor flat, preferably closer to local amenities. This in turn helps to free up larger properties for growing families. Will the Cabinet Member commit to review Merton's Planning policies, and to bring forward for consideration changes that would help facilitate the building of more housing in the borough which is appropriate for the needs of older residents?

Reply

Obviously in terms of Planning policy it is really helpful when people downsize. In terms of specifics we do have to be careful when setting out Planning policy. But it's also important that we have supported housing and sheltered housing for people.

Also it's important for us as a council to work closely with people who are in social housing who wish to downsize and actually free up larger family homes and I know there are some older people that do want to do that. Clearly there are things in terms of permitted development within the Planning policy, but we as a Council think that this is important and we should have Planning policies that permit a range of different housing, and addressing the needs of our older people is important. I believe that our policies do that but there is always room for making further changes when we review the policies.

From Councillor Mary Curtin to the Cabinet Member for Adult Social Care and Health

Could he update us on our Older People's Strategy and the approach he intends to take to this work going forward?

Reply

The Council is currently reviewing all of its strategies to ensure that they reflect the ambition of working in a more integrated way with health partners. This work will be undertaken in liaison with the Clinical Commissioning Group and will complement the work being undertaken for the Sustainability and Transformation Plan, ensuring that the strategy for older people is properly joined up between health and social care. The strategy will also be developed in close liaison with all those who use our services and their carers.

Supplementary

Does the Cabinet Member agree that the government's failure to manage the NHS has meant millions of pounds have been wasted on keeping older people in hospital unnecessarily when they could be looked after in their own homes if councils received sufficient funding? Will he update us on the work Merton is doing with other south west London authorities to try and mitigate this huge problem.

Reply

I would like to thank the councillor for all the work she does with FISH on this. The Leader and I asked Councillor Curtin to be the older people's champion in this borough and I am delighted that she has agreed to do that.

The problem of bed blocking is one that has been well documented across the country and it's a cyclical problem. The Government cuts our grants so we can provide less services in the community, the NHS is seeking to discharge patients ever more quickly which is in turn putting more pressure on our system, which is more constrained because of decreased budgets. As part of the STP work that was undertaken, a bed audit showed that on one day in South West London hospitals, 42% of people who were in hospital shouldn't have been there, so it is well documented and well known about.

I think it requires a joined up approach between health and care and I'm pleased to say that we now have in South West London a collaborative leadership group which

brings together all of the local authorities which are involved in the STP process with the CCGs and the NHS, and bed blocking is one of our priorities.

From Councillor Stephen Crowe to the Cabinet Member for Adult Social Care and Health

How much does the Council spend each year on activities for older people in Merton?

Reply

In 2015/16 the Council spent a total of £2,004,743 on activities including Lunch Clubs, Day Services and similar activities. This figure includes transport. In addition to this, Public Health directly spends annually approx. £125,000 on older people (falls prevention related, befriending scheme), bringing the overall total to c£2.13m.

Supplementary

I know that many residents are disappointed that the Celebrating Age Festival is not happening this year. Can the Cabinet Member reassure me that he'll be working hard over the coming months with Age UK Merton to identify alternative sources of funding, and thereby ensure that the festival has a long and sustainable future?

Reply

I am delighted to say that we are already doing exactly that. Discussions have taken place with Age UK and they are at a very early stage, but the idea is not to make it a festival for a fixed period of time but to have a celebrating age year which would see a series of events throughout the next year. I would be very happy to update Councillor Crowe as and when we have more detail.

From Councillor Dennis Pearce to the Cabinet Member for Adult Social Care and Health

Could he outline how our Public Health service works with older people in the borough.

Reply

Public Health Merton approaches the health and wellbeing of all residents in Merton from a life-course perspective, from early years to older people. Working with and through our partners, this includes addressing the issues of older people to enable them to live independently for as long as possible and support their wellbeing through their advancing years.

Public Health prioritises tackling dementia, falls prevention, and loneliness and isolation in the borough in a number of different ways:

1. Dementia- completed a dementia health needs assessment recently, and this is informing the development of a five year dementia strategy for the

borough through a multi-agency steering group; relaunching the Dementia Action Alliance in autumn, and the development of dementia friendly communities; evaluating the dementia hub.

2. Falls Prevention- developed a falls prevention strategy currently being implemented; fund the falls prevention service through the NHS Community Health Services (in partnership with the CCG); and have funded schemes for elderly at risk of falls.
3. Tackling loneliness and isolation- currently running a two-year pilot befriending scheme for older people through a consortium of voluntary sector organisations with AUM as the lead agency.

Additionally we are taking a systems approach in the development of the East Merton Model of Health and Wellbeing, and in the integration of health and social care, including the development of resilient communities and activated citizens – taking into account our older and vulnerable residents.

All our work in the above areas is underpinned by the involvement and participation of older people through consultation and active engagement, to co-design and co-produce the future models of care.

Supplementary

Could the Cabinet Member confirm the amount the Government has cut from our public health budget in 2016/17 and the outlook for public health services including those for older people given the government's continued cuts.

Reply

The Comprehensive Spending Review last November set out cuts to the Public Health grant of 2.2% for the current year, which is on top of a reduced baseline from the 15/16 budget. It further set out 2.5% cuts in 17/18 and 2.6% cuts in 18/19 and 19/20. I think it's inevitable that this will have an incredibly detrimental impact on older people in this borough, particularly being compounded by cuts to the Government grant.

I was reflecting earlier that, given our new Prime Minister is a former member of this chamber, she might see her way to finding us a bit of additional money, particularly as I understand there might be £350M going spare each and every week.

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Committee: Council

Date: 13 July 2016

Wards: ALL

Subject: Strategic Theme Report – Older People

Lead officer: Simon Williams, Director Community and Housing

Lead member(s): Councillor Tobin Byers, Cabinet Member for Adult Social Care and Health

Contact officer: Kim Carey, Interim Head of Access and Assessment

Recommendations:

- A. That Council considers the content of the report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Council at its meeting in March 2015 approved the Business Plan 2015-2019. The Business Plan represents the way in which the council will lead the delivery of the Community Plan via a number of thematic partnerships and strategic themes. Performance against these themes, plus an additional theme of corporate capacity, is monitored by Council.
- 1.2 Each meeting of Council will receive a report updating on progress against one of these strategic themes. This report provides Council with an opportunity to consider progress against the priorities under the 'Protecting Vulnerable People' theme.
- 1.3 The ambition for the theme as outlined in the council's Business Plan 2015-19 is to 'Older People'.
- 1.4 The portfolio holder is Councillor Tobin Byers
- 1.5 The Business Plan can be viewed at www.merton.gov.uk/businessplan.

2 DETAILS

Background

- 2.1 LB Merton, alongside most authorities across the country, is facing challenging times when seeking to support vulnerable individuals within the community. Most of these challenges are outside of the direct control of the local authority and have been well rehearsed through earlier discussions within the Council and at a national level. The challenges include a reduction in central government funding for local authorities, new statutory duties, growth in need and demand due to demographic pressures, cost pressures on providers which in turn are leading to pressures for local authorities to increase fees, and increased demand from the NHS to discharge people from hospital quickly. In Merton we are managing these challenges in a business like way, ensuring that we are thinking ahead and seeking opportunities to work in a positive way with partners to make the best use of the resources available to us.

2.2 Key challenges:

The challenges are multi-faceted and inter-related. Whilst there have been significant changes in the demography of the borough, the actual number of older people now receiving support from the Council has reduced over the last six years as can be seen below:

PACKAGE TYPES : ADULT PLACEMENTS, DAY CARE, DIRECT PAYMENTS, DISCRETIONARY PAYMENTS, HOMECARE (EXCLUDING REABLEMENT), RESIDENTIAL AND NURSING (SHORT AND LONG TERM).

Number of packages						
TEAM	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Older People	2443	2406	2395	2386	2288	2189

Total number of individuals receiving support						
TEAM	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Older People	1941	1907	1861	1929	1917	1814

- 2.3 However, this decreasing number, which is replicated across the country, hides an underlying pressure on demand. Whilst the overall number has decreased, partly through the increase in the use of services that reduce ongoing demand, such as the council's Re-ablement service, and also the need to tighten up on eligibility due to the need to make financial savings, the level of need and complexity of support that older people require to keep them safe has increased. This means that many more people are now requiring more intensive support, some people requiring up to four calls or more a day to support them in their own home, and often requiring two carers to support them at each visit.
- 2.4 This has not only created a financial pressure but has put pressure on the providers of care that the Council contracts with. The majority of the care provided for older people within the borough, whilst funded by the Council, is provided by the private, independent and voluntary sector.
- 2.5 Costs for providers have increased as they have been required to increase the training provided, in order to meet registration standards, respond to increased fuel and running costs as well as ensuring that the National Living/London Wage is paid to all staff. Whilst the Council does not have responsibility for registering providers, this sits with the Care Quality Commission (CQC), the Council does have a new responsibility, introduced as part of the Care Act 2014, to ensure market stability. Therefore we have to be mindful of the need to ensure that we pay sustainable fee levels for the care we purchase.
- 2.6 Pressures on the NHS also impact on our ability to provide support, particularly at the interface with acute hospital care. There has been a high profile given to

the management of Delayed Transfers of Care (DToC) from acute care. This term relates to people where it is agreed there is no need for ongoing treatment within an acute setting but for whom a discharge has not yet been arranged. The numbers of people for whom the Council has responsibility and who are deemed 'delayed' has fluctuated, please see later comment on this. However, the pressure to reduce the numbers of DToC's has seen many more people discharged quicker but also sicker, putting additional pressure on community services across health and social care.

- 2.7 Despite the protection which the council is seeking to give to vulnerable people in line with the July Principles, including finding some growth for the budget in previous years, Adult Social Care has also had to respond to the Council's' overall financial challenge against the background of cuts in funding from central government. In common with the rest of the country, it is becoming increasingly challenging to deliver these savings, both in terms of impact on customers and in terms of their deliverability while still meeting statutory duties, as comparatively lower impact/risk savings have been taken in previous years.

How are we managing?

- 2.8 The Directorate has made significant savings in this and previous years. In 15/16 the planned savings were overall delivered and the overspend at year end 2015/16 was reduced to less than half of the previous year. Management of Delayed Transfers of Care continues to require very significant amounts of time from officers, in terms of working with NHS colleagues to manage discharge, working with providers to find capacity, and giving detailed performance management .After several years of extremely low numbers, during 15/16 the numbers for Merton rose to around average for London.
- 2.9 So far this year the numbers have reduced and appear to be stabilising, but require ongoing monitoring to ensure that any changes in any part of the health and social care system do not impact negatively on this target. Changes outside the control of the Council, such as ward closures due to infection control, or a care provider reducing the supply it offers, can have a major impact on a system that is very sensitive to change. Officers invest a huge amount of time building and sustaining relationships with staff across partner agencies to ensure that people are moved out of hospital safely and appropriately and that staff at the front line of this pressured process do not carry all of the responsibility and are able to remain resilient.
- 2.10 The Directorate has successfully delivered a major staffing restructure, the final phase of which went live on 1st July, which delivers both savings in staffing and aligns our structure and response more appropriately to the customer journey. The new structure will ensure that people are seen quicker, get the information or support that they need speedily and that only those most in need go through the full and comprehensive assessment process. Staff have responded well throughout the changes and it is a testament to them that performance has not dropped through this time of major change. Work will continue to test out the new structure, ensuring that the new hand -off points are managed well and that the capacity is sited where it is most needed.
- 2.11 Relationships with health partners continue to be healthy and officers have successfully negotiated an agreed Better Care Fund for a second year, have been actively involved in plans being led by health to develop the Sustainability and Transformation Plan (STP) across South West London, as well as having

positive discussions around new innovative developments such as the East Merton Model of Care, being led by Public Health.

- 2.12 Work with the voluntary sector continues to be a key theme. Grants have been awarded for the next three years of Ageing Well. There has been close working with key voluntary organisations over the decommissioning of meals on wheels, finding new ways to provide support for carers once South Thames Crossroads have been decommissioned at the end of the year, and putting in place a peer led service for mentally ill people. The voluntary sector has responded with innovation and realism.

3 Performance relating to Older People

- 3.1 Key performance data has been extracted for the purposes of this report and is contained in **appendix one**.

4 Commentary and key achievements relating to Older People

- 4.1 Performance has been maintained with most targets being met or on target as can be seen in appendix one. The greatest challenge remains the reduction in Delayed Transfers of Care and there is a robust action plan that is monitored on a weekly basis and is modified to respond to changes in the health and social care system. Other key elements of performance are the successful holding down of levels of activity especially care home admissions, helping people live in settled accommodation, and improved support to carers.

5 Reports of Overview and Scrutiny Commission/Panels

- 5.1 The Healthier Communities and Older People Overview and Scrutiny Panel had a significant impact on the 2015/16 budget proposals. The panel heard views from individuals and organisations representing adult social care users and carers in order to impact on the council's decision making in respect of adult social care savings.
- 5.2 The Panel therefore asked Cabinet to reconsider a number of the proposed adult social care savings. Cabinet responded to this by agreeing to continue the funding for the service provided by Crossroads into 2016/17 and undertook to work with them to re-focus their service from 2017.
- 5.3 Cabinet further responded to the Panel and to a recommendation from the Overview and Scrutiny Commission to consider levying an adult social care precept, by setting up a Savings Mitigation Fund of £1.3m to enable it to offset the effects on the most vulnerable people in the borough.
- 5.4 The Panel also considered issues in relation to the following areas:

Making Merton a Dementia Friendly Borough

Community Dementia nurses, Transport for London and Merton Public Health Team attended the panel to discuss this issue. The panel found that a wide range of initiatives are in place to help residents in Merton who have dementia. Merton also has a flagship dementia hub which provides a wide range of support to those with a diagnosis and their carers. The panel found there are a number of organisations working to support this group however the work may benefit from being integrated and resources pooled together. The panel asked for a further update in six months' time.

Physical activity amongst the fifty five plus

The Panel is committed to the prevention agenda and emphasis is placed upon this in all issues that are scrutinised. Councillors believe that preventing illness before it occurs is preferable for the individual and reduces the financial burden on finite resources. The panel considered a report from the public health team on a number of activities taking place across Merton to increase physical activity and reduce physical inactivity in the over 55s.

The report highlighted that physical activity contributes to significant health benefits including reducing the risk of many chronic conditions, such as coronary heart disease, stroke, type two diabetes, cancer, obesity and musculoskeletal conditions. Being inactive is an issue at every age, but the evidence shows us that people become less active as they age. Therefore a number of initiatives has been put in place across the borough including; physical activity as an option as part of the befriending service and walks in local parks supported by the future Merton team. A number of new projects were in development including seeking funding from Sport England to develop and implement a local physical activity strategy. The Panel will receive an update on the progress with all this work later this year.

The Panel conducted a review on how to reduce the number of people affected by incontinence. The review adopted a preventative approach and focussed on women of child bearing age with the view to prevent it occurring in older age where it is more prevalent. The panel received an update from a senior Commissioner at Merton Clinical Commissioning Group on their progress with implementing the recommendations.

Panel members asked what changes had been made to date and what success in this area will look like. The Senior Commissioner reported that the review has raised the profile of this issue and the foundations have been laid for implementing many of the recommendations. The panel felt that senior officers should be responsible for implementing the recommendations and asked for continence issues to be included in the reporting requirements to their clinical reference groups. The panel also asked for further clarification about their timetable for implementing the recommendations.

5.5 Adult Social care topics for the year 2016/17

The Panel agreed their work programme and will look at the following topics in relation to adult social care:

A task group review on “Reducing social isolation and loneliness amongst older people and keeping older people socially active”.

A mini-task group review on Learning disability day centres. This will involve attending centres to speak to service users and staff. The panel will also consider good practice from elsewhere and write up their findings to discuss at the health scrutiny panel.

Report on care in the community for older people when they are discharged from hospital.

6 Summary of Key Decisions

6.1 The following key decisions have been taken in connection with this strategic theme since January 2016.

- Award of Phase 2 Ageing Well -Preventative and Restorative Support Grant Fund Programme ref: 343
- ASC savings and consultation report

7 Advice or Recommendations from Community Forums

7.1 There has been no advice or recommendations from Community Forums.

8. ALTERNATIVE OPTIONS

8.1 Not applicable – this report is for information only.

9 CONSULTATION UNDERTAKEN OR PROPOSED

9.1 None for the purposes of this report.

10 TIMETABLE

10.1 N/A

11 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

11.1 There are no specific financial, resource or property implications arising from this information report. All related services are delivered within existing resources.

12 LEGAL AND STATUTORY IMPLICATIONS

12.1 There are no specific legal or statutory implications arising from this information report.

13 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

13.1 There are no specific human rights, equalities or community cohesion implications arising from this information report.

14 CRIME AND DISORDER IMPLICATIONS

14.1 There are no specific crime and disorder implications arising from this information report.

15 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

15.1 There are no specific risk management or health and safety implications arising from this information report.

16 **APPENDICES** – the following documents are to be published with this report and form part of the report

16.1 Appendix I: Performance Data

17 BACKGROUND PAPERS

17.1 2015-19 Council Business Plan

ADULT SOCIAL CARE | Summary of Performance | May-16

Codes	Performance Measures	Apr	May	Target for the month	Target for the year	RAG Status	Trend Arrow
ASCOF 1C(1a), SP39, DASH	Adults in receipt of Long Term community-based services via SDS as a proportion of all customers receiving Long Term community-based services at end of the period (snapshot)	99.0%	98.9%	95.0%	95.0%	GREEN	↔
ASCOF 1C(1b)	Carers receiving either Direct Payment or managed Personal Budget as a proportion of Carers receiving carer-specific services in the year	99.0%	99.0%	95.0%	95.0%	GREEN	↔
ASCOF 1C(2a)	Adults in receipt of Long Term community-based services via Direct Payments as a proportion of all customers receiving Long Term services - at end of period (snapshot)	34.0%	33.6%	38.0%	38.0%	AMBER	↔
ASCOF 1C(2b)	Carers receiving Direct Payment as a proportion of Carers receiving carer-specific services in the year	92.0%	91.8%	80.0%	80.0%	BLUE	↔
AUTH	% of Service Agreement Authorisations completed with five days	93.0%	92.0%	90%	90%	GREEN	↓
SP274, DASH	Customers receiving community based services Long Term as a % of All customers receiving Long Term services	75%	77%	72%	72%	GREEN	↑
ASCOF 2C(1), SP275, DASH	Delayed Transfers of Care - all patient delays (NI131) <i>*Awaiting NHS England updated figures for April/ May.</i>	8.5	8.5	Less than 5	Less than 5	RED	↔
ASCOF 2C(2)	Delayed Transfers of Care - attributable to social care or jointly with the NHS <i>*Awaiting NHS England updated figures for April/ May.</i>	3.6	3.6	Less than 1.0	Less than 1.0	RED	↔
SP54, MP21, HWB, DASH	Carers receiving a service or information and advice during the year	211	275	245	996	GREEN	↑
ASCOF 2A(1), BCF	% of New placements to Permanent Care Homes 18-64	0 people 0.0	0 people 0.0	less than 2 people 1.5	less than 12 people 9.0	BLUE	↔
ASCOF 2A(2), BCF	% of New placements to Permanent Care Homes 65+	12 people 0.0	18 people 0.0	less than 17 people 63.2	less than 100 people 395.3	AMBER	↑
ASCOF 1G	Proportion of adults with a learning disability who live in their own home or with their family (ASCOF Definition: 18-64 LD clients who received long term support during the year)	71.3%	76.8%	71.0%	71.0%	BLUE	↑
ASCOF 1E	Proportion of adults with a learning disability are in paid employment (ASCOF Definition: 18-64 LD clients who received long term support during the year)	6.0%	6.2%	11.0%	11.0%	RED	↔
ASCOF 1F	Proportion of adults in contact with secondary mental health services in paid employment (PHOF 1.8, NHSOF 2.5, 1F)	11.8%	11.2%	12%	12%	RED	↓
ASCOF 1H	Proportion of adults in contact with secondary mental health services living independently, with of without support (PHOF 1.6, 1H)	89.4%	86.6%	75.0%	75%	BLUE	↓
BCF2, SP50, MP20, DASH	% People living at home after reablement (NI 125)	N/A	N/A	Annual Measure	85.7%	-	

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ASCOF--Adult Social Care Outcomes Framework | SP--Service Plan | MP--Merton Partnership | HWB--Health & Wellbeing Board | DASH--Dashboard | BCF--Better Care Fund

BLUE more than 10%
 GREEN target met
 AMBER within 10%
 RED under 10%

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Raynes Park Community Forum Wednesday 22 June 2016 Chair's Report

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Mary-Jane Jeanes with Chris Edge from the Raynes Park Association (RPA). More than 35 residents attended, as well as four other Merton Councillors, and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Open Forum

Flooding

Several residents raised concerns about the recent flooding in the town centre and the resulting traffic problems this caused together with the impact on businesses, some of which lost electric power. There were concerns about impact of litter in gullies, and pathing over of front gardens. In response Neil Milligan, Development Control Manager, Merton Council said that the flooding was caused by a number of factors. Engineers have been reviewing the local situation in Raynes Park and will be coordinating with other agencies. Neil explained that residents need planning permission to pave over front gardens unless the materials being used were porous. If residents have made changes since 2012 without permission these can be reported to the Planning Enforcement team.

It was agreed to invite relevant officers to attend a future meeting of the forum.

Wheelie Bins

Previous discussions led by the Apostles Residents Association found that residents were very against the introduction of wheelie bins so there was concern that these would now be introduced. Feedback to the Raynes Park and West Barnes Residents Associations was also against wheelie bins. A show of hands at the meeting showed 20 against wheeled bins, two in favour and the remainder neutral. It was agreed to return to this issue in the future.

Traffic

At the Bushy Road/Grand Drive junction drivers were ignoring the Keep Clear signs and causing congestion. The possibility of introducing a yellow box junction and re-phasing the traffic lights was raised. This would need to be raised with Merton and Transport for London Highways teams.

Parking

The impact of new buildings Kingston Road and Lower Downs Road on parking provision was raised. Neil explained that some parking provision was provided underneath one of the sites. In considering planning applications Councils are required to consider local public transport provision and make it a requirement that residents in new developments are not able to apply for Residents Parking Permits.

Raynes Park Christmas

Nick Cooke from the Salvation Army said that the 2016 Christmas festival will be on 2 December and organisers are looking for more businesses to get involved. They will also be looking for more volunteers to help, especially with being stewards for

the large crowd. Agreement was being sought to move the stage to Waitrose car park. Contact nick.coke@salvationarmy.co.uk if you would like to help.

Current and anticipated planning applications

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

- The proposed new cycle route between New Malden, Raynes Park and Wimbledon – consultation has take place with streets that adjoin the route. Due to the impact on Thames Water pipes the route may be diverted along Taunton Avenue.
- Manoplastics site – application for offices and residential units of two to seven stories is currently being considered. This can be found on the Council's online planning portal using reference number 16/P1208
- The bins south of the Skew Arch will be removed in the summer to reduce the incidence of fly tipping. Further tidying up of the area will follow.
- Bushey Road Retail Park – application 16/P1317 has been submitted. Detailed discussions on the transport impacts are taking place with TfL.
- Burlington Road, New Maldon – application for McDonalds drive through has received lots of objections. The applicant has been asked to provide a safety audit due to the close proximity of a school.
- Albany House 300 Burlington Road – permission was given on 16 June for the demolition of existing buildings and erection of 41 residential units.

Road Safety

Councillor Stephen Crowe had recently conducted a tour of the area with Neil Milligan, Chris Edge (RPA) and Chris Chowns, Transport Planner for Merton Council, to review road safety. The issues raised were:

1. Crossing the road to access the health centre on Lambton Road: It would not be possible to install any additional crossings but it might be possible to either extend the pavement to slow traffic down or to change the phasing at the traffic lights to create a gap in traffic flow. The pavements would have financial cost but the lights would need permission from TfL. Chris Chowns will investigate further.
2. Coombe Lane outside Man Chinese Restaurant and Waitrose: cars are overtaking buses putting themselves in the line of oncoming traffic. It could be possible to either reduce the pavement width or lane width but this will need further investigation.
3. Speeding – a 20mph zone with speed reduction infrastructure is not possible so a 20mph speed limit could be considered. This would require a statutory consultation and TfL approval with significant cost.
4. Bicycles on pavements by the station – Chris Chowns will explore if more signage could be placed. Cllr Crowe has also spoken with the new PC for Raynes Park who has agreed to look at enforcement operations.

Raynes Park Station

Chris Larkman said that plans to paint the bridge had been placed on hold due to the re-franchising process for SW Trains. The RPA has written to Department for Transport to ask for improvements to the station to be included in the new franchise.

No reply has yet been received. The embankment has got worse as a result of the rain but Network Rail has not given permission for volunteers to enter the embankment to help clean-up.

Capital Clean Up Bid

The RPA was successful in bidding for a clean-up toolkit which Tony Edwards was able to demonstrate. Volunteers are welcome to meet outside Starbucks at 10am on 2 July to take part in a Clean-up. A further event will be organised for 3 September.

There also a number of Council led community clean-up events being organised including one in Raynes Park on 10 August. Details of the events can be found at <http://www.merton.gov.uk/transport-streets/street-care-cleaning/streetchampions.htm>

Crossrail 2

Jerry Cuthbert from RPA 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. RPA want to make the most of the opportunity to improve Raynes Park Station whilst understanding both the construction impacts and longer term impacts.

Ride London

Residents are reminded that Ride London would be taking place on 31 July 2016 and as in previous years there will be road closures in Raynes Park. Details can be found at <https://www.prudentialridelondon.co.uk/info-hub/road-closures/>

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

29 September 2016

30 November 2016

8 March 2017

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Wimbledon Community Forum 8 June 2016 Chair's Report

The meeting was held at the Mansel Road Community Centre, and chaired by Councillor James Holmes. Approximately 40 residents attended, as well as Merton Councillors, and officers from the council and its partners. The Chair welcomed everyone to the meeting.

Policing update

Sargeant Gettings informed residents that crime levels are going down in all Wimbledon wards, although there have been some problems with high-value burglaries, so the police are focussing on these.

The priorities for the Met Police will change with the new Mayor but it is not yet known what they will be. A new Borough Commander for Merton is also due to start imminently.

Extra officers from other boroughs will be drafted in during the Wimbledon Tennis tournament, and during the Euro 2016 Football tournament, there will be at least one Sargeant and six PCs on late shifts.

Crossrail 2 update

Jenn Bryden and Isabelle Adams from TfL presented an update on the Crossrail 2 plans, which can be viewed at

http://www.merton.gov.uk/crossrail_2_wimbledon_community_forum_presentation_8_june_2016.pdf

Jenn summarised that consultation is ongoing and will continue as the programme is designed. A lot of valuable feedback was received from Wimbledon during the previous consultation and this feedback will be reflected in the new proposals that will be consulted on towards the end of 2016. In the interim, a consultation report and a response to the consultation report called "Response to Issues Raised" will both be published ahead of the next consultation. It was acknowledged that a 5,000-signature petition had been received and that this was being taken into account.

The Future Wimbledon Master planning work is underway simultaneously to the development of Crossrail 2 proposals, so the Crossrail 2 team is working closely with LB Merton. TfL and Network Rail are also working closely with the Growth Commission to support housing and jobs needs in London. Paul McGarry, who is leading on the Wimbledon Masterplan for Merton Council, reassured residents that Crossrail 2 is not stifling other development in the area; there is a Local Plan to guide development in Merton regardless of the Crossrail 2 project. The number of planning applications being received has actually increased and the Crossrail 2 plans have attracted more investment from other developers. If residents or businesses have any property concerns, they can contact TfL either by email (crossrail2@tfl.gov.uk) or on the helpline (0343 222 0055) to speak to a member of the consultation team or land and property team. The NIC submission report, available on the Crossrail 2 website, provides more information on funding Crossrail 2 and growth benefits. Councillor Martin Whelton added that the council favours Crossrail 2, but not at any cost. It is therefore working closely with TfL and Network Rail to address concerns and make sure the proposals work for Merton.

Paul McGarry reminded residents that the council's cross-party support to Crossrail is available online at <http://www.merton.gov.uk/crossrail2.htm>.

In response to a question about what is being done to increase transport capacity until Crossrail 2 is ready, Isabelle Adams replied that an investment programme within TfL is being implemented at the moment to upgrade the District Line, but Crossrail 2 will still be needed. Councillor Martin Whelton added that 10-carriage trains are currently being extended.

Wimbledon Masterplan update

Paul McGarry, head of Future Merton, explained that the Masterplan is a long-term plan for development in the whole of Wimbledon Town Centre, not just the area around the train station. It covers issues such as urban design, traffic and transport, land use, and development coordination. Further information can be found at http://www.merton.gov.uk/wimbledon_masterplan.pdf

Consultation on the plan will begin in autumn 2016, in line with the next Crossrail 2 consultation, and will be an 18-month continuous process looking at all issues, from transport to building height to design quality.

Responding to a question about Crossrail development: development of any land that is purchased for the Crossrail 2 scheme (and other sites in the town centre area) would have to be guided by the council's masterplan. The council will work with all landowners to ensure space is provided for businesses and shops and is making it clear that the vibrancy of the town centre should be maintained throughout any developments.

Responding to a question about change of use, Paul explained that the council has applied Article 4 powers to stop offices in the town centre being converted to flats. In a separate question about retail units becoming banks or eateries, the Council's powers are very limited as the government has changed use class orders to allow these changes without the need for planning permission. The Council can only consider shop front design, or issue certificates of lawfulness for these permitted developments.

Residents made it clear that they do not feel sufficiently informed about planning applications for Wimbledon; they felt that the council should be pro-actively notifying them when new applications are received. Paul McGarry agreed to look into this.

Action: Paul McGarry – completed. The Council's Twitter feed will now publicise the weekly list of planning applications received by the council. This will be easier for residents to read instead of searching Planning Explorer.

Street cleansing and litter

Councillor Ross Garrod, together with officers from the council's Waste team, fielded questions about street cleansing and litter.

A resident complimented the dustmen, saying that they do a good job. He also commented that bin bags are frequently split open by foxes but the mess is not cleared away. It was

also noted by residents that street sweepers are not coming every week, which leads to rubbish piling up. The footpath between Sherwood Road and DunDonald Road was cited as a particular problem.

Road sweepers are employed to follow the dustbin vehicles and sweep up rubbish left behind, but Councillor Garrod said that he would report the issues back to the Waste department. Tony Gant from the Waste Department explained that a trial period in which road sweepers followed dustcarts to sweep up after them was found to be unsuccessful. As such, the service has been changed; sweepers across the borough now work from maps that have roads pre-scheduled for cleaning between Mondays and Fridays.

Action: Councillor Ross Garrod

A resident commented that working conditions for road sweepers are poor, which seems to be leading to a shortage in the workforce.

Councillor Garrod said that a change in shifts for street cleaners may be implemented, whereby they would no longer have to work eight-hour shifts. The matter is being considered by the council's Scrutiny Panel as part of the wider issue of selecting a preferred bidder for dealing with waste in the borough.

The former recycling site at Palmerstone Road is still attracting fly-tipping. Residents suggested that clearer signage is needed to indicate the site is no longer active and where recycling can now be taken. It was also suggested that bins should be removed from the site to deter residents from leaving recycling there.

In response to a comment that residents' recycling boxes are being broken by waste collection workers throwing them back once emptied, Councillor Garrod said that the Head of Waste Services is aware of this problem and training is being given to operational staff.

Fly-tipping was raised as a continuing problem, including the issue of it being bagged by waste services but subsequently not removed.

As part of the dog waste bins removal plan, bigger bins are going to be placed in parks which will compact the rubbish. The bins are programmed to inform waste services when they are full. An external enforcement team will also be going into parks to issue fines for dog waste and littering.

Date of next meeting:

Wednesday 21 September 2016 at The Mansel Road Centre, Trinity United Reformed Church, Mansel Road, London SW19 4AA.

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COUNCIL MEETING – WEDNESDAY 13 JULY 2016

NOTICE OF MOTION CROSS PARTY MOTION 1

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

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

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

Councillor Oonagh Moulton

Councillor Stephen Alambritis

Councillor Peter Southgate

Councillor Mary-Jane Jeanes

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COUNCIL MEETING – WEDNESDAY 13 JULY 2016

NOTICE OF MOTION

CROSS PARTY MOTION 2

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

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

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

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

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

Councillor Oonagh Moulton

Councillor Stephen Alambritis

Councillor Peter Southgate

Councillor Mary-Jane Jeanes

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COUNCIL MEETING – WEDNESDAY 13 JULY 2016

NOTICE OF MOTION

This Council notes that the administration is planning to roll out multiple wheelie bins to Merton households and to end the weekly bin collection as part of major changes to the borough's waste collection service.

Under these proposals, household waste will only be collected fortnightly and residents' two recycling containers will only be emptied on alternate weeks. Furthermore, each household will need to have:

- One large wheelie bin for non-recyclable household waste;
- One large wheelie bin for paper and card;
- One box or reusable bag for plastics, glass and cans;
- One food waste caddy; and
- One green waste wheelie bin (if residents opt to pay for this service)

This Council recognises that various concerns have been raised about the administration's plans, including at the Sustainable Communities panel on 9 June 2016. These included:

- The inconvenience of having to put household rubbish in five different containers, clogging up kitchens, front gardens and street fronts.
- No proper assessment of the impact that ending weekly bin collections will have on residents; especially the elderly, disabled and those living in smaller homes and flats.
- A lack of clarity regarding the financial savings these proposals might deliver for council taxpayers.
- The large cost of purchasing new wheelie bins and new refuse collection vehicles.
- The impact for existing Merton staff of transferring to the new contractor e.g. TUPE arrangements.
- That the 2015 wheeled bin pilot conducted in Lavender Fields used a different system from the proposals now being put forward.

This Council strongly regrets the lack of consultation that has been undertaken with residents across all parts of Merton about changes to their waste collection service and therefore calls on the Cabinet to look at alternatives to address the above concerns and to protect the weekly bin collection, as per Merton Labour's 2014 manifesto promise.

Cllr Charlie Chirico

Cllr Daniel Holden

Cllr David Simpson

Cllr Jill West

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COUNCIL MEETING - WEDNESDAY 13 JULY 2016

NOTICE OF MOTION

The Council acknowledges that St Helier Hospital is in urgent need of investment, to better serve the needs of Merton residents in its catchment area. It is fully aware of recent and proposed consultations, including the current Estates Review, and would seek to be an active partner with the NHS in developing 21st century healthcare facilities on site.

Accordingly as part of efforts to help secure the high quality, modern health facilities at St Helier that Merton residents deserve, this Council requests Cabinet to bring forward a strategic plan to a future meeting of the Council (no later than November 2016) to address and deliver proactive engagement with the Epsom & St Helier University Hospitals NHS Trust. In particular this plan should include:

1. Shaping service delivery that meets the needs of Merton residents.
2. Through active engagement with the Trust and neighbouring Councils, marshalling lobbying opportunities on decision making authorities in the NHS and Government to identify and promote investment streams.
3. Informing the wider community in Merton about how the Council is working actively, as a champion of its residents, to improve their health and wellbeing.

Cllr Suzanne Grocott

Cllr Gilli Lewis-Lavender

Cllr David Williams

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Committee: Council Meeting

Date: 13 July 2016

Wards: All

Subject: Overview and Scrutiny Annual Report 2015-2016

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Councillor Peter Southgate, Chair of the Overview and Scrutiny Commission

Contact officer: Julia Regan; Julia.regan@merton.gov.uk; 020 8545 3864

Recommendations:

A. That Council receives the Overview and Scrutiny Annual Report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 Council is invited to receive the Overview and Scrutiny Annual Report.

2. Details

2.1 The Overview and Scrutiny Commission is required to produce an annual report outlining the work of the overview and scrutiny function over the course of the Municipal Year. This year the Commission has used the report as an opportunity to draw attention to some of the outcomes achieved as well as covering in detail the work carried out by each Panel/Commission during the year.

2.2 The report (attached as appendix 1) therefore includes:

- a foreword by the 2015/16 Chair of Overview and Scrutiny Commission
- a brief explanation of the term 'overview and scrutiny'
- scrutiny achievements 2015-2016
- a report from each Panel and the Commission on activities during 2015/16
- a description of how local residents and local voluntary and community organisations can get involved in scrutiny

2.3 The report was approved for submission to Council by the Overview and Scrutiny Commission at its meeting on 5 April 2016.

3. ALTERNATIVE OPTIONS

3.1 The Overview and Scrutiny Commission would be in breach of the constitution if it did not produce an annual report and present it to Council.

4. CONSULTATION UNDERTAKEN OR PROPOSED

4.1 The Overview and Scrutiny Commission approved the content of the Annual Report. Each Panel Chair and Vice Chair was consulted on the section relating to their work.

5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

5.1 There are none specific to this report.

6. LEGAL AND STATUTORY IMPLICATIONS

6.1 The Overview and Scrutiny Commission is constitutionally bound to produce an annual report for the overview and scrutiny function and to present the report to the full Council. The Overview and Scrutiny Commission would be in breach of the constitution if it did not do this.

7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.1 It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engagement. Examples of how this aim is achieved are included in the annual report under the community engagement section.

8. CRIME AND DISORDER IMPLICATIONS

8.1 The Police and Justice Act 2006 requires every Council to have a scrutiny committee with the power to review or scrutinise decisions made, or other action taken by the Council and the other responsible authorities in the exercise of their crime and disorder functions.

8.2 In Merton this responsibility lies with the Overview and Scrutiny Commission and its work on these issues is described in the Commission's section of the Annual Report.

9. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1 There are none specific to this report.

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

10.1 Overview and Scrutiny Annual Report 2015-2016.

11. BACKGROUND PAPERS

11.1 None.



Overview and Scrutiny Annual Report 2015/16

London Borough of Merton

Overview and Scrutiny Annual Report 2015/16

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Foreword

Local government continues to face severe financial challenges in delivering services to residents, and these inevitably affect the scope of scrutiny and what can be achieved with limited resources. We have responded by trying to ensure the topics and issues selected for scrutiny are as relevant as possible to the challenges confronting the council, while retaining our independence from the executive.

Nothing could be more relevant to the council than the determination of its budget, and scrutiny made Cabinet fully aware of the concerns of service users over proposed cuts in adult social care. Cabinet responded by setting up a £1.3m Savings Mitigation Fund for 2016/17 to help the most vulnerable users, and agreed to consult on levying a precept for adult social care in future.

This is the latest example of scrutiny making a real difference to the budget setting process in Merton, and it sets us apart from other London boroughs where scrutiny has very little influence on the budget.

We have also chosen topics for investigation that are highly relevant to the financial pressures facing the council. The Commission is looking into shared and outsourced services, and whether there is scope to do more; while Sustainable Communities is investigating the potential for commercialising services to generate additional revenues. The Commission maintains a watching brief for the voluntary sector, because we realise how crucial it is in supporting vulnerable communities in Merton. We depend more and more on our partners in the voluntary sector for the social cohesion of the borough.

For the first time I can remember, there were no call-ins in 2015/16. Does this mean we have perfected the use of pre-decision scrutiny?

Perfect in every respect is our small but hard working officer team, and on behalf of all members involved in scrutiny I would like to thank Julia Regan, Stella Akintan, Annette Wiles (from January 2016) and Rebecca Redman (until December 2015) for their unwavering commitment to making scrutiny in Merton amongst the best in London.

Councillor Peter Southgate
Chair, Overview and Scrutiny Commission

What is overview and scrutiny?

Overview and Scrutiny was introduced by the Local Government Act 2000. Merton operates a Leader and Cabinet model, where the Cabinet makes the executive decisions of the authority on behalf of local residents.

Overview and Scrutiny's main roles are:

- holding the Cabinet to account
- improving and developing council policies
- examining decisions before they are implemented
- engaging with members of the public
- monitoring performance of the council and its partners

Scrutiny can look into services provided by other agencies and other matters of importance to the people of the borough. Scrutiny has legal powers to monitor and hold to account local health services (Health and Social Care Act 2001) and to scrutinise crime reduction and community safety issues (Police and Justice Act 2006).

Principles

Overview and Scrutiny at Merton is:

- open to the public
- informed by methodically gathered evidence
- based on careful deliberation and discussion
- conducted in an appropriate manner

How Overview and Scrutiny works in Merton

Merton Council has an Overview and Scrutiny Commission, which acts as a coordinating body supporting three Overview and Scrutiny Panels with individual areas of responsibility:

- Children and Young People
- Healthier Communities and Older People
- Sustainable Communities

Commission and Panel meetings take place throughout the year and members of the public are welcome to attend. Dates, agendas and minutes for these meetings can be found on the council website: <http://www.merton.gov.uk/council/committee.htm>.

More information about Scrutiny at Merton can be found at <http://www.merton.gov.uk/scrutiny.htm> or by phoning the scrutiny team on 020 8545 3864 or emailing scrutiny@merton.gov.uk.

Scrutiny achievements 2015-2016

We were very pleased that so many members of the public and local organisations have been involved in scrutiny this year, sending in suggestions of issues to scrutinise, attending meetings and taking part in task group reviews.

The Healthier Communities and Older People Overview and Scrutiny Panel has been able to draw on representations made by individuals and organisations representing adult social care users and carers in order to impact on the council's decision making in respect of adult social care savings:

- The Panel examined the results of the consultation and was addressed by speakers from Adults First, Carers Partnership Group, Merton Centre for Independent Living and South Thames Crossroads, an individual service user and a carer. The speakers all expressed concern at the proposed savings in adult social care and gave examples of the impact that these would have on vulnerable older people and disabled service users and their carers.
- The Panel therefore asked Cabinet to reconsider a number of the proposed adult social care savings. Cabinet responded to this by agreeing to continue the funding for the service provided by Crossroads into 2016/17 and undertook to work with them to re-focus their service from 2017.
- Cabinet further responded to the Panel, and to a recommendation from the Overview and Scrutiny Commission to consider levying an adult social care precept, by setting up a Savings Mitigation Fund of £1.3m to enable it to offset the effects on the most vulnerable people in the borough

The Overview and Scrutiny Commission, mindful of the difficult financial decisions facing the council, scrutinised how an adult social care precept would work, the basis on which the local government settlement was made and assumptions behind the council tax collection rate. Cabinet, in putting forward budget proposals to Council, took into account the Commission's recommendations to review the assumptions made in the Medium Term Financial Strategy on inflation and on the council tax revenue base.

It has been a busy year in which scrutiny councillors have carried out four in-depth task group reviews, details of which can be found under the relevant Panel headings:

- Shared and outsourced services – Overview and Scrutiny Commission
- Supporting vulnerable young people into employment – Children and Young People Panel
- Diabetes - Healthier Communities and Older People Panel
- Commercial services - Sustainable Communities Panel

Overview and Scrutiny Commission

The Overview and Scrutiny Commission is responsible for the scrutiny of cross cutting and strategic issues, crime and disorder and issues relating to the council's "corporate capacity". The Commission acts as a coordinating body in supporting the three Overview and Scrutiny Panels and has responsibility for developing and keeping scrutiny under review.

Scrutiny reviews

Shared and outsourced services

The Commission established these two task group reviews to examine how different models of service delivery work and made recommendations to stimulate a more consistent and rigorous approach to selecting delivery models and challenging officers on the most appropriate model for each service. A combined report will be received by the Commission in July 2016.

Immunisation of children aged 0-5

The Commission received the report of this cross-cutting review and agreed to forward it to the Health and Wellbeing Board. The review made recommendations aimed at increasing uptake rates in local communities. The review was welcomed by the Board and recommendations will be implemented through an action plan that will be monitored by the Commission.

Strategic issues and pre-decision scrutiny

The Leader of the Council and the Chief Executive attended to set out their priorities for 2015/16 and the financial challenges facing the council. The Commission asked them questions on issues including public health, Crossrail 2 and Merton's ambition to be the best council in London.

The Commission received a presentation setting out the current framework for the delivery of enforcement activity, reviewed the establishment of a shared service and recommended that the council continue to explore new ways of delivering these services and, subject to the availability of alternative sources of funding, consider having additional officers to carry out enforcement work.

The Commission has continued to scrutinise the customer contact programme by receiving updates at critical points in the project. The most recent update contained information on the new website, customer accounts, technological infrastructure and redesigned business processes.

The second annual update on volunteering was welcomed by the Commission who praised Merton Voluntary Service Council and council officers for the development and implementation of a comprehensive strategy.

The Chief Executive of Merton Voluntary Service Council attended in March 2016 to

discuss funding of the voluntary sector. He highlighted the benefits that voluntary organisations bring in terms of service delivery and the ability to attract additional external funding to the borough. The Commission recorded its thanks and support of the voluntary sector.

The Commission was impressed by the excellent work in implementation of the equalities strategy that had been carried out over the past year, particularly in relation to raising the achievement of Bangladeshi and Asian-Other pupils.

Policing in Merton

The Commission has examined crime data and was pleased that crime rates continue to remain low in Merton and are on a par or better than most neighbouring boroughs. It has questioned the Borough Commander on two occasions and welcomed the approach taken to the deployment of police officers within the borough.

The Chair of Merton Independent Stop and Search Monitoring Group provided data on how stop and search operates in Merton, answered questions about how they monitor complaints and described their work with young people.

The council's anti social behavior service was examined and its work was praised. The Commission requested an update with more detailed trend analysis next year.

Call-in

No call-in requests were received by the Commission in 2015/16.

Finance and performance monitoring

The financial monitoring sub-group has continued to monitor quarterly reports. In particular, it has scrutinised the forecast overspend, capital programme and lack of progress on achieving savings in some service areas. It has scrutinised a number of areas in depth including staffing vacancies, commercial waste, transport services, council tax recovery and estate management.

Scrutiny of the budget

The draft business plan, medium term financial strategy and proposed budget savings proposals were examined in detail, alongside equality impact assessments for each of the savings. The Commission recommended that Cabinet should bring forward elements of the energy invest to save initiatives where feasible.

The Commission scrutinised how an adult social care precept would work, the basis on which the local government settlement was made and assumptions behind the council tax collection rate. The outcome of this is reported in the achievements section on page 5 of this report.

Children and Young People Overview and Scrutiny Panel

This Panel has responsibility for the scrutiny of issues relating to children and young people. This includes education, children's social care, child protection and youth services.

Councillor Katy Neep, Panel Chair said – “ During this year, my first as chair, we've looked at different ways of working to make sure scrutiny of Merton's services for children and young people is as effective as possible. Importantly, we are starting to leverage in external expertise to help us inform and improve the quality of our scrutiny work.”

Scrutiny reviews

The Panel set-up a task group to look at support for more vulnerable school leavers to move into employment. This has specifically focused on the progression of those with Special Educational Needs and Disabilities (SEND) and young people in or leaving care. The task group has examined what support is provided for these groups and what is already planned to provide additional support. The task group is in the process of hearing from stakeholders; young people and those that care and work with them, as well as local employers and the council's own apprenticeships team. The Panel will produce a report of its findings and recommendations in later this year.

Strategic issues and pre-decision scrutiny

At its first meeting of the municipal year (June to May), the Panel received presentations from those delivering services to children and young people on the key challenges being faced and the priorities for the year ahead. These included:

- School expansion;
- Continuing the focus on school standards;
- Changes to care proceedings and adoptions; and
- Reducing the time taken for children being adopted.

Throughout the year, the Panel has considered a number of strategic issues including:

- The post adoption support offer;
- Child sexual exploitation;
- Female Genital Mutilation;
- The 'Prevent' Agenda and tackling radicalisation; and
- School admission arrangements for summer born children.

Performance monitoring

At each of its meetings, the Panel receives a performance monitoring report from the Department for Children Schools and Families (CSF). This reviews progress against agreed targets or Key Performance Indicators and is supported by an update report on developments affecting the Department.

The Panel also receives an annual report to provide greater detail on performance measures relating to education, including test and examination results, information on absence and persistent absence from schools, exclusions, children with *SEND* and as well as the progress of Looked-After Children and those that are 'Not in Education, Employment or Training' (NEET).

Members also received progress updates on the following:

- The work of the Corporate Parenting Board including the participation of Looked-After Children and those leaving care;
- The Transforming Families Programme;
- The provision and take-up of apprenticeships through the council;
- The take-up of free schools meals and the associated link to claiming Pupil Premium funding;
- Child protection meetings;
- Support for homeless families; and
- The operation of the Schools Standards Committee.

External expertise

Nick Berbiere, Head Young People's Services at The Who Cares? Trust presented to the panel on scrutiny of the corporate parenting role. Nick focused on the key issues for authorities in fulfilling this role and what scrutiny of corporate parenting should look like. To support this, Nick also provided examples of best practice in corporate parenting. Panel Members then participated in two workshops, giving them the opportunity to have detailed discussions of Merton's services for Looked-After Children.

Financial monitoring

The Panel scrutinised the proposed budget for 2016/2017 in November 2015 and January 2016. This included understanding how proposed cost savings to the budget for the CFS Department would be distributed; how many families would be affected by a withdrawal of services and how the department works with colleagues in the voluntary sector to access alternative funding.

Call In

No call-in requests were received by the Panel in 2015/16.

Healthier Communities and Older People Overview and Scrutiny Panel

This Panel has responsibility for the scrutiny of issues relating to health, public health and adult social care. This includes promoting good health and healthy lifestyles, mental health issues, and reducing health inequalities for people of all ages.

Councillor Peter McCabe said “This year our role in engaging with local people and reflecting the concerns of the public has been stronger than ever before. We have had representation from local organisations, service users, carers and the public, who have attended the panel and shared their personal experiences of local services. It is this input which has helped shape our recommendations to the Council, Merton Clinical Commissioning Group and NHS Trusts. “

Responding to local issues

As is typical with health scrutiny, a number of local issues arose that were time sensitive and required an urgent response. Flexibility is built into the agendas so the Panel can deal with issues of this nature as they arise.

Epsom and St Helier University Hospitals NHS Trust

The Chief Executive and Director of Communications at Epsom and St Helier University Hospitals NHS Trust attended scrutiny to outline proposals for their Estates Strategy. The Panel were informed that the current hospital sites are old, not fit for purpose and generating high maintenance costs. As a result the Trust will be consulting with all stakeholders to develop proposals for the future and find out people’s priorities for a twenty-first century hospital. An update on this process was given to the March meeting and the Panel were told that the Trust will now begin consultation on the criteria that should be used and they hoped to have developed an option for a preferred hospital site by June. The Panel made it clear that they will be supporting the local community who want to retain a district general hospital on the St Helier site.

Transfer of 0-5 Healthy child services to Public Health Merton

In September, the Panel conducted pre-decision scrutiny on the process of transferring services for children aged 0-5, including school nurses and health visitors to the public health team at the council. The Panel were keen to ensure that service users would not experience an adverse change in the services they receive. The Consultant in Public Health informed the Panel that the transfer will result in an integrated seamless 0-19 children’s service and the transfer would not result in any additional financial costs to the council.

Change of location for Urogynaecology Subspecialty Service.

The Panel were contacted by patient representatives in relation to moving a Urogynaecology clinic from St George's University Hospital NHS Foundation Trust to Croydon University Hospital. The public were concerned about the lack of consultation and the additional burden caused by the extra travelling time. Senior representatives attended the Panel in February and apologised for the flaws in the consultation. They stated that they were still seeking views and final decision was yet to be made. The clinic was moved to Croydon due to safety concerns and the Trust is considering the options to make it viable for the future. The Panel unanimously resolved to ask the Trust to re-open the clinic at St George's University Hospital as a priority.

Closure of Mental Health 'step down' accommodation

The Service Director for South West London and St George's Mental Health Trust attended the Panel to discuss the reasons for the closure of mental health 'step down' accommodation. This raised significant concern amongst the public, given the support this type of supportive accommodation provides to this vulnerable group. There were also concerns that the voluntary sector may not have been sufficiently consulted to ensure that alternative provision was put in place to support this work. The Service Director informed the Panel that the accommodation was not fit for purpose, as it is not suitable for mixed gender accommodation and does not have en-suite bathrooms. Approximately £650,000 has been ring fenced for step down mental health services which will provide more services than the current provision with Norfolk Lodge. However concern was expressed that the ring fenced funding was not set at the level that it should be.

The Panel recommended that there should be full consultation on the long term plans for step down accommodation. Also there needs to be clarification on what level of provision will be available for this service.

Strategic issues and pre-decision scrutiny

The Prevention agenda

The Panel is committed to the prevention agenda and emphasis is placed upon this in all issues that are scrutinised. Councillors believe that preventing illness before it occurs is preferable for the individual and reduces the financial burden on the NHS. The Director of Public Health, Consultant in Public Health, a healthy Schools Development Manager and the Head of Merton's Live Well programme attended the Panel to talk about the work that had been taking place to support local residents to be as healthy as possible. Programmes include smoking cessation, healthy weight and alcohol consumption awareness.

The Director of Public Health said that it can be difficult to make a case for prevention as the evidence of its success is the absence of ill health and there is a significant period before the benefit of prevention programmes become apparent.

Members asked about the role of the planning departments in public health considerations and how to support GP's. They were informed that the Public health team are leading on a wide range of initiatives such as holding locality meetings with GP's where issues around prevention are discussed. Public Health can also provide

evidence to planning committees about the links between unhealthy food outlets and proximity to schools. The Panel requested further updates on the work to imbed prevention.

Making Merton a Dementia Friendly Borough

Community Dementia nurses, Transport for London and Merton Public Health Team attended the panel to discuss this issue. The panel found that a wide range of initiatives are in place to help residents in Merton who have dementia. Merton also has a flagship dementia hub which provides a wide range of support to those with a diagnosis and their carers. The panel found there are a number of organisations working to support this group however the work may benefit from being integrated and resources pooled together. The panel asked for a further update in six months time.

Scrutiny reviews

Preventing incontinence amongst women of child bearing age

In 2012/3 the Panel conducted a review on how to reduce the number of people affected by incontinence. The review adopted a preventative approach and focussed on women of child bearing age with the view to prevent it occurring in older age where it is more prevalent. The panel received an update from a senior Commissioner at Merton Clinical Commissioning Group on their progress with implementing the recommendations.

Panel members asked what changes had been made to date and what success in this area will look like. The Senior Commissioner reported that the review has raised the profile of this issue and the foundations have been laid for implementing many of the recommendations. The panel felt that senior officers should be responsible for implementing the recommendations and asked for continence issues to be included in the reporting requirements to their clinical reference groups. The panel also asked for further clarification about their timetable for implementing the recommendations.

Preventing type two diabetes in the South Asian Community

This year a task group review has focussed on how to prevent type two diabetes in the South Asian community as this group are six times more likely to be diagnosed with the condition than their white counterparts. The task group has spoken to a wide range of witnesses including the South Asian Health Foundation, Merton Clinical Commissioning Group and Asian Elderly. The final report and recommendations will be considered by the Panel in June 2016.

Call In

No call-in requests were received by the Panel in 2015/16.

Sustainable Communities Overview and Scrutiny Panel

This Panel has responsibility for the scrutiny of issues relating to housing, environmental sustainability, culture, enterprise and skills, libraries and transport.

Councillor Abby Jones, Panel Chair said “The Sustainable Communities Overview and Scrutiny Panel continues to play a strong role in scrutinising issues before they are subject to council decision; through this we ensure the Council is making the best possible decisions for residents.”

Scrutiny reviews

Housing Supply Task Group

The Panel has completed its Task Group review examining how to increase the supply of affordable housing in Merton. This involved looking at other Local Authority good practice, engaging stakeholders such as Housing Associations, the Greater London Authority (GLA) and the NHS. Research and guidance was gathered from organisations such as Shelter, the Joseph Rowntree Foundation and the National Housing Federation.

Recommendations included that a report is presented to the Sustainable Communities Scrutiny Panel in anticipation of the proposed ‘Pay to Stay’ policy. This should consider how residents might be incentivised to move to alternative forms of affordable housing, to free up much needed social housing. Also that Cabinet work with the private rented sector to encourage landlords to let properties to residents on the Housing Register and in receipt of Housing Benefit.

All the recommendations were accepted by Cabinet. The Panel received an update in January 2016. The Task Group chair was pleased with the progress to date.

Commercial Services task group

The Panel has agreed to set up a Task Group looking at the Council’s approach to commercial services and areas that can be commercialised to generate revenue. It will focus on opportunities within FutureMerton, property, leisure and culture departments.

The review will look at what the Council has achieved to date in pursuing commercial opportunities and how to further utilise Council assets to develop commercial services. Work will also focus on identifying the risks and governance arrangements required to enable the Council to charge for services. The review will identify the barriers to maximising commercial income within the Council, including culture, skills systems and processes.

The Task Group will look at good practice and determine what models have been successfully taken forward in the private and public sectors and how Merton might benefit from lessons learned. The review will conclude its work in September 2016.

Strategic issues and pre-decision scrutiny

The Panel has undertaken pre-decision scrutiny on a range of strategic issues and Council priorities. This includes:

Community and Housing Department Priorities: the Panel reviewed the priorities for community and housing as set for the next four years.

Merton Adult Education: prior to going to Cabinet for decision, the Panel reviewed proposals to move to a commissioning model for the provision of adult education services. Commenting on the proposals to Cabinet, the Panel recommended considering all options including maintaining the Whately Avenue site and ensuring user groups are appropriately consulted during the commissioning process.

Morden Leisure Centre: The Panel has continued to be involved in the development of Morden Leisure Centre including monitoring the appointment of relevant experts, understanding how the Centre will relate to other local community providers, checking how residents are being consulted on the development and reviewing designs from first concept stage.

Phase C procurement programme (including parks, grounds, maintenance and waste): progress on establishing the procurement programme has been monitored by the Panel including hearing representations from staff and unions. Phase C will return to the Panel for pre-decision scrutiny in June 2016.

Tourism strategy: the Panel received a report and briefing on the development of Merton's tourism strategy in anticipation of the review being conducted by the GLA that is anticipated in 2016.

Wheeled Bins Pilot: the results of a pilot scheme involving over a thousand properties in the Lavender Fields ward were presented to the Panel and the opportunity was given for residents to express their views on the scheme. As a result, the Panel made a reference to Cabinet recommending the need for a more detailed analysis of costs and projected savings prior to any decision being made. The Panel also made a number of recommendations about the rollout of the scheme should this decision be made including considering the needs of disabled residents.

Planning: the panel has started its scrutiny of proposals to expand the Council's shared services to include the planning function. This is being considered alongside the Government's proposals to commercialise local government planning.

Performance monitoring

The Panel regularly undertakes a performance monitoring role by reviewing outcomes against agreed key targets (Key Performance Indicators) and making recommendations to the appropriate service:

Circle Housing Merton Priory (CHMP): CHMP manages nearly 9,500 homes across Merton on behalf of the council. As part of its on-going monitoring of CHMP's performance, this year the Panel has focused on the repairs and maintenance service provided to residents. The Panel received regular performance updates including resident satisfaction ratings and met with CHMP every six months. During the next municipal year, the Panel plans to engage with the Tenants' Scrutiny Panel and examine case studies on the resolution of long standing issues.

Cycle routes: The Panel has monitored the development of cycle routes working towards the vision of making the borough into Little Holland.

Libraries annual report: a significant success for Merton, the Panel continued to monitor the performance of the library service which this year saw five out of the six Key Performance Indicators being achieved at record levels.

Outcomes of Task Group reviews: The Panel continued to oversee the delivery of the recommendations and action plans resulting from the following Task Group reviews:

- Adults Skills and Employability; and
- Climate Change and Green Deal (with the support of the Member Champion, Councillor James Homes).

Town regeneration: the Panel monitored progress with the implementation of actions plans resulting from earlier reviews. The impact of the proposals for Crossrail 2 on Wimbledon and Raynes Park are a key focus for scrutiny going forward.

Financial monitoring

The Panel scrutinised the proposed budget for 2016/2017 in November 2015 and January 2016, including receiving reports from the Directors of Corporate Services and Environment and Regeneration.

Call In

No call-in requests were received by the Panel in 2015/16.

Get involved

The involvement of local residents, community organisations and partners is an important part of the scrutiny process and councillors are committed to responding to the views and concerns of residents.

Getting involved in scrutiny is one of the best ways to influence decision making at the council, as councillors will hear your experiences first hand. There are a number of ways you can get involved in the work of scrutiny at the council:

Suggesting an issue for scrutiny

The council's website contains an online form which can be used to make suggestions on issues and topics for future scrutiny:

<http://www.merton.gov.uk/council/scrutiny/scrutiny-getinvolved.htm>

Suggestions may also be made in writing, by email or by phone to the Scrutiny Team – contact details overleaf.

All suggestions received will be discussed by the relevant scrutiny Panel and the person who made the suggestion will be contacted to let them know what has happened to it.

Attending meetings

All scrutiny meetings are open to the public except where confidential information has to be discussed. A list of meeting dates and agenda items can be found on the council's website. <http://www.merton.gov.uk/council/committee.htm>

If you would like to attend a meeting simply come along to the meeting venue or, if you want more information, contact the Scrutiny Team – details overleaf.

Providing information and views

Members of the public can send in written views or speak on issues that are under discussion at the Overview and Scrutiny Commission or one of the Overview and Scrutiny Panels.

Information on current task group reviews and any deadlines for submission on information can be found on <http://www.merton.gov.uk/scrutiny> or by contacting the Scrutiny Team – details overleaf.

Contact the Scrutiny Team

The Scrutiny Team provides independent and professional support and advice to the Members of the Overview and Scrutiny Commission and the three standing Overview and Scrutiny Panels.

You can contact the Scrutiny Team using one of the following methods: -

In writing:

Scrutiny Team
Corporate Services
Merton Civic Centre
London Road
Morden
Surrey SM4 5DX

By emailing:

scrutiny@merton.gov.uk

By phoning:

Julia Regan – Head of Democracy Services
020 8545 3864

Stella Akintan –Scrutiny Officer
020 8545 3390

Annette Wiles – Scrutiny Officer
020 8545 4035

For further information about overview and scrutiny at Merton please access our web pages using the following address <http://www.merton.gov.uk/scrutiny>

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Committee: Council

Date: 13 July 2016

Wards: All

Subject: Court of Appeal amendment to small sites affordable housing exemption

Lead officer: Director of Environment and Regeneration, Chris Lee

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

Contact officer: Tim Catley. S106/External Funding Officer (Extension: 3449)

Recommendations:

1. That the council considers Merton should currently stop seeking affordable housing contributions from small sites of 10 homes / 1,000 square metres or less within planning decisions.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report has been brought before Council due to the reintroduction of government policy via the Court of Appeal which seeks to prevent affordable housing contributions being sought from planning applications on small sites (10 homes or less).
- 1.2. That the council considers that government's 2014 statements (advising councils not to seek affordable housing contributions from small sites) have greater weight than the relevant part of Merton's 2011 Core Planning Strategy policy CS8 (d) and therefore Merton should currently stop seeking affordable housing contributions from small sites of 10 homes / 1,000 square metres or less.
- 1.3. On 4 July 2016 Merton's Cabinet decided to support this recommendation to stop seeking affordable housing contributions from small sites of 10 homes / 1,000 square metres or less within planning decisions.

2 DETAILS

- 2.1. In **July 2011**, policy CS8(d) of Merton's Core Planning Strategy was adopted, requiring developments involving 1-9 new homes to provide contributions to affordable housing via a financial payment. The same policy requires sites of 10 units to provide these contributions via on-site provision of affordable housing units.
- 2.2. On **28 November 2014** the Government introduced a Ministerial Statement and updates to the National Planning Policy Guidance (PPG) providing a policy exemption from affordable housing contributions so that only sites of more than 1,000 square metres of residential floorspace or sites involving 11 or more new homes would have to contribute to affordable housing.

Local authorities proceeded to apply this exemption as a matter of course from this date.

- 2.3. In **July 2015** West Berkshire District Council and Reading Borough Council secured a High Court judgement overturning the government’s policy, and authorities responded by reapplying their affordable housing policies for these small sites.
- 2.4. On **10 May 2016** the government was successful in securing the quashing of the aforementioned High Court decision by the Court of Appeal.
- 2.5. Since the Court of Appeal judgement in mid May, local authorities like Merton with small sites affordable housing policies have had to consider their options. Table 1 sets out the approaches/positions of affected London Boroughs.
- 2.6. It should be noted that not all boroughs have a small sites affordable housing policy.

Table 1 Positions of other London Boroughs with small sites affordable housing policies.

BOROUGH		COMMENTS
Islington	Applying policy	Applying policy - see below.
Enfield	Not applying policy	Acting on Counsel advice, have stopped applying their policy. Enfield have very similar evidence to Merton
Haringey	Not applying policy	The Planning Inspectorate confirmed to Haringey that their legal view was that the statement is back in force.
Lambeth	Applying policy but considering their position in light of appeal decisions	Lambeth has already seen five appeals against their 1-9 affordable housing policy.
Richmond	Applying policy	Different circumstances to Merton: very low affordable housing delivery from other sources.

- 2.7. LB Islington’s position is as follows:
 - 2.7.1 “The council [Islington] is aware of the recent West Berkshire Court of Appeal decision and the subsequent re-instatement of the PPG guidance on affordable housing contributions from small sites. The council’s [Islington] position is that it has an adopted development plan which has been through the examination process and is based on robust evidence. Whilst the Planning Practice Guidance (and Written Ministerial Statement which also still applies) are capable of being material considerations in the determination of an application, the council’s [Islington] adopted policies still carry significant weight and a small sites contribution is likely to be required.

- 2.7.2 I note that the Court of Appeal judgement was clear that the Written Ministerial Statement (and by association the Planning Practice Guidance) should not be applied in a blanket fashion in the determination of planning applications. For the purposes of s.38(6) of the 2004 Act and s.70(2) of the 1990 Act, the Planning Practice Guidance and Written Ministerial Statement are material considerations and no more; the weight given to the Planning Practice Guidance and Written Ministerial Statement is a matter for the decision taker on a case-by-case basis.
- 2.8. In Merton, officers have taken legal advice (see Section 7) and carefully studied the rationale and justification currently available for continuing to apply Merton's Core Planning Strategy policy CS8(d) on small sites. Officers are also concerned about the potential for costs awarded against the council on planning appeals, particularly given appeal decisions coming forward in other boroughs where the Planning Inspectorate is applying government's policy and not allowing contributions from small sites.
- 2.9. Accordingly, at this current time officers are recommending to Council that the council stops seeking affordable housing contributions from small sites considers that Merton's 2011 Core Planning Strategy policy CS8(d) for small sites has less weight than the 2014 ministerial statements.

3 ALTERNATIVE OPTIONS

- 3.1. The council could continue applying its affordable housing policies to the relevant sites at the current time. This approach would require additional resources to update the council's evidence base and to support planning appeals. It is also considered that this approach would pose a financial risk to the council in terms of costs awarded in case of appeals against the council's decision to apply its policy as grounds for refusing planning permission.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. All London boroughs were contacted via the Association of London Borough Planning Officers and asked (a) whether they have an adopted planning policy collecting affordable housing from small sites and (b) whether they were still proposing to continue applying the policy. Contact was continued with the five boroughs who had an affordable housing small sites contributions policy.

5 TIMETABLE

- 5.1. As specified within the body of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Under the government's policy exemption financial contributions for affordable housing on small sites cannot be sought. These contributions

form the basis of grants to third party providers of affordable housing to help deliver more affordable housing in the borough.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Under the Planning and Compulsory Purchase Act 2004 one of the core provisions for the purposes of development control is section 38(6), which provides that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan *unless material considerations indicate otherwise* (emphasis added).” Under section 1(2) of the 2004 Act the “development plan” is a local authority’s development plan documents and (in the case of London Boroughs) the London Plan, which must be in conformity with Government policies – section 1(2) of the 2004 Act. The italicised phrase means that conformity with the development plan is not an absolute requirement and in particular needs to read in conjunction with section 70(2) of the Town and Country Planning Act 1990, which enjoins local planning authorities in determining planning applications to “have regard to the provisions of the development plan, so far as material to the application, *and to any other material considerations.*(emphasis added)”
- 7.2. The Secretary of State’s statement and changes to Planning Practice Guidance are arguably not “policy”, in particular in the context of the Planning and Compulsory Purchase Act 2004. In the context of dealing with planning applications for small sites it is likely that a recent Government policy announcement, albeit not enshrined in the NPPF, would be regarded as a material consideration having considerable weight. It may well be that planning inspectors in the light of the recent Court of Appeal decision will normally regard it as overriding inconsistent policies in local authorities development plans.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purposes of this report.

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

None

12 BACKGROUND PAPERS

- 12.1. Planning Practice Guidance – paras 16, 17, 20 and 31:
<http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>
- 12.2. *R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government* [2016] EWCA Civ 441.
[http://www.landmarkchambers.co.uk/userfiles/documents/R%20\(West%20Berkshire\)%20v%20%20SSCLG%20-%20transcript.pdf](http://www.landmarkchambers.co.uk/userfiles/documents/R%20(West%20Berkshire)%20v%20%20SSCLG%20-%20transcript.pdf)

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Committee: Council

Date: 13 July 2016

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

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

democratic.services@merton.gov.uk

Recommendations:

That the Council

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

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council note the membership changes to the Merton's Charitable Trust and changes made to committee membership under delegated powers since the publication of the agenda for the Council meeting held on 18 May 2016.
- 1.2. The report also asks the Council to approve a revised terms of reference of Standing Advisory Council On Religious Education (SACRE)

2 DETAILS

- 2.1. Following the Mayor of Merton's Charitable Trust meeting held on 22 June 2016 a change in Membership has occurred. Councillors Agatha Akyigyina and Pauline Cowper have resigned and the Mayor Councillor Brenda Fraser and Deputy Mayor Councillor Stan Anderson were appointed as new trustees.
- 2.2. The Council is required to establish SACRE (Standing Advisory Council on Religious Education) under Section 3.90 – 3.97 of the Education Act 1996 as amended. The proposed revised terms of reference, as detailed in Appendix A, replace the incomplete version previously agreed by Council.

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

Committee	Member resigning	Replaced by	Date
Children and Young People's Scrutiny panel	Councillor Geraldine Stanford	Councillor Jerome Neil	20 May 2016
Joint Health Overview & Scrutiny Committee	Councillor Greg Udeh	Councillor Peter McCabe	20 May 2016
Joint Regulatory Services Committee	Councillor Martin Whelton	Councillor Nick Draper	23 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Daniel Holden	Councillor James Holmes	24 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Michael Bull	Councillor Najeeb Latif	24 May 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor James Holmes	Councillor Daniel Holden	3 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Najeeb Latif	Councillor Michael Bull	3 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Michael Bull	Councillor Hamish Badenoch	6 June 2016
Sustainable Communities Overview & Scrutiny Panel	Councillor Hamish Badenoch	Councillor Michael Bull	15 June 2016
Pension Fund Advisory Committee	Councillor Adam Bush	Councillor Stephen Crowe	15 June 2016
Standards and General Purposes Committee	Councillor Michael Bull (Substitute Member)	Councillor Linda Taylor (Substitute Member)	28 June 2016
Standards and General Purposes Committee	Councillor Linda Taylor (Substitute Member)	Councillor Michael Bull (Substitute Member)	1 July 2016
Pension Fund Advisory Committee	Councillor Stephen Crowe	Councillor Adam Bush	7 July 2016

3 CONSULTATION UNDERTAKEN OR PROPOSED

3.1. N/A

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

4.1. None for the purposes of this report.

5 LEGAL AND STATUTORY IMPLICATIONS

5.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

8.1. N/A

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

Appendix A – Revised Terms of Reference for Standing Advisory Council On Religious Education (SACRE)

10 BACKGROUND PAPERS

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

Standing Advisory Council On Religious Education

Membership:

See section 3 below

Constituted by: Council

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

Authority: Section 390 of the Education Act 1996

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

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

1. Introduction

It is required by law that religious education (RE) is taught in schools to children up to the age of 18 but it is not part of the National Curriculum. Instead RE is a local responsibility. SACRE oversees RE and collective worship in Local Authority (LA) schools on behalf of the LA. The Funding Agreement for an Academy without a religious designation states that it must arrange for RE to be given to all pupils in accordance with the requirements for agreed syllabuses that are set out in section 375(3) of the Education Act 1996 and paragraph (5) of Schedule 19 to the School Standards and Framework Act 1998. Academies can opt to use a locally agreed syllabus.

The Merton SACRE will operate within the law and guidance in force issued by parliament, the courts and the Department for Education (DfE). If there is any conflict of interest between this constitution and the law, SACRE will comply with the law.

2. Role, functions, duties and responsibilities

The broad role of the SACRE is to support the effective provision of RE and collective worship in schools. The London Borough of Merton will work with the Merton SACRE to monitor and review the existing provision of RE and collective worship.

The functions of SACREs are set out in Section 391 of the Education Act 1996 (as amended). Other responsibilities are outlined in DfE Circular 1/94: "Religious Education and Collective Worship".

The duties and responsibilities are:

- a. To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit. These matters might include methods of teaching, choice of materials to deliver the Agreed Syllabus, and the provision of teacher training.
- b. To provide advice and support on the effective teaching of the Agreed Syllabus.

- c. To evaluate how well the Agreed Syllabus supports the quality and provision of Religious Education in schools.
- d. To require the LA to set up a Statutory Conference to review the Agreed Syllabus at any time if, in the opinion of SACRE, this becomes necessary. The Agreed Syllabus must in any case be reviewed and updated at least every 5 years.
- e. In partnership with the LA, consider whether any changes need to be made to the Agreed Syllabus or in the support offered to schools in the implementation of the Agreed Syllabus, to improve the quality of RE and the learning of pupils.
- f. Offer schools and the LA advice concerning how an existing syllabus can be interpreted so as to fit in with wider changes in education.
- g. To receive and determine whether an application from a Headteacher to vary the requirement for worship of a broadly or mainly Christian character is appropriate for the whole school or for groups of pupils. For an agreement to be made, the Headteacher, governors and parents need to be in agreement.
- h. To publish an annual report on its work of SACRE and on actions taken by any of its groups. This report will be made available to DfE, NASACRE, Headteachers; the appropriate Council Committee and senior LA officers; and to the public.
- i. To support schools to work effectively to promote multi-faith and belief understanding and to combat religious prejudice and discrimination.

3. Membership

There are two kinds of membership:

- a. Those nominated by the sponsoring groups and formally appointed by the Local Authority and who work within one of the 4 groups
- b. Those co-opted by SACRE

The Merton SACRE will be represented by members who can fully support the effective provision for RE and collective worship in schools. All members shall be delegates who are interested in education in general and RE in particular.

In accordance with the provision of Section 390 of the Education Act 1996 (as amended) the membership will be allocated to four groups as follows:

Group A

Such religions and belief groups (other than the Church of England) as, in the opinion of the LA, appropriately reflects the principal religious and belief traditions in the Borough of Merton.

Where a faith group not currently represented on Group A wishes to join SACRE, the representative will be asked to attend a SACRE meeting to present their request.

SACRE will then refer the matter to the Local Authority, recommending either approval, rejection or co-option, with reasons.

Group B

The Church of England.

Three representatives, at least one of whom should be nominated by the Southwark Diocesan Board of Education.

Group C

Such associations representing teachers and Headteachers as, in the opinion of the Local Authority, ought, having regard to the circumstances of the borough, be represented.

Group D

The Local Authority.

Three elected Councillors, as nominated by the political groups represented on Merton Council at the Council's Annual Meeting in May.

The power to appoint members is vested in the Local Authority in consultation with the appropriate representative body.

Before any appointment is approved the LA will take all reasonable steps to assure itself that the nominee is representative of the relevant faith group or association in Merton and that they fully support the effective provision of RE and collective worship in schools.

4. Deputies

Any member unable to attend a meeting may nominate a named deputy to attend and vote in their place. Named deputies should be notified to the Clerk and the Chair in advance of the meeting.

5. Co-options

The SACRE may co-opt further members if it is felt that the existing members do not adequately reflect the principal belief groups and/or religious traditions of the area, or for particular purposes and such length of time as representative groups on the SACRE shall decide.

SACRE will decide co-options following nominations from members of SACRE or representative groups. SACRE should consider the following when co-options are decided. Candidates should:

- a. have some experience as religious educators;
- b. have an inclusive view of the aims of religious education and collective worship;

- c. where possible be representative of specific education phases, to provide a balanced spread across various phases.

Co-opted members shall hold office on such terms as may be determined at the time of co-option by the SACRE members. This may be for a fixed-term project, or for term of four years.

There is no right of succession for co-opted members. SACRE shall agree through a vote if a replacement co-opted member is required and fulfils the stipulations set out above.

Co-opted members may participate fully in the discussion of the SACRE but may not vote or participate in the co-option of others.

6. Term of office of members

Members of Group D (elected members) shall be elected at the Annual Meeting of Merton Council.

All other appointments to SACRE shall generally be for a term of up to 4 years. The SACRE will review its membership annually at its Summer Term meeting.

7. End of membership

Any member from any Group will be removed from SACRE if:

- a. They reach the end of their term of appointment and have not been re-nominated.
- b. They write to the Chair or Clerk of SACRE tendering their resignation.
- c. They were appointed to the SACRE by virtue of holding a particular office and they no longer hold that office.
- d. They do not attend 3 consecutive meetings without a satisfactory reason. SACRE will decide whether their reason is satisfactory.
- e. Their representative group states, in writing to the Chair or Clerk of SACRE, that one of their nominated members should no longer act as its representatives on the SACRE.
- f. The LA determines, on reasonable grounds and in discussion with the Chair and Vice Chair, that a member is unable, unwilling or an unsuitable person to be a member of SACRE.

8. Vacancies

In the event of a vacancy the Clerk shall:

- Advise the representative group of the vacancy and invite them to nominate a replacement
- Refer any nomination to the LA for approval

- Confirm that nominee's appointment as a SACRE member once LA approval has been received.

In the absence of nominees from a representative group the Local Authority, following discussion with the Chair and Vice Chair, may nominate and appoint any person that it considers to be representative of that group and deems appropriate to fill the vacancy.

9. Chair and Vice-Chair

The Chair and Vice Chair shall be elected by the SACRE members for a period of four years, with the option for renewal, at the Summer Term meeting, or at any meeting during the year when the positions are vacant, provided that the meeting is quorate.

The Clerk should invite nominations from SACRE members prior to the start of the meeting.

Voting for the Chair and Vice Chair will be by a simple majority of SACRE members.

If there is more than one nomination for each position then a secret ballot will take place. In the event of a tie the Clerk will settle the matter by tossing a coin.

In the case of no nominations an executive committee consisting of a member of each group shall be set up.

The Chair will be responsible for:

- the management of meetings;
- representing the SACRE to other bodies;
- holding an annual meeting with the Director (Children, Schools & Families) to review the Annual Report
- such other duties as the SACRE considers appropriate.

The Vice-Chair will be responsible for:

- deputising for the chair as required;
- representing the SACRE to other bodies in the absence of the chair or in agreement with the chair;
- such other duties as the SACRE considers appropriate.

10. The Local Authority Officer

SACRE will be supported by an Officer from the LA's Children, Schools and Families Department who will:

- attend each meeting;

- advise on the convening of the Agreed Syllabus Conference in liaison with the SACRE Chair;
- represent the views of the LA at the meetings;
- advise the LA on the funding needed to enable SACRE to perform its required functions.

11. The Clerk

The Local Authority will appoint, fund, supervise and support a Clerk who will:

- attend the full meetings of SACRE, any agenda-setting meeting and Agreed Syllabus conference meetings;
- take appropriate minutes and notes at meetings;
- maintain and update the records of SACRE and its meetings;
- provide a copy of the minutes and papers of meeting to the members of SACRE and LA;
- perform any other necessary administrative duties, including those required by this Constitution.

12. Voting

In general proceedings, routine decisions can be approved by SACRE members giving their consent by a show of hands. Agreeing a revised Agreed Syllabus (ASC), constitutional reform, and matters of controversy as agreed by the chair should be dealt with by a unanimous vote in groups/ committees.

Each of the four constituent groups on SACRE shall have one vote, totalling 4 votes in all. Decisions made within each representative group, including how to cast that group's vote on any question to be determined by the whole SACRE, require a majority vote. Groups will determine their own internal voting arrangements. Decisions within a group about how their group vote is cast do not require unanimity. Each group is to regulate its own proceeding including provision for resolving deadlock.

The validity of the proceedings of SACRE or of the members of SACRE of any particular category shall not be affected by a vacancy in the office of any member of SACRE, or on the ground that a member appointed to represent any religion, religious denomination or association does not at the time of the proceedings represent the religion, religious denomination or association in question.

13. Quorum

A quorum shall consist of one third of the appointed members and must include representation from each of the four constituent groups.

14. Frequency of meetings

There will normally be 3 SACRE meetings per year, one in each school term. It is for each of the four constituent groups to determine whether they wish to meet on an ad hoc basis outside meetings of the full SACRE.

Special meetings may be called by the Chair and LA acting jointly.

15. Notice of meetings

The Clerk will, no later than 5 working days before the meeting, circulate the agenda and supporting papers to the members.

Items for the agenda may be submitted by any of the members of the four groups, and such items should be sent to the Clerk not less than 14 days before a meeting.

16. Minutes

The minutes of each meeting shall be sent by the Clerk to each member as soon as practicable after a meeting. The minutes shall be approved and signed at the next meeting.

17. Convening an Agreed Syllabus Conference

The LA is required to convene an Agreed Syllabus Conference (ASC) to review the Agreed Syllabus every five years. An ASC may be convened more frequently if, in the opinion of SACRE, it becomes necessary to review the Agreed Syllabus.

18. General

The SACRE may if it wishes establish working parties to take forward specific projects. These working parties will report back to SACRE regularly.

In accordance with the statutory requirements of the Education Act 1996 and associated regulations, the press and public will be entitled to attend meetings of the Council, but may be excluded from the meeting during the consideration of items containing information capable of being treated as exempt information if meetings of SACRE were meetings of a Local Authority.

All papers of the SACRE shall be available on the local authority's website, except in relation to any matter deemed by the SACRE to be confidential.

19. Complaints

To make a complaint about SACRE as a whole or individual members acting in their capacity as SACRE members you can contact the Local Authority's Complaints Team by:

Email: complaints@merton.gov.uk

Writing to: The Complaints Team, Merton Civic Centre, London Road, Morden, SM4 5DX

Telephone: 020 8545 3060 (weekdays, 9am - 5pm) – you may be asked to confirm the details of your complaint in writing or via email.

20. Review

The Constitution/ Terms of Reference will be reviewed every four years.

The date of the next review is: 2020.

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Committee: Council

Date: 6 April 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 6 April 2016 Council meeting.
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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 6 April 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. Petition – ‘*Amending the Mitcham Green Cricket Conservative Area*’ submitted by Councillor Judy Saunders.

In response to the petition officers confirmed that the Council is required to undertake character assessments of the conservation areas it has designated and undertake reviews from time to time. There is an on-going programme of assessment and reviews of conservation areas which is governed by resources available. When an assessment or a review is carried out the boundaries of the conservation area are considered and adjusted as is appropriate at that time. This then forms part of the public consultation of the whole draft assessment. The current Mitcham Cricket Green Conservation Area Appraisal was approved in 2013 and unfortunately it is unlikely to be reviewed again for some years. However when it is reviewed there will be the opportunity for the boundaries to be reviewed.

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.