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# Merton Council

## Council meeting

### Membership

**The Mayor:** Councillor Janice Howard

**The Deputy Mayor:** Councillor Edward Foley

**Councillors:** Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Brenda Fraser, Jenifer Gould, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Natasha Irons, Sally Kenny, Linda Kirby, Paul Kohler, Rebecca Lanning, Najeeb Latif, Edith Macauley MBE, Russell Makin, Peter McCabe, Simon McGrath, Nick McLean, Oonagh Moulton, Aidan Mundy, Hayley Ormrod, Dennis Pearce, Owen Pritchard, Carl Quilliam, David Simpson CBE, Marsie Skeete, Peter Southgate, Geraldine Stanford, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams MBE JP

**Date: Wednesday 5 February 2020**

**Time: 7.15 pm**

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

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# Council meeting

## 5 February 2020

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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

COUNCIL  
18 SEPTEMBER 2019  
(7.15 pm - 10.10 pm)

PRESENT           The Mayor, Councillor Janice Howard  
                      The Deputy Mayor, Councillor Edward Foley

Councillors Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Brenda Fraser, Jenifer Gould, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Natasha Irons, Sally Kenny, Linda Kirby, Paul Kohler, Rebecca Lanning, Najeeb Latif, Edith Macauley MBE, Russell Makin, Peter McCabe, Simon McGrath, Nick McLean, Oonagh Moulton, Aidan Mundy, Hayley Ormrod, Dennis Pearce, Owen Pritchard, Carl Quilliam, David Simpson CBE, Peter Southgate, Geraldine Stanford, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams MBE JP

## 1       APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for lateness were received from Councillors Brunt, Crowe and Draper; and apologies for absence were received from Councillors Curtin and Skeete.

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

There were no declarations of interest made.

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

RESOLVED: That the minutes of the meeting held on 10 July 2019 are agreed as an accurate record.

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

The Mayor provided a brief update on her activities since the last meeting and encouraged Members to attend the forthcoming events for the Mayor's charities.

There were no announcements from the Leader or the Chief Executive.

## 5       PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'public questions to Cabinet Members' published document.

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

The responses to the written member ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member ordinary priority questions to Cabinet Members' published document.

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

The responses to the written member strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member strategic theme priority questions to Cabinet Members' published document.

It was also noted that a copy of the remaining Member questions and responses will be published after the meeting, in line with Constitutional requirements.

#### 7a STRATEGIC THEME: MAIN REPORT (Agenda Item 7a)

The Strategic Theme report on Sustainable Communities with a focus on enforcement was moved by Councillor Whelton and formally seconded by Councillor Byers.

Councillors Andrew Howard and Quilliam also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

#### 7b STRATEGIC THEME: MOTIONS (Agenda Item 7b)

The motion was moved by Councillor Dean and seconded by Councillor Crowe.

The Liberal Democrat amendment as set out in agenda item 20 was moved by Councillor Quilliam and seconded by Councillor Gould.

The Liberal Democrat amendment was put to a vote and fell – votes in favour: 26, votes against: 30, abstentions: 0.

The Labour amendment as set out in agenda item 21 was moved by Councillor Cooper-Marbiah and seconded by Councillor Kenny.

The Labour amendment was put to a vote and was carried – votes in favour: 31, votes against: 26, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 31, votes against: 26, abstentions: 0.

RESOLVED:

Council notes that, since the parks service contract was negotiated by the Labour administration, the new provider has been able to enforce the pay to play system for the use of council owned tennis courts. This is helping to provide resources for local parks, which have been under financial pressure as a result of Government austerity cuts. Council further notes that these charges represent good value compared to local private tennis courts and are in line with charges applied by neighbouring councils.

Council also notes that the borough's park service contributes to making Merton a great place for families and continues to be highly valued by local residents, with the most recent annual residents' survey of 2019 showing 77% of residents think the borough's parks, playgrounds and open spaces are good, up 2% since 2017.

Council therefore requests Cabinet to:

- Provide use of all LBM owned courts for a small charge to enable the administration to maintain a parks service that most residents say is good;
- Instruct Merton Council Officers to prepare a report on establishing an annual pass scheme, similar to ones already operating successfully in other London boroughs, with a view to introducing a similar scheme in Merton in 12 months' time.

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

The motion was moved by Councillor Holden and seconded by Councillor Gretton.

The Labour amendment as set out in agenda item 22 was moved by Councillor Byers and seconded by Councillor Irons.

Councillor Fairclough spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 34, votes against: 23, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 34, votes against: 23, abstentions: 0.

RESOLVED:

This council recognises that there have been recent successes in enforcement, particularly the court injunction that has prevented Travellers from occupying council land in the borough.

However, this council recognises that Merton Council has failed to publicise the enforcement of the refuse collection and street cleaning contract with Veolia since April 2017.

Commenting on this issue Stephen Hammond MP said: “On a nearly daily basis I am contacted by constituents regarding Veolia’s performance. These complaints touch on all elements of the council and Veolia’s duty to deal with waste, and cover street litter, overflowing public bins, fly tipping, uncollected private bins and litter covering the streets after bin collection. Merton Council should be scrutinised for the poor procurement of this contract and the full costs of it be made transparent. The council has a history of poor contract management, this must improve, and a clear plan for such should be subject to scrutiny.”

Siobhan McDonagh MP recently stated to the Sustainable Communities Overview and Scrutiny Panel: “There has been a significant problem with refuse collection and street sweeping services in Mitcham. There are large numbers of sites which are fly tipped on a regular basis and there appears to be little management of the street sweeping service. The need for a reconsideration of the street sweeping element of the waste contract is clear. It is my understanding that streets are only swept if they are below a certain standard. It is completely unclear, however, what this standard is and how this standard is determined.”

Council notes that in procuring the contract with Veolia there were three broad objectives:

- to save money, helping to mitigate the significant reduction in funding the Council has received from central Government since 2010;
- to increase rates of recycling; and
- to improve street cleanliness.

Council notes that the contract has performed relatively well against the first two objectives; savings in excess of £1m a year are being realised, which can help reduce cuts to services, and the borough’s recycling rate has jumped from 37% to 45% since October 2018. However, council recognises that against the third performance has been disappointing, and although large parts of the borough receive a good service, there are some significant parts being let down by the level of service currently received, particularly on street cleansing in the east.

This council therefore:



- Recognises the comments made by the boroughs two MPs condemning the failure of Veolia to clean the streets, collect the refuse and clear up fly tips;
- Recognises the comments made by the Cabinet Member at the recent Sustainable Communities Overview and Scrutiny Panel where he acknowledged that the poor performance in parts of the borough was not acceptable;
- Recognises that Veolia has committed to the publication of an Improvement Plan to address some of these issues in recognition that its level of service is not good enough;
- Recognises that in some areas Veolia's performance has not improved, whilst in others it has (notably the number of missed collections and removal of fly tips);
- Notes that additional financial resources are being used to collect waste in recognition of the fact that in some parts of the borough the levels of participation in food waste and recycling is lower than in others, and asks the Cabinet Member to continue working with officers on a programme of education to help facilitate the desired behaviour change;
- Thanks members of the Sustainable Communities Overview and Scrutiny Panel for ensuring that both the Council and Veolia were properly scrutinised during a very extensive discussion at its September meeting;
- Requests that the Sustainable Communities Overview and Scrutiny Panel continues to scrutinise performance on a regular basis to
- Requests that the Cabinet member engages with all councillors on any suggestions for rapid improvements in the areas of the borough where Veolia is not currently meeting the contractual standard on street cleaning, fly tipping and refuse collection; and
- Requests the Cabinet Member to continue working with Officers to focus on educating residents to deal with their waste responsibly and enforce against those who do not, noting the recent publication of the draft Fly Tipping Strategy.

#### 7d STRATEGIC THEME: MOTIONS (Agenda Item 7d)

The motion was moved by Councillor Fairclough and seconded by Councillor McGrath.

Councillors Barlow and Byers spoke on the item.

The motion was then put to a vote and was carried unanimously.

RESOLVED:

This Council notes that:

- exhaust fumes contain a number of harmful gases including carbon dioxide, nitrogen dioxide, carbon monoxide and hydrocarbons linked to asthma and other lung diseases;

- the National Institute for Health and Clinical Excellence has made recommendations about improving road-traffic-related air pollution in which it urges local authorities to raise awareness of and crack down on idling;

- local authorities have the power to issue fixed penalties for emissions offences and stationary idling under the Road Traffic (Vehicle Emissions)(Fixed Penalty) (England) Regulations 2002, which may be imposed when a motorist refuses to switch their engine off when asked to do so by an authorised person;

- that an increasing number of councils have implemented No Idling Zones;

And welcomes Merton's participation in Idling Action London and the planned training on anti-idling campaigning for councillors.

This Council resolves to request that Cabinet:

- bring forward plans to introduce No Idling Zones across Merton borough, particularly near schools, including consideration of deploying our existing enforcement officers for this purpose, and the potential of including anti-idling within the scope of enforceable functions carried out by the Council's enforcement service provider;

- explore the potential for training volunteers to collect appropriate evidence to enforce anti-idling in key hotspots and the future designated No Idling zones across Merton; and

- work with relevant contractors (e.g. IDVerde, Veolia) and partners such as TfL to ensure their practice supports this action and publicly report back on this work at least annually.

8 REPORT OF THE RAYNES PARK COMMUNITY FORUM 13 JUNE 2019  
(Agenda Item 8)

Councillor Fairclough presented the report which was received by the Council.

9 REPORT OF THE WIMBLEDON COMMUNITY FORUM 19 JUNE 2019  
(Agenda Item 9)

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

10 NOTICE OF MOTION: LIBERAL DEMOCRAT MOTION (Agenda Item 10)

The motion was moved by Councillor Kohler and seconded by Councillor Gould.

Councillor Southgate spoke on the item.

The Conservative amendment as set out in agenda item 23 was moved by Councillor McLean and seconded by Councillor Simpson.

The Conservative amendment was put to a vote and fell – votes in favour: 16, votes against: 38, abstentions: 3.

The Labour amendment as set out in agenda item 24 was moved by Councillor Macauley and seconded by Councillor Pritchard.

In accordance with Council Procedure Rules, Councillor McLean made a Person Explanation relating to the number of new police officers to be allocated to the Metropolitan Police, as quoted at the Overview and Scrutiny Commission. The Mayor noted the point of clarification.

The Labour amendment was put to a vote and was carried – votes in favour: 31, votes against: 23, abstentions: 3.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 31, votes against: 16, abstentions: 10.

RESOLVED:

Council notes:

- According to evidence considered by the Overview and Scrutiny Commission, the merger of the Merton Borough Command Unit with those in Wandsworth, Kingston and Richmond, to create London's largest "Basic Command Unit" (BCU), resulted in a 19% decrease in police numbers across the 4 boroughs.
- At the same Overview and Scrutiny Commission meeting it was stated that the boroughs in the BCU have not used the MOPAC scheme to provide council funded police officers, and South West BCU Head Sally Benatar advised this is not an option and would be counterproductive because the council buying police officers would result in taking BCU officers from other teams.

Council believes:

1. due to higher crime rates in other parts of the enlarged BCU, the decrease in overall police numbers could have a disproportionate effect on police numbers across Merton.
2. the cost of policing should lie at the government's door, and that the reduced police number in Merton and in our community police presence is due to ongoing cuts in central Government funding to the Met.
3. making provision for any police costs in the council's financial strategy would further compromise our already stripped-back services

Council resolves:

To resist any further cuts to services in Merton that would result from making provision in the Medium Term Financial Strategy to pay for subsidised police officers through MOPAC's PartnershipPlus Scheme

To maintain pressure on the government to reverse Metropolitan police funding cuts of more than £1 billion.

To continue to work with the BCU Head to identify the areas of greatest need and to ensure the South West BCU receives some officers as part of the 20,000 new officers who the government has said may be deployed to offset the 20,000 officers that have been lost from the police service since 2010.

#### 11 NOTICE OF MOTION: LABOUR MOTION (Agenda Item 11)

The motion was moved by Councillor Attawar and seconded by Councillor Mundy.

The Liberal Democrat amendment as set out in agenda item 25 was moved by Councillor Bailey and seconded by Councillor Quilliam.

Councillor McGrath spoke on the item.

The Liberal Democrat amendment was put to a vote and was carried – votes in favour: 41, votes against: 16, abstentions: 0.

The Conservative amendment as set out in agenda item 26 was moved by Councillor Ormrod and seconded by Councillor Moulton.

The Conservative amendment was put to a vote and was lost – votes in favour: 16, votes against: 31, abstentions: 10

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 41, votes against: 0, abstentions: 16.

RESOLVED:

This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- That across England, Labour has improved its representation since seats were last up for grabs, with 45% women compared with 40% in 2014, Liberal Democrat representation up from 34% to 36% whilst the Conservative Party saw a fall from 31% to 29% in the share of its councillors who are female;

- That the role of a councillor should be open to all, regardless of their background, and that having a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;

Council further notes:

- That Merton Council does offer full parental leave rights for councillors that mirrors those of council employees, but that this can be made much more explicit in the Constitution by adopting the LGA Labour Group's Women's taskforce parental leave policy
- That in order for councillors to be able to carry out their duties often they must claim for reimbursement of the dependent carers' allowance.

This Council resolves:

- To adopt the parental leave policy drafted by the LGA Labour Group's Women's Taskforce to give all councillors an entitlement to parental leave after giving birth or adopting, and to have the full range of rights in the policy reflected in the constitution when the members' allowances scheme is renewed in February 2020;
- To ensure that councillors with children and other caring commitments are supported as appropriate, and therefore raise the dependent carers allowance entitlement to the London Living Wage;
- To notify the LGA Labour Group that this council has passed a motion at full council to adopt the parental leave policy.
- To carry out a review into how to make being a councillor more accessible so Council is representative of the population of Merton.

The Mayor advised that the order of the agenda would be altered to consider item 15 first, then items 13, 14, 12 and then the remaining items in order. For ease of reference, the minutes appear in the order in which they appeared in the agenda.

## 12 APPROVAL OF MERTON'S LOCAL DEVELOPMENT SCHEME 2019-2022 (Agenda Item 12)

The report was moved by Councillor Whelton and seconded by Councillor Mundy and Councillor Latif spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That, following advice from the Borough Plan Advisory Committee on 6<sup>th</sup> June 2019 and Cabinet on 15<sup>th</sup> July, the high level project plan for creating planning policy documents, known as Merton's Local Development Scheme (LDS) be approved.
2. That the project plan and timetable (Local Development Scheme) take effect on 19 September 2019, replacing the council's LDS 2016-19.
3. That Council delegates any amendments to the Local Development Scheme to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Housing and Transport; and the Chair and Vice Chair of the Borough Plan Advisory Committee.

### 13 CHILDREN AND YOUNG PEOPLE'S PLAN (Agenda Item 13)

The report was moved by Councillor Braund and seconded by Councillor Stringer and Councillors Ormrod and Gould spoke on the item.

The report was put to a vote and was agreed.

#### RESOLVED:

1. That the Merton's Children and Young People's Plan for 2019-23 be adopted.

### 14 DOCK-LESS BIKES BYE-LAW (Agenda Item 14)

The report was moved by Councillor Whelton and seconded by Councillor Alambritis and Councillor Holden spoke on the item.

The report was put to a vote and was agreed.

#### RESOLVED:

1. That the Council supports the making of a Greater London Dockless Vehicle Hire Byelaws.
2. That authority be granted to the London Councils' Transport and Environment Committee to exercise certain functions in connection with the making of byelaws under section 235 of the Local Government Act 1972 for the purpose of regulating dockless vehicles on the highway and/or public places as set out in the Appendix 1.
3. That the Director of Environment and Regeneration be authorised to sign the form of *Delegation* set out in Appendix 1 to the report, on behalf of the Council.

### 15 PREPARING THE COUNCIL FOR THE UNITED KINGDOM'S EXIT FROM THE EUROPEAN UNION (Agenda Item 15)

The report was moved by Councillor Allison and seconded by Councillor Alambritis and Councillors McLean and Kohler spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That the Council notes the possible impact on the council, residents and businesses of the United Kingdom's departure from the European Union and the work that the council and its partners is doing to prepare for potential scenarios post departure.

#### 16 APPOINTMENT OF MONITORING OFFICER (Agenda Item 16)

The report was moved by Councillor Allison and seconded by Councillor Alambritis and Councillor McLean spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That the Head of Shared Legal Services, Fiona Thomsen, be designated as Monitoring Officer from 7<sup>th</sup> October 2019 until a permanent appointment of the Assistant Director of Corporate Governance is made and the appointment of the new Monitoring Officer is confirmed by Council.

#### 17 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 17)

The report was moved by Councillor Alambritis and seconded by Councillor Allison and Councillor Simpson spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That the Council approves the appointment of Councillor Najeeb Latif as Vice-Chair of the Borough Plan Advisory Committee.
2. That the Council approves the appointment of Councillor Thomas Barlow as Vice-Chair of the Healthier Communities and Older People Overview and Scrutiny Panel; and a member of the South West London Joint Health Overview and Scrutiny Committee, following the resignation of Councillor Stephen Crowe.
3. That the Council notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.

#### 18 PETITIONS (Agenda Item 18)

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

RESOLVED

That Council

1. Notes the update on the petition received at the last meeting;
2. Accepts receipt of a petition presented by Councillor Gretton on the reopening of the Wimbledon Park paddling pool.

19 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL  
(Agenda Item 19)

That the Strategic Theme for the next ordinary meeting of the Council, being held on 20 November 2019, shall be Children, Schools and Families with a focus on Schools.



**Committee:** Council

**Date:** 5 February 2020

Wards: All

**Subject:** Strategic Objective Review – Safer and Stronger Communities

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Edith Macauley

Contact officers: Neil Thurlow, Head of Safer Merton

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**Recommendations:**

A. That Council consider, and note, the content of this report.

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**1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 Council at its meeting on 6 March 2019 approved the Business Plan 2019-2023.
- 1.2 The Business Plan sets out how the council will deliver the Community Strategy, which is grouped into five strategic themes:
  - 1.2.1 Sustainable communities,
  - 1.2.2 Safer and stronger communities,
  - 1.2.3 Healthier communities,
  - 1.2.4 Older people and
  - 1.2.5 Children and young people.
- 1.2.6 Performance against these themes, plus an additional theme of corporate capacity, is monitored by Council. Each meeting of Council will receive a report updating on progress against one of these strategic themes.
- 1.3 This report provides Council with an opportunity to consider progress against the priorities that are to be delivered under the theme of **Safer and Stronger Communities**.
- 1.4 The key outcomes set out in the Business Plan relating to this theme are:
  - 1.4.1 Reducing the fear of crime,
  - 1.4.2 Reducing alcohol related violence and supporting those who are affected by alcohol misuse
  - 1.4.3 Reducing anti-social behaviour and its effects on communities as well as individuals.
- 1.5 This report focuses on progress in relation to those areas sited under 1.5 and provides a wider update in regard key areas of importance – ASB enforcement and burglary.

## **2 DETAILS**

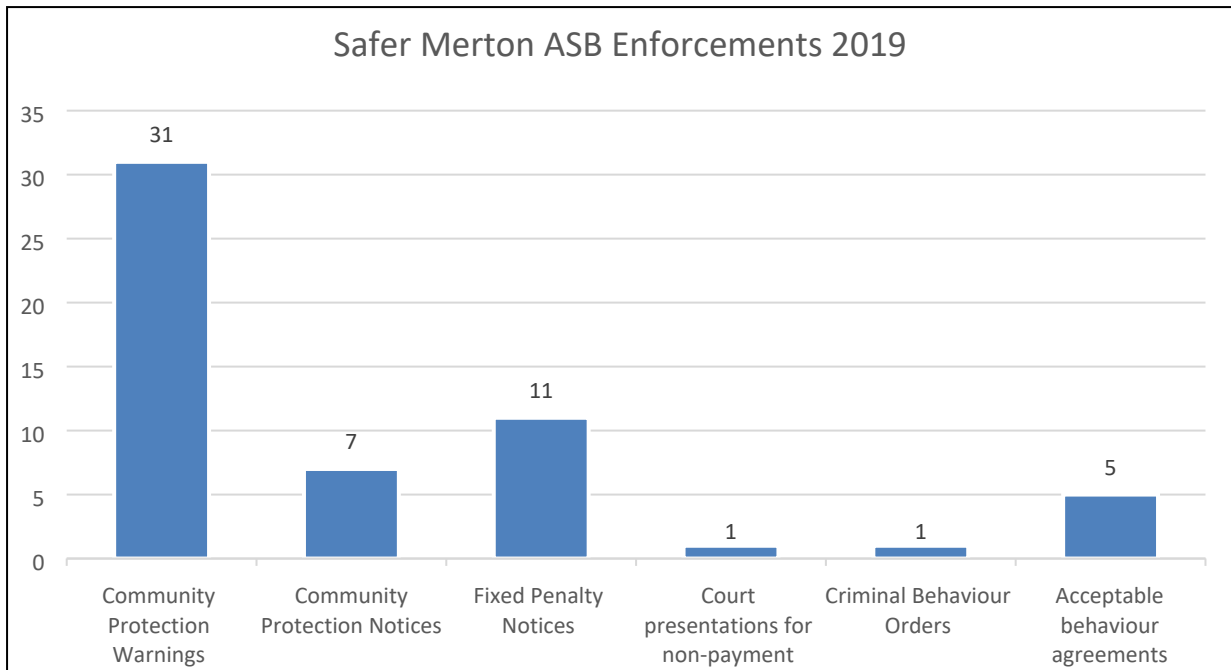
### **2.1 Reducing the fear of crime**

- 2.1.1 Whilst Merton is consistently one of the safest boroughs in London, concern about crime still remains an issue for some. The results from the borough's young people's annual resident's survey 2019 highlighted that crime and gangs were amongst the top concerns for young people alongside bullying.
- 2.1.2 In relation to the adults' survey, most residents surveyed felt safe in their local area during the day (98%) and with 84% stating they felt safe after dark.
- 2.1.3 This summer, Safer Merton carried out our own Community Safety Survey and received over 600 responses. Of those whom responded 43% felt that crime was much greater or slightly greater than a year ago. Alongside this 48% of respondents felt that ASB was much greater or slightly greater than a year ago.
- 2.1.4 The Community Safety Partnership will ensure that these concerns are reflective in our work programme for 2020/21 and 2021/22

### **2.2 Reducing alcohol related violence and supporting those who are affected by alcohol misuse**

- 2.2.1 Much work has been done to reduce alcohol related violence within the borough
- 2.2.2 The council, and partners, concluded, at the end of March 2019 a two year project with the Home Office – the Local Alcohol Action Area (LAAA). The LAAA focuses on two areas, night time economy in Wimbledon and street drinking in Mitcham
- 2.2.3 Night time economy work focused on re-engaging businesses with each other, the police and the councils CCTV
- 2.2.4 Working with Love Wimbledon a “communications triangle” was formed and, every evening, from 20:00 to 02:00 (03:00 at weekends) a formal method of checking in and checking out was underway, information and intelligence was shared allowing problems to be resolved quickly and without escalation
- 2.2.5 Work with the boroughs Street Pastors provided additional eyes on the ground and a reassuring presence for vulnerable people who had consumed alcohol
- 2.2.6 The two year pilot reduced alcohol related violence in Wimbledon and these methods of joint work remain in place today
- 2.2.7 After the pilot an assessment of crime was undertaken which showed a reduction of 170 offences (24%) across the four wards which converge on the town centre (Trinity, Hillside, Dundonald and Abbey)
- 2.2.8 In Mitcham, the approach, and challenge, was different but the work remains ongoing today
- 2.2.9 Safer Merton, alongside colleagues within the Police and Kingdom have undertaken patrols to enforce the Public Space Protection Order (PSPO). The PSPO is designed to address problematic street drinking and as such is not a carte blanche for use against anyone drinking within the borough
- 2.2.10 Those drinking in the town centre are offered engagement and intervention services prior to enforcement. At this time no person has requested support for their alcohol needs and as such enforcement has taken place

2.2.11 In 2019 we have seen the following served against problematic individuals: for anti-social behaviour activities including street drinking and begging

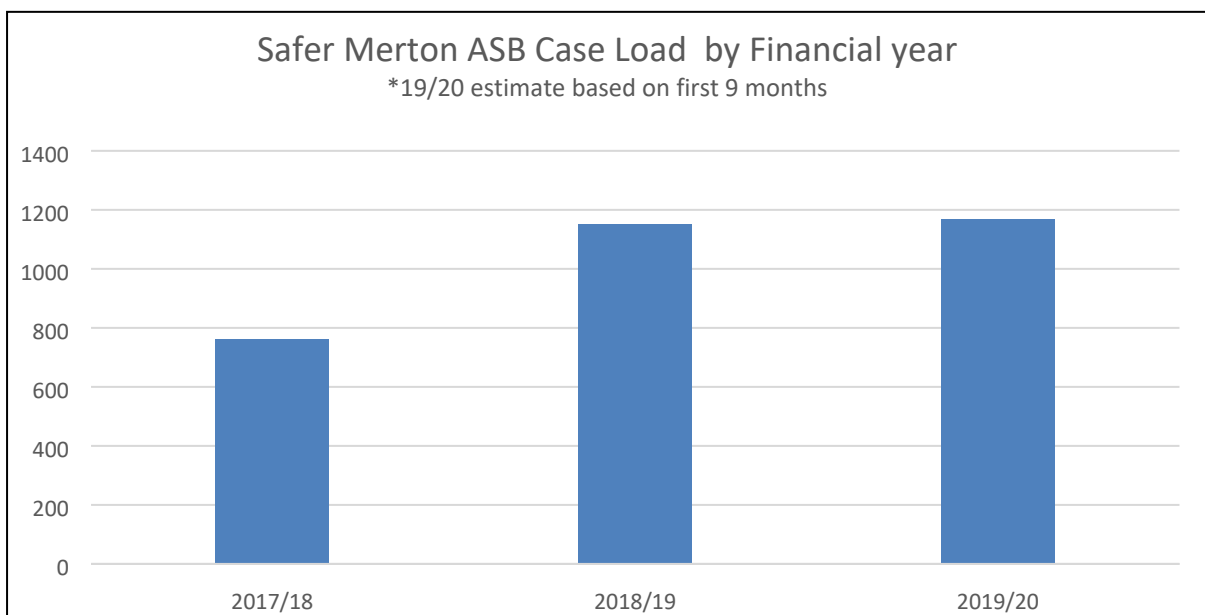


2.2.12 Safer Merton are also working to better engage businesses as we seek to better understand their challenges in this area so that they can operate their business without the risk of threat or harm

2.2.13 The PSPO expires in early November 2020 and in early 2020 work will commence to explore future solutions to tackling this issue

**2.3 Reducing anti-social behaviour and its effects on communities as well as individuals.**

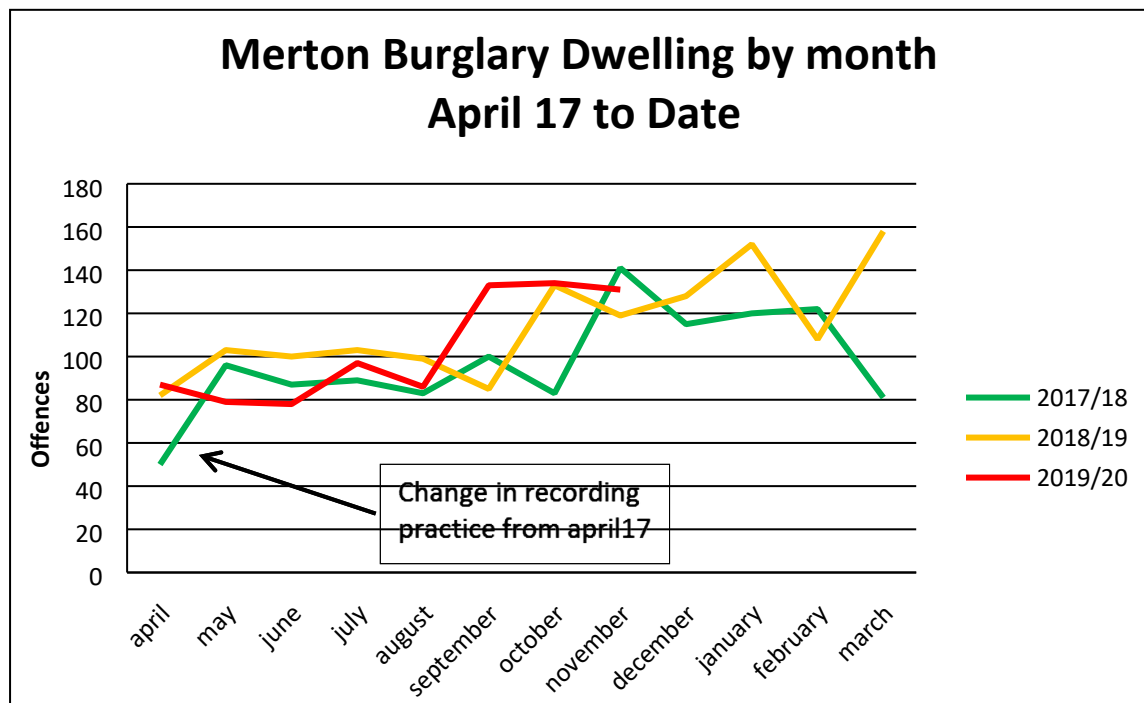
2.3.1 The Safer Merton ASB service has seen a significant increase in demand over the last couple of years and based on the first 9 months of this year 2019/20 will be even busier.



- 2.3.2 ASB investigation and enforcement is a priority for the Merton Executive, Community Safety Partnership and Safer Merton with two officers covering the borough
- 2.3.3 Merton's ASB officers work on all cases aside from social housing matters which are dealt with by the respective social landlord
- 2.3.4 Working to investigate and uncover the facts of each case the workers interview the complainant and the accused to decide on the appropriate approach to take
- 2.3.5 2019 has seen the service address large scale challenges resulting in:
  - 2.3.5.1 Six residential premises being closed under the Antisocial Behaviour Crime and Policing Act 2014 due to anti-social behaviour impacting on the community or properties being used as brothels.
  - 2.3.5.2 Joint enforcement operations to tackle beggars operating in the town centres. These beggars were all provided with care packs as part of this work prior to the issuing of a warning
  - 2.3.5.3 The pre-emptive closure, and securing, of Lavender Park to prevent ASB from taking place during the Halloween and Bonfire periods Safer Merton also erected a rapid deployment camera to the area for this period
  - 2.3.5.4 Problem solving work to prevent and protect residents from being exploited
  - 2.3.5.5 Maintained and improved Community MARAC meeting – sited by the Home Office as one of best practice
- 2.3.6 In 2020 our plan is to further our enforcement work and to refine our response further
- 2.3.7 Enforcement takes time, casework is complex and detailed, court cases more so and require staff to present cases to the bench
- 2.3.8 We will work with residents to ensure they understand our commitment to them in investigating ASB but also that they understand our “ask” of them for information and intelligence
- 2.3.9 We will also be clear as to where boundaries lie as some matters, viewed as ASB, are not such cases that allow for investigations and outcomes to occur

## 2.4 Burglary.

2.4.1 The number one concern for residents remains burglary as evidenced in our recent survey. 48% of over 600 respondents felt burglary was a fairly big or very big problem. Residential burglary has risen in each of the last 3 years



2.4.2 To support this work Safer Merton have undertaken a range of measures this year to promote awareness and deliver crime prevention messaging.

2.4.3 Completed an analytical profile on Residential Burglary to guide the efforts of Neighbourhood Watch and highlighted, to police and partners, the boroughs areas of greatest risk

2.4.3.1 Working with the Safer Neighbourhood Board commissioned the Police cadets to door knock the top 10 most affected roads to promote neighbourhood watch and encourage sign up

2.4.3.2 Relaunched Neighbourhood Watch newsletter to increase breadth and depth of conversation

2.4.3.3 Undertaken online and printed promotion of burglary tips

2.4.3.4 Worked with the police and probation to engage, support and divert convicted offenders from returning to crime whilst being strong when breaches of orders are made requiring further punishment

2.4.3.5 Undertaken a focused problem solving approach to burglary in our most affected wards working to improve their safety and awareness of how to protect their properties

2.4.3.6 Our work on burglary requires a whole host of partner engagement as it is such a complex crime to prevent. With our network of neighbourhood watch members we have a strong, engaged community whom are keen to support Safer Merton and the wider partnership in protecting communities. The neighbourhood watch membership is reliant on a constant stream of new, and interested, residents and as such all support from members is welcome

## **2.5 Wider updates**

2.5.1 The Safer Merton service provides all members with quarterly newsletters capturing the most recent work and successful outcomes achieved

2.5.2 However in order to capture key information from other parts of the service:

### **2.5.3 Domestic Violence and abuse**

2.5.3.1 16 Days against Violence and abuse Campaign – November-December 2019

2.5.3.2 New commissioning for IDVA and Refuge services. These went live 1<sup>st</sup> July 2019. Victim Support provides the IDVA contract and Hestia provides the refuge contract.

2.5.3.3 Training of staff around DVA

2.5.3.4 Review of the VAWG Strategy and business plan

2.5.3.5 The Safer Merton service and Community Safety Partnership are also preparing for the expected delivery of the new Domestic Abuse Bill. The government will introduce a Statutory Duty on Local Authorities to provide refuge and safe accommodation for domestic abuse survivors. Local Authorities will be required to develop and publish strategies that set out the range of support services available for those fleeing violent relationships, including refuge accommodation and specialist support from safety through to independence. The duty will be funded from April, 2021(subject to future spending reviews). The Bill will bring about the first ever statutory government definition of domestic abuse to specifically include economic abuse and controlling and manipulative non-physical abuse. The Bill would introduce a new definition of domestic abuse to the law of England and Wales as well as providing a detailed framework for two new civil protection orders - Domestic Abuse Protection Notices (DAPN) and Domestic Abuse Protection Orders (DAPO)

2.5.3.6 More information will be provided on this in due course

### **2.5.4 Hate crime**

2.5.4.1 Hate Crime Advice Surgery in conjunction with Tell MAMA and partners. In February 2019 the first of Merton's Hate Crime Advice Surgeries launched. Taking place once a month at the Civic Centre, this service is the first of its kind in South London and sees representatives from Tell MAMA (Measuring Anti Muslim Attacks), Polish Family Association, Merton CIL and Inner Strength Network offer advice and support on hate crime and how to report it. This is a drop in service available to all victims of hate crime living in the borough.

2.5.4.2 *Hate Crime Awareness Week 2019 (HCAW)* – running 12<sup>th</sup>-19<sup>th</sup> October 2019, HCAW saw a programme of engagement events running at locations across the borough, including a successful launch event at Merton College for secondary school students in Merton. Over the course of the week Safer Merton, police and partners engaged with nearly 2,000 residents from a range of backgrounds face to face, raising awareness of hate crime and providing a strong reassurance message that hate crime in any form is not tolerated in this borough.

2.5.4.3 The design and launch of Merton's '*Protect Yourself from Hate*' video which was made in conjunction with Merton College and Leaders Unlocked – Safer Merton funded the production of a video on hate crime and how it affects young people developed, scripted and produced by students at Merton College. This video has been circulated to police schools officers and will be used as an educational resource for students aged 11-18yrs across the borough going forward.

## 2.5.5 Analytical functions

2.5.5.1 Designed and delivered a community safety survey which reached more residents than any previous survey of its type.

2.5.5.2 Delivered a range of analytical reports to support the strategic priority decision making including Domestic violence, and hate crime.

2.5.5.3 Exported our analytical skills to neighbouring borough Kingston to deliver their community safety strategic assessment

## 2.5.6 CCTV

2.5.6.1 Merton CCTV has been working in close partnership with Merton's Enforcement Team. The partnership resulted in multiple fines for the fly tipping as well as in seizure and subsequent crushing of the tipper lorry used by prolific offenders.

2.5.6.2 Work has begun to upgrade Merton's aging camera stock. We have upgraded the cameras in Mitcham Town Centre and Colliers Wood. There are ongoing projects to upgrade cameras in Wimbledon Town Centre and the car parks across the borough. Upgrading to high definition greatly improves our ability to detect and prevent crime.

2.5.6.3 Merton CCTV has been working with more partners than ever before. Our collaboration with Safer Merton, the police, housing and the Councillors among others has a big influence on the increased public safety and the wellbeing of Merton residents. We've had great success tackling knife crime, anti-social behaviour, drug-dealing and begging, helping Merton to remain one of the safest boroughs in the country.

## 2.5.7 Knife crime

2.5.7.1 *Knife Crime Event, May 2019* - In May, Safer Merton led on the delivery of a 'Communities and Knife Crime' event which took place at Morden Baptist Church. A range of partners were involved including the Metropolitan Police, London Fire Brigade and their cadets, Jigsaw4u and Victim Support. There were also a number of talks and a Q&A, which allowed community members to pose questions to those individuals involved in the effort to tackle and prevent knife crime, and support and educate young people and victims. Over 100 people attended, and we received positive feedback and great engagement.

2.5.7.2 *Community Weapons Sweeps* – Safer Merton and the Metropolitan Police South West BCU teamed up to deliver a Community Weapons Sweep Offer. This involved providing training to residents, on how to undertake a sweep, and then subsequently organising sweeps to take place at strategic locations. This was also done in conjunction with Merton's Communications team, in order to add to public reassurance and provide information on what work the council is doing.

2.5.7.3 *Additional Partnership Engagement* – work has been undertaken to engage partners in the Knife Crime Plan, as well as engaging partners who do not feature in the plan, in order to ensure the work to tackle knife crime and awareness is spread as widely as possible in the borough. This has included presenting to the Sustainable Communities and Transport Partnership, Secondary and Primary Headteacher Forums respectively, and working with Crimestoppers and the 'Fearless' strand of their charity on a number of occasions to improve rates of reporting crime in the borough.

## 2.5.8 Other successes to note

2.5.8.1 Safer Merton, and partners, were successful in a bid to work with the Design Council to undertake a review of how the partnership works on standard and medium risk DV cases. Applications were taken from across the country to undertake this work over six months ending in March 2020. A report on findings will be made in April's overview and scrutiny board

2.5.8.2 Working with colleagues in Children's Schools and Families the service supported the bidding, and delivery of a Home Office funded scheme supporting young people at the edges of crime. The Early Intervention Youth Fund

2.5.8.3 The CCTV service has been working with colleagues in the South Wimbledon Business Association (SWBA) to help them source new CCTV coverage of their industrial site. The works, due to complete early 2020, will also feature connected cameras feeding back to LBMs CCTV control room where, via formal contract, the CCTV service will monitor their cameras. This work is the first phase of the service intention to become more commercial

### **3. REPORTS OF OVERVIEW AND SCRUTINY COMMISSIONS/PANELS**

#### **3.1 Safer Communities**

3.1.1 Since the last update to Council on this strategic theme in July 2019, the Overview and Scrutiny Commission has had a further meeting with a focus on crime and community safety issues.

3.1.2 The BCU Commander and the Head of Safer Merton provided reports to the Commission's meeting in September 2019. The BCU Commander provided the latest crime statistics and answered members' questions on a wide range of issues including knife crime, stop and search, resourcing levels and policing of the Eastern Electrics festival.

3.1.3 Safer Merton's update report provided detail, as requested, of work on anti-social behaviour, knife crime and street drinking. The Commission noted the public health approach that has been adopted nationally and regionally in respect of knife crime.

3.1.4 The Commission endorsed the planned community weapon sweeps and recommended that these be publicised to all ward councillors. The Commission also resolved to endorse and promote the Safer Merton Community Safety Consultation.

3.1.5 Restorative justice and modern day slavery will be scrutinised at the March 2020 meeting and there will be further focus on crime and community safety, including an update on domestic violence, in April. The April meeting will be attended by the BCU Commander, the Chair of Merton's Stop and Search Monitoring Group, Head of Safer Merton and the Cabinet Member for Voluntary Sector, Partnerships and Community Safety.

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

None for the purposes of this report.

### **5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

None for the purposes of this report.

### **6. LEGAL AND STATUTORY IMPLICATIONS**

None for the purposes of this report.

### **7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

None for the purposes of this report.



**8. CRIME AND DISORDER IMPLICATIONS**

None for the purposes of this report.

**9. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

None for the purposes of this report.

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

None for the purposes of this report.

**11. BACKGROUND PAPERS**

None for the purposes of this report.

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RAYNES PARK COMMUNITY FORUM  
19 SEPTEMBER 2019

(7.15 pm - 9.00 pm)

PRESENT Councillors Councillor Eloise Bailey (in the Chair),

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Eloise Bailey with Nigel Ware from the Raynes Park Association (RPA). More than 40 residents attended, as well as five other Merton Councillors, and officers from the council and its partners.

## 2 OPEN FORUM (Agenda Item 2)

A3 street lights at Shannon Corner not working since end of Feb. Who responsible?  
UPDATE post meeting: TfL maintains the A3 at Shannon Corner and this includes all the high mast lighting that is currently out. We have notified TfL via their website, highlighting that the high mast lighting on their network is not in light a few times already.

Street cleaning – street cleaning not in relation refuse collection but collection is creating litter.

Tennis for free scheme Saturday 10-12 at Joseph Hood; 1-3 at Tamworth Rec users being charged by Idverde. Cllr Fairclough said free tennis had been proposed at Council last night, but administration said collection of charges were contractual. Merton Council has agreed to look at the option for an annual pass.

Air pollution – Merton Council needs to take faster and further action, they have agreed to enforce anti-idling, through no idling zones and through re-tendering the enforcement contract.

## 3 POLICE UPDATE (Agenda Item 3)

PC John Donnellan and PCSO Cushing from Raynes Park Safer Neighbourhood Team provided an update on local policing and community safety issues. Two new officers will be starting, one in Raynes Park and one in Cannon Hill, by Christmas. The raw chicken being left on streets has been analysed and was not poisonous. Video recording online of someone dumping chicken has been pursued and the driver has been fined for littering.

Theft of number plates has been an issue in the area. SNTs have anti vandal screws to give out so you can protect your car.

The SNT conducted a joint operation with Trading Standards looking at construction work in homes in Raynes Park

Reports of aggressive begging at the station and Waitrose are being looked into.

A number of fraud scams have been taking place in the area including:

- 'Facebook' fraud message to say they had won a prize and asked for cash up front to release.
- Dating sites where partner asks for money
- Call from 'bank' asking for personal details as they say they have detected a fraud on your account
- Door-to-door salesman says they are from contractor down the road but then cause damage in works before asking for extra cash and then disappearing.
- HMRC tax fraud phone calls
- Banks don't ask for personal details by email or phone. If you are approached go to your branch for clarification

For information on the latest scams taking place please see [www.actionfraud.police.uk](http://www.actionfraud.police.uk)

Residents asked a number of questions to the officers.

Q: There have been reports Amazon deliveries being stolen from outside houses, what action should residents take?

A: Please report via 999 if you see them or 101 after the event

Q: Is it possible to carry out speed checks on Copse Hill?

A: Contact local SNT (Village). There was a speed operation in Cambridge Road some years ago. Resources depend on demand.

A: discussion took place about a Travellers incursion on Bushey Road where the site was broken into and owner had to negotiate with Travellers to get them to leave. The Travellers have left considerable fly tipping and one traveller was arrested for assault. PC Donnellan explained that breaking a lock is criminal damage but unless there is evidence as to who did it there is no chance of prosecution. There is a risk of this group or another returning to the site so best bet is to install additional barriers to prevent vehicles accessing the site. Vehicles can also be reported if carrying waste illegally or do not have insurance/MOT.

#### 4 PLANNING UPDATE (Agenda Item 4)

Neil Milligan, Building and Development Control Manager at Merton Council provided an update on local planning issues.

Pinch point south of railway station: A land transfer from Network Rail to Merton Council has been granted. The Council will put together plans for improving the junction.

557 Kingston Road, Dundonald Church 17/P0763: New church with flats above. The decision letter issued and S106 signed but no progress on site.

559-589 Kingston Road – Manoplastics and land to the west. Two new applications now submitted:

- 19/P1675 enlargement of approved dwellings at eastern end of site
- 19/P1676 additional floor on block alongside railway embankment

Both schemes are likely to have to go to the Planning Applications Committee.

South side of Wyke Road 17/P0609: Construction of three apartment blocks (two three-storey blocks and one four-storey block containing 10 x 1 bedroom flats. Permission was refused, but no sign of an appeal yet.

Rainbow Industrial Estate: work has begun on the commercial area and an application has been submitted for a Certificate of Lawfulness pertaining to implementation. It will be some time before the 'kiss and ride' area for the station drop-off will be constructed.

80-86 Bushey Road 16/P1317: Major retail/food and drink development. Unoccupied buildings demolished – Pets at Home retained. No obvious building activity. 19/P1390 a new pre-app for approx. 700 dwellings in blocks with 3,600sqft commercial floorspace.

32-34 Bushey Road 18/P2619: Scheme for 32 flats approved by Planning Committee, but discussions on affordable housing are ongoing.

641 Kingston Road, former Railway Pub south of railway embankment in Raynes Park, 18/P2207: Permission has been granted for 9 flats above and the section 106 has been agreed, but no work has taken place so far.

Transmitter mast site on Blenheim Road 19/P2673: A planning application has been received with significant objections and member interest. As a result, this may be considered by the Planning Applications Committee.

Residents asked a number of questions to Neil:

Q: Why are planning representations no longer being listed online?

A: GDPR complaints were coming in about personal details being published online and ICO was looking into this. We are looking at alternative solutions, with new IT or email if possible.

Q: Access to Bushy Road site through Edna Road

A NM – will have looked at access as part of application but the owner of the site who was in attendance pointed out that there would be no car parking on the site

Q: How many representations have been received for the Tesco site and when will it go to Planning Applications Committee?

A: Will need to check on numbers. We are still negotiating so not ready to go to PAC yet, but possibly November.

Q: Police using café on Edna Road leaving engine running

A: Can pass on.

Q: What are the policies on converting housing into flats?

A: There are detailed requirements on what is acceptable which makes this type of conversion difficult to do in properties like those in the Apostles

## 5 CLIMATE EMERGENCY (Agenda Item 5)

Katie Halter, Climate Officer for Merton Council informed residents about the Climate Emergency unanimously declared by the Council in July.

The declaration requires the borough to reduce greenhouse gas emissions. Data from National Statistics indicate that Merton was responsible for emitting over half a million tonnes of greenhouse gases in 2018. Gas and electricity used in Merton's buildings, and the use of petrol and diesel transport were mainly responsible; although the greenhouse emissions estimated could potentially double if you include activities outside of Merton by residents, such as flying.

There are three specific commitments in declaration

1. Specific dates to reduce emissions – Merton Council carbon neutral by 2030; the borough as a whole by 2050. This means 12% annual reduction to achieve this, which implies the decarbonisation of around 3000 properties, improved a year and 2,500 of the 75,000 petrol and diesel cars registered in Merton will need to be replaced by electric or active travel per year.
2. Create a Climate Emergency Action Plan by March 2020
3. Create a Climate Emergency Working group to gather evidence and ideas, which will contribute to the formation of the Action Plan.

For more information on the Climate emergency declaration, please see:

<https://www.merton.gov.uk/planning-and-buildings/sustainability-and-climate-change/climate-emergency>

Residents asked about the impact of greenhouse gas emissions produced when making new cars and Katie explained that the petrol used when driving a car with massively outweigh the energy what goes into producing the car . A resident was concerned about the ability of the electricity grid to sustain electricity demand at peak time with the move to electric vehicles. Katie said that the electric grid was now 25% renewable and this is increasing. Solutions could include micro generation like solar panels on homes. A resident also commented that the Merton Council fleet is mainly diesel and buses are as bad. There was also a need for electric charging points. Katie said the Council has a lot of work to do to green up their fleet but it is only 0.01% of vehicles in borough. The Council will work with TfL to move to green buses and lorries but this is still only 4% of traffic in the borough.

Katie set out how residents could get involved

- Individual choices are critical – especially energy use, diet, and travel. [Sustainable Merton](#) has a helpful [checklist](#)
- Community Projects – the Council would like to support setting them up or hearing about them
- Climate action plan – please get involved in the consultation on the action plan when it begins, we welcome new ideas
- Climate Strike protests tomorrow – national policies have a huge impact so welcome pressure on politicians.
- [Solar Power Together leaflets](#) – run by Mayor of London – they have vetted solar panel providers through collective bargaining power. Depending on how many sign up they will agree a supplier who will conduct a survey and agree a final price. Last year got 35% discount and they had good feedback on installations.

## 6 PARKING CHARGES (Agenda Item 6)

Cllr Fairclough update on the changes to parking charges discussed at the Community Forum meeting in March.

The Cabinet had agreed to the new charges in July, but this was ‘called-in’ by Lib Dem and Conservative councillors. The decision was considered by the Overview and Scrutiny Commission August who agreed that Equalities rules were not followed so that Cabinet should reconsider their decision. The Council spoke to additional equalities groups and revised its impact assessment. Cabinet then reconsidered the decision in September but again decided to proceed with the changes. These will come in following a Traffic Management Order process.

## 7 ANY OTHER BUSINESS (Agenda Item 7)

A Farmers Market has begun at Wimbledon Chase School every other Sunday but there is still no agreement yet for a site in Raynes Park.

Residents are encouraged to have their say in the annual [Safer Merton Consultation](#) as this helps set the priorities for the year ahead.

## 8 DATE OF NEXT MEETING (Agenda Item 8)

Councillor Bailey thanked everyone for attending and closed the meeting.

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WIMBLEDON COMMUNITY FORUM  
25 SEPTEMBER 2019

(7.15 pm - 9.00 pm)

PRESENT                      Councillors (in the Chair),

## 1        WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held at the Wimbledon Arts Space, and chaired by Councillor David Dean, as Councillor Holmes was unwell. Twelve residents attended, as well as five other Merton Councillors. The Chair welcomed everyone to the meeting, introducing the councillors present at the meeting.

## 2        OPEN FORUM (Agenda Item 2)

A resident commented on the roll out of 20 Mph speed limits, and suggested they would only be of any use if being enforced. They suggested that the sequencing of traffic lights could be used to restrict speed. Councillor Alambritis said the plan to roll out 20 mph limits was in keeping with other boroughs, and would improve road safety. Traffic lights are the responsibility of Transport for London so we could raise this with them.

A resident asked about charging for bulky waste. Councillor Alambritis said that bulky waste collection was free for number of years but was not being used as much as we would have liked and did not help reduce fly tipping. Merton Council had to make tough choices due to reduced Government funding and this was one of those.

A resident asked about yellow box junction with ANPR cameras being used Western Road Wimbledon and Armfield Crescent Mitcham. Their view was that these were not helping traffic and the junctions would be better served by a mini-roundabout. Councillor Alambritis agreed to pass on roundabout idea to officers but explained that yellow box junctions are there to keep traffic flow moving and have to meet national standards. All fines go back into transport related projects, for example the Freedom pass.

A resident asked if mini-roundabouts could be a bigger obstruction to ensure vehicles went round them instead of over. Kris Witherington, Merton Council, said mini-roundabouts tended to be used in smaller junctions so had to allow for larger vehicles to be able to pass over them.

A resident asked about a change to the Planning Applications Committee where speakers would be limited to 6 minutes limit per item change. Councillor Dean said that all Councils have to meet deadlines for assessing applications so the change was designed to get more items through in each meeting.

A resident said that weeds on the streets of the All Saints estate have not been cleared. Kris Witherington agreed to raise this with the Neighbourhood Client Team. UPDATE following the meeting: The team has confirmed that the roads are Merton Council's responsibility and will be inspecting the streets for weeds and litter.

A resident asked about leaf clearing. Councillor Alambritis said the contract with Veolia is to keep roads clear of leaves and there is a 10-week period where additional resources are brought into Merton. Councillor Dead said he arranges for the local community to help with leaf clearing in Dundonald Ward.

A resident asked if that following the success of Car Free Sunday it would be possible to make streets more family friendly. Councillor Dean suggested residents contacted their councillors for advice or they can start a petition to demonstrate support amongst their neighbours.

Sgt Marcia Heritage from Merton Police provided an update on local issues. She said that the Safer Neighbourhood Teams have been working hard to address some of the rough sleeps, aggressive begging which has improved. About half are genuine homeless and referred to the specialist service ([SPEAR](#)) covering the borough or the London wide [StreetLink](#). There was a traffic operation on Hartfield Road tonight to look at freight use. There has been a recent batch of thefts of number plates from cars in the area so SNTs were providing anti-tamper screws. Sgt Heritage was asked about squatters in the former Barclays building and explained that they were waiting for the building's owner to take out a court order.

### 3 CLIMATE EMERGENCY (Agenda Item 3)

Katie Halter, Climate Officer for Merton Council informed residents about the Climate Emergency unanimously declared by the Council in July.

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- Climate action plan – please get involved in the consultation on the action plan when it begins, we welcome new ideas
- Climate Strike protests tomorrow – national policies have a huge impact so welcome pressure on politicians.
- [Solar Power Together leaflets](#) – run by Mayor of London – they have vetted solar panel providers through collective bargaining power. Depending on how many sign up they will agree a supplier who will conduct a survey and agree a final price. Last year got 35% discount and they had good feedback on installations.
- Plant more trees as they act as a carbon store

A resident asked about the use of Hexane gas and Katie explained that moving away from gas use was a key part of reducing emissions. In response to other questions, Katie said that they are working with Merton's Young Advisers programme to develop education programme; there are many issues that are outside the control of the Council so we welcome ideas to change behaviours. Katie also said that there would be provisions in the new Local Plan to help reduce emissions; and we will be working with developers, including Clarion, as well as scrutinising planning applications. Katie also explained that energy use as whole roughly breaks down as 50% gas, 25% electric, 25% cars across Merton and that housing stock is only 5% new build so the bigger issue is bringing existing homes to standard.

Katie also said that Merton Council has an open space strategy being considered currently, and will address the need to balance the use of these spaces including the potential to increase the tree canopy. Katie agreed to look into the impact of road humps. A resident asked about Heathrow expansion and Councillor Alambritis

confirmed that Merton Council is against the expansion and had responded to the consultation to say so.

Questions were asked about trams and train frequencies, Councillor Alambritis said we can raise with TfL as demand is high and that we are keen to expand the Tram from Wimbledon to Sutton. A resident also suggested lobbying to reduce the tax on electric cars company cars.

#### 4 LEADER OF THE COUNCIL (Agenda Item 4)

Councillor Alambritis provided an anonymous case study of a 93-year-old man who lives independently but on his own. After a fall, he was diagnosed with Alzheimer's. Merton Council's Reablement team has worked with the resident to create a Reablement Plan including four visits a day, with new equipment to make his home accessible, a MASCOT alarm, and referred him to Age UK Merton for support. The resident is now regaining his confidence attending Wimbledon Guild to reduce his isolation. 45% of Merton Council controllable income goes on Adult Social Care and also supports groups like Wimbledon Guild and the Warm and Well project.

Merton Council has also decided to keep all libraries open, with a new library in Colliers Wood. Wimbledon is the busiest in borough with more than 200,000 visitors to Arts Space last year. 95% of schools in Merton are good or outstanding and a new secondary school in South Wimbledon is already oversubscribed. Four of our care leavers went on to University this year. Merton Council is looking at how we support students with special needs and lobbying the government to help fund this work. You can get involved in the [consultation](#) before 16 October.

A Brexit Task Group is looking at the implications especially of a no deal Brexit, and is meeting monthly. We have also updated our Risk Register and have been supporting EU residents in Merton to access Settled Status, through funding a support worker at Merton and Lambeth CAB based in Morden. We are also monitoring Hate Crime incidents and looking at challenge for social care in terms of recruiting staff.

In response to questions about the case study Councillor Alambritis reiterated that 45% of controllable income goes on adult social care and the pressure on all local authorities is immense. Grants can be accessed to support residents and the Reablement Team would assess the needs of each individual.

A resident raised the issue of the role of volunteers and cuts to voluntary organisations. Councillor Alambritis said that volunteers are essential to keeping libraries and we thank them for their contribution. Merton Council faces a lot of tough choices but is working closely with the voluntary sector and investing more than £1m

in organisations like Wimbledon Guild and Age UK. We work with Merton Voluntary Service Council to attract and support volunteers.

A resident raised the issue of Air Quality at the Harris location in South Wimbledon and called for Air Quality testing at the site. Councillor Alambritis said that the site went through the planning process as well as being scrutinised by DfES, ESFA, and Mayor of London. There is a challenge in building any school in London, as air quality is generally poor but we would be happy to look monitoring and mitigation. The new school will have access to the Rutlish Foundation playing fields across the road but Councillor Alambritis was happy to raise the idea of a rooftop playing space with Harris.

## 5 DATE OF NEXT MEETING (Agenda Item 5)

Councillor Dean thanked everyone for attending and closed the meeting.

Future meetings: all 7.15pm in Wimbledon Arts Space  
Tuesday 3 December 2019; Thursday 26 March 2020

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COLLIERS WOOD AND NE MITCHAM COMMUNITY FORUM  
3 OCTOBER 2019

(7.15 pm - 9.00 pm)

PRESENT Councillors Councillor John Dehaney (in the Chair),

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held at Colliers Wood Library, and chaired by Councillor John Dehaney. 11 residents attended, as well as one other Merton Councillor. The Chair welcomed everyone to the meeting.

## 2 CLIMATE EMERGENCY (Agenda Item 2)

Katie Halter, Climate Officer for Merton Council informed residents about the Climate Emergency unanimously declared by the Council in July.

The declaration requires the borough to reduce greenhouse gas emissions. Data from National Statistics indicate that Merton was responsible for emitting over half a million tonnes of greenhouse gases in 2018. Gas and electricity used in Merton's buildings (75%), and the use of petrol and diesel transport (25%) were mainly responsible. The amount of greenhouse emissions could potentially double if you include emissions that arise from goods use in the borough and from activities of Merton by residents that occur outside the borough, such as flying.

There are three specific commitments in declaration

1. Specific dates to reduce emissions – Merton Council carbon neutral by 2030; the borough as a whole by 2050. This means 12% annual reduction to achieve this, which implies the decarbonisation of around 3000 properties a year and 2,500 of the 75,000 petrol and diesel cars registered in Merton will need to be replaced by electric or active travel per year.
2. Create a Climate Emergency Action Plan by early 2020
3. Create a Climate Emergency Working group to gather evidence and ideas, which will contribute to the formation of the Action Plan.

For more information on the Climate emergency declaration, please see:

<https://www.merton.gov.uk/planning-and-buildings/sustainability-and-climate-change/climate-emergency>

Katie set out how residents could get involved

- Individual choices are critical – especially energy use, diet, and travel. [Sustainable Merton](#) has a helpful [checklist](#)
- Community Projects – the Council would like to support setting them up or hearing about them
- Climate action plan – please get involved in the consultation on the action plan when it begins, we welcome new ideas
- [Solar Power Together](#) – run by Mayor of London – they have vetted solar panel providers through collective bargaining power. Depending on how many sign up they will agree a supplier who will conduct a survey and agree a final price. Last year got 35% discount and they had good feedback on installations.
- National policies have an impact on our ability to decarbonise, so welcome pressure on politicians may help.

Katie was asked what was meant by decarbonisation and explained that this involved stopping greenhouse gas emissions going into the air by either stopping the activity or offsetting the emissions through other means like more trees. Katie also said that electric vehicles are significantly better than petrol/diesel, as they have more efficient engines and the average grid intensity of the electricity grid is lower compared to petrol and diesel, and is reducing due to increasing use of renewables.

A resident suggested that case studies could be shared with residents with examples of what can be done or is already being done. Katie agreed this was important and the new Community Plan will include spotlights on community work and we will be using all the channels we can to communicate with residents. A resident asked about the use of electric scooters on cycle lanes. Katie said that these are not legal on pavements or the road currently and the Council does not have the power to change this. If we can identify gaps in funding or legislation and we can raise these with government as part of the action plan.

A resident asked about energy use at the Civic Centre including the lights. Katie explained that this is one of many things that we are looking at to address as well as homeworking, procurement, staff travel, and our vehicle fleet including refuse trucks. Katie also said that there is already a Clean Air Strategy in Merton so we will be looking at the synergies with the new Climate Action Plan

A question was asked about the placement of mobile phone masts and Councillor Alambritis explained that under national guidelines there are restrictions what Councils can refuse, and as long as the application meets set standards planning authorities cannot refuse applications on health grounds.

Katie also said that future rounds of Solar Together would be dependent on future funding and any emissions from installation are outweighed by the benefits. Although feed-in tariffs have been scrapped they have been replaced by a smart export



guarantee (SEG) plus with which can offer a similar rate of return to 10 years ago (e.g. a 10 year pay back on investment on an average Semi with a South facing roof).

UPDATE following the meeting: Residents can get involved by completing a [survey](#) so their ideas can be included or contact [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk).

### 3 COUNCIL UPDATE - LEADER OF THE COUNCIL, COUNCILLOR STEPHEN ALAMBRITIS (Agenda Item 3)

Councillor Alambritis provided an anonymous case study of a 93-year-old man who lives independently but on his own. After a fall, he was diagnosed with Alzheimer's and already had Type 2 Diabetes. Merton Council's Reablement team has worked with the resident to create a Reablement Plan including four visits a day, with new equipment to make his home accessible, a MASCOT alarm, and referred him to Age UK Merton for support. The resident is now regaining his confidence attending Wimbledon Guild to reduce his isolation. 45% of Merton Council controllable income goes on Adult Social Care and also supports groups like Wimbledon Guild and the Warm and Well project.

A Brexit Task Group is looking at the implications especially of a no deal Brexit, and is meeting monthly. We have also updated our Risk Register and have been supporting EU residents in Merton to access Settled Status, through funding a support worker Merton and Lambeth CAB, based in Morden. We are also monitoring Hate Crime incidents and looking at challenge for social care in terms of recruiting staff.

MyLondon rated Merton as 4<sup>th</sup> best borough for families, based on quality of schools, housing costs and services for families.

Merton Council has decided to keep all libraries open, with a new library in Colliers Wood. Thanks to volunteers to are essential to providing services and keeping libraries Wimbledon is the busiest in borough with more than 200,000 visitors to Arts Space last year. 95% of schools in Merton are good or outstanding. 23 Primary schools expanded to address demand and a new secondary school in South Wimbledon is already oversubscribed. Four of our care leavers went on to University this year. Merton Council is looking at how we support students with special needs and lobbying the government to help fund this work. You can get involved in the [consultation](#) before 16 October.

St Helier – government has announced more money for capital works trust but will it be used to build a new hospital in Belmont rather than keeping emergency services at St Helier. MP and Council will continue to fight to keep those services at St Helier.

Merton Council has allocated over £1m to community projects, revenue from developments like the AFC Wimbledon stadium development at Plough Lane.

A resident asked about nodal points for Harris Wimbledon Secondary School and Cllr Alambritis said one of these would benefit Colliers Wood

Residents raised a number of issues about street cleaning and refuse collection including why there had been no Veolia contract deductions to date; there were still problems with fly tipping and dealing with complaints; and investigating and enforcing fly tipping will help reduce the frequency. Cllr Alambritis replied that Merton Council is still in dispute with Veolia over deductions but doing all we can to resolve those issues, and have withheld payments. He also said that there were problems with street cleaning and missed collection still need addressing but good news with recycling rate now up to 45% and satisfaction with wheelie bins service improving. We are doing our level best to improve Veolia's performance and have invested more in enforcement and will continue to publicise successes but we have to balance pressure on resources.

A resident asked about a house swap for those in properties due to be demolished under regeneration if they want to move away, Cllr Alambritis said we could facilitate that conversation between different housing providers.

Residents asked about proposed changes to permitted development rules and Cllr Alambritis said planning is regulated by Government so Merton Council has to work within the rules but permitted development is a significant problem. We will be looking into the proposed changes and their impact. A resident also asked about comments on planning applications not being posted online. Cllr Alambritis said that due to GDPR issues we have had to respond with a short-term fix but longer term solutions are being explored.

#### 4 OPEN FORUM (Agenda Item 4)

A resident asked about the recent rape in Wandle Park, and if locking of Wandle Park and design of the access took safety into account. Another resident had been told by police that someone is in custody for the offence, the park had not been locked for many years, and lots of people involved in the designing the plans for the entrance. Cllr Alambritis added that the Council will look at safety implications if advised by the police.

A resident asked about the roadworks at London Road roundabout and Bishopford Road Bridge. Cllr Alambritis said designers are looking at whether the bridge can be repaired or would need to be replaced. He expected a report should come to Cabinet in November for a decision from members.

A resident commented that at the Planning Application Committee meeting the planning officer dealing with the High Path regeneration did not seem to know the brief very well. Cllr Alambritis said that the planning process is heavily proscribed and officers are very capable despite challenges of recruiting.

Councillor Dehaney thanked residents for attending and closed the meeting. The next meeting will be in October 2020, date to be confirmed.

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MITCHAM COMMUNITY FORUM  
10 OCTOBER 2019

(7.15 pm - 9.00 pm)

PRESENT Councillors Councillor David Chung (in the Chair),

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held at Vestry Hall, and chaired by Councillor David Chung. 15 residents attended, as well as three other Councillors, and officers of the council and its partners. The Chair welcomed everyone to the meeting.

## 2 OPEN FORUM (Agenda Item 2)

A resident asked about the introduction of 20 MPH limits Cllr Alambritis said that this was a manifesto commitment, rolling out from East of borough. 20MPH limits are being introduced in many London boroughs as they are shown to reduce road deaths and injuries; there is no evidence that the limits increase air pollution. Enforcement of speed limits is the responsibility of the police but we can take up problems with Transport for London (TfL) if buses are speeding.

A resident said that the traffic lights at Fair Green are causing knock-on effect back to Cricket Green whilst another resident said the reduction in lanes at Three Kings Pond and new layout results in buses blocking junctions and making it dangerous for pedestrians. Cllr Alambritis said traffic lights are programmed by TfL so we can speak to them about the lights and to Highways officers about filter lane at Cricket Green and the road layout around the pond.

A representative from Keep Our St Helier (KOSH) said that the government was now proposing to spend £500m to downgrade the hospital and this will soon go to public consultation. They felt there has been a lack of engagement and scrutiny so far with no detailed plans presented. KOSH would like to meet with Cllr Alambritis to discuss their campaign. Cllr Alambritis agreed with the concerns raised by KOSH and the Council is clear we want to see all services retained at St Helier, including emergency and maternity services. We regularly raise concerns with Merton CCG and Siobhain McDonagh MP has raised this issue in Parliament and with the Secretary of State for Health. We will consider a judicial review as an option if the consultation is not satisfactory and will push for impact analysis for deprived areas. The Council will look at how to promote the consultation and encourage residents to engage.

A resident raised the issue of the six Clinical Commissioning Groups in south west London merging into a single organisation resulting small group controlling all health spend in the area. They said that Hammersmith and Fulham Council had raised concerns about the CCGs in their area not following the correct legal process.

A resident said that litter on the streets is a significant problem and there are huge issues with fly-tipping. They suggested that lids on recycling boxes would help and asked if fly-tipping had increased since charges for bulky waste had been re-introduced. Cllr Alambritis said that the changes have had some successes with financial savings and recycling up to 45%, with big reduction in the amount going to landfill. In some areas street cleaning is not good enough so we will continue to push Veolia to improve. We will be introducing a new fly-tipping strategy to increase the amount of enforcement. Fly-tipping is a national disgrace, so increasing the amount of enforcement and education was vital. We name and shame those who go to court as well as feature the issue in My Merton and can raise with Wimbledon News about covering this as well. Cllr Alambritis said bringing back charges for bulky waste was a difficult decision due to the financial constraints on the council. Cllr Joan Henry said she has been working with Street Champions to help educate local residents on what rubbish to put out and when.

Cllr Chung shared an update from Veolia on issues in Rowan Road & Rosemead Avenue following a site visit organised by Siobhain McDonagh MP:

“Previously, we only used one beat sweeper to cover this area. After several meetings with the Council Neighbourhood Client Team, we identified that our resource in this area for sweeping was not sufficient to manage with the volumes of litter accumulating on a weekly basis.

We have now facilitated an additional sweeper to this neighbourhood (3 weeks ago) and streets are now looking visibly cleaner than before the additional resource arrived.

We manage these sweepers, and meet them on-site throughout the week. We are confident that standards have improved and will continue to do so.

Fly-tip levels are very high in this neighbourhood but we are reassured by the work that the Merton Council Enforcement Team take to try and catch perpetrators and issue Fixed Penalty Notices. We task a fly-tip removal cage to this Ward on a daily basis.”

### 3 CLIMATE EMERGENCY (Agenda Item 4)

Katie Halter, Climate Officer for Merton Council informed residents about the Climate Emergency unanimously declared by the Council in July.

The declaration requires the borough to reduce greenhouse gas emissions. Data from National Statistics indicate that Merton was responsible for emitting over half a million tonnes of greenhouse gases in 2018. Gas (50%) and electricity (25%) used in Merton's buildings, and the use of petrol and diesel transport (25%) were mainly responsible. The amount of greenhouse emissions could potentially double if you include emissions that arise from goods purchased in the Borough, or activities by Merton by residents outside the borough, such as flying.

There are three specific commitments in declaration

1. Specific dates to reduce emissions – Merton Council carbon neutral by 2030; the borough as a whole by 2050.
2. Create a Climate Emergency Action Plan by March 2020
3. Create a Climate Emergency Working group to gather evidence and ideas, which will contribute to the formation of the Action Plan.

The targets are challenging, it means 12% annual reduction to achieve this, which implies the decarbonisation of around 3000 properties improved a year and 2,500 of the 72,000 petrol and diesel cars registered in Merton will need to be replaced by electric or active travel per year. Merton Council responsible for 2.5% of emissions, the rest are from homes and businesses in the borough.

For more information on the Climate emergency declaration, please see:

<https://www.merton.gov.uk/planning-and-buildings/sustainability-and-climate-change/climate-emergency>

Katie set out how residents could get involved

- Individual choices are critical – especially energy use, diet, and travel. [Sustainable Merton](#) has a helpful [checklist](#)
- Community Projects – the Council would like to support setting them up or hearing about them
- Climate action plan – please get involved in the consultation on the action plan when it begins in October, we welcome new ideas
- [Solar Power Together](#) – run by Mayor of London – they have vetted solar panel providers through collective bargaining power. Depending on how many sign up they will agree a supplier who will conduct a survey and agree a final price. Last year got 35% discount and they had good feedback on installations.
- Climate protests help move national policies have a huge impact so welcome pressure on politicians

A resident asked about Heathrow expansion plans, Cllr Alambritis said the Council was against expansion and had written to say so in response to the recent consultations.

Residents asked about changing cars to electric. Katie said that there are [grants available for purchasing electric cars](#) and studies show that to be carbon neutral removing cars/vehicles is essential, as is household energy use.

A resident said that moving St Helier's acute facility will result in more emissions including additional ambulance movements. Katie said they are working with Public Health estates group on how they can reduce emissions but majority of emissions come from cars rather than other sources like buses, ambulances, and HGVs.

A resident asked about engine idling and Katie said that the Air Quality Action Plan has already looked at this and we will be looking to see if we need to integrate some of those actions into the new climate change plans.

Katie also said that the action plan will focus on reducing emissions as much as possible but in some cases where this is too difficult or too expensive there may be a need to offset through activities like planting trees. Trees need to grow into maturity in order to lock in carbon, so welcome ideas to support tree maintenance. Katie explained that human exercise does not result in a net increase in emissions.

There was also a question about buses, and Katie responded that TfL have a plan to electrify all buses and we will encourage them to convert buses in Merton as soon as possible.

A resident said that the UK was not generating a big amount of emissions compared to bigger countries. Katie said that the UK produces 450m tonnes a year, and it is a high per capita production. We need to take personal responsibility and can't leave to others to take actions.

Katie said that if you install solar panels it would cost roughly, £3-4k for a 3-bed semi and generally the return is about 10 years.

UPDATE following the meeting: Residents can get involved by completing a [survey](#) so their ideas can be included or contact [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk).

#### 4 COUNCIL UPDATE (Agenda Item 3)

Councillor Alambritis provided an anonymous case study of a 96-year-old man who lives independently but on his own. After a fall, he was diagnosed with Alzheimer's and already had Type 2 Diabetes. Merton Council's Reablement team has worked with the resident to create a Reablement Plan including four visits a day, with new equipment to make his home accessible, a MASCOT alarm, and referred him to Age UK Merton for support. The resident is now regaining his confidence and attending Wimbledon Guild to reduce his isolation. 45% of Merton Council controllable income goes on Adult Social Care and also supports groups like Wimbledon Guild and the



Warm and Well project with £1m for the voluntary sector. Committed in the July Principles in 2011 to prioritise vulnerable residents.

Raising revenue from regeneration schemes like AFC Wimbledon move to Plough Lane. Will also support Mitcham Cricket Club in similar way.

MyLondon rated Merton as 4<sup>th</sup> best borough for families, based on quality of schools, housing costs and services for families. Friends of the Earth rated Merton joint 2<sup>nd</sup> in London for tackling climate change.

Merton Council has decided to keep all libraries open, with a new library in Colliers Wood, despite 500 libraries closing nationally. Thanks to volunteers to are essential to providing services and keeping libraries Wimbledon is the busiest in borough with more than 200,000 visitors to Arts Space last year.

Nearly all schools in Merton are good or outstanding. 23 Primary schools expanded to address demand and a new secondary school in South Wimbledon is already oversubscribed. Four of our care leavers went on to University this year. Merton Council is looking at how we support students with special needs and lobbying the government to help fund this work. You can get involved in the [consultation](#) before 16 October. Adult Education also going from strength to strength under Merton College having saved the service from the impact from reduced central government funding.

A Brexit Task Group is looking at the implications especially of a no deal Brexit, and is meeting monthly. We have also updated our Risk Register and have been supporting the 24,000 EU residents in Merton to access Settled Status, through funding a support worker Merton and Lambeth CAB, based in Morden and providing a document scanning service at the registry office in Morden. We are also monitoring Hate Crime incidents and looking at challenge for social care in terms of recruiting staff.

Bishopford Road Bridge have insurance to cover the cost of either repairing or renewing the bridge depending on which is the best options. The latest news on the bridge is available from our [website](#).

A resident asked about the future of Mitcham Cricket Club and Stephen responded that they have already designated the pavilion as an Asset of Community Value and will use planning to protect the future of the pavilion and the club, as we did on the Plough Lane site.

A resident asked if the Clarion redevelopments include sufficient space for accessible facilities and Cllr Alambritis said those details would be looked at through the planning process.

A resident asked about the Kwick-Fit site and Cllr Alambritis said that the developer has three years under national rules to start on the scheme following planning application so it is disappointing they are sitting on the site.

A resident asked about income thresholds for care costs and Cllr Alambritis responded that we have been waiting for some time for the Government Green Paper on social care as these thresholds are set nationally.

#### 5 DATE OF NEXT MEETING (Agenda Item 5)

Kris Witherington, Merton Council reminded residents about the Canons Reminiscence project; and the annual Safer Merton consultation

Councillor Chung thanked residents for attending and closed the meeting.

The next meeting will be on Thursday 27 February 2020 at 7.15pm in Vestry Hall.

MORDEN COMMUNITY FORUM

16 OCTOBER 2019

(7.15 pm - 9.00 pm)

PRESENT Councillors (in the Chair),

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held in the Council Chamber at the Civic Centre and chaired by Councillor Nick Draper as Councillor Pauline Cowper was unwell. Over 30 residents attended, as well as seven other Councillors, and officers of the council. The Chair welcomed everyone to the meeting.

## 2 OPEN FORUM (Agenda Item 2)

A resident asked if there was an update on building progress at the Mosque, as they are currently taking up a lane on London road. Cllr Draper said that the works would take some time and the Mosque had agreement for the use of the road with Transport for London up to April 2020

A resident asked about the Public Space Protection Order for dog controls. Cllr Draper said the 2017 consultation clearly favoured control orders, but we will follow up with officers to find out the latest information.

UPDATE following the meeting: Officers are exploring how the PSPOs will be enforced, as this is part of a wider plan for enforcement activity. Once this plan is in place the PSPOs will be taken forward.

A resident asked about missed bin collection from communal bins on estates the previous Wednesday and said they would like information if there is a problem with collections by social media.

Cllr Draper said we would follow up the Neighbourhood Client Team to see what the issue was.

UPDATE following the meeting: Officers were not aware of any issues with collections on the day referred to so will check with Veolia

A resident referred to a video on social media showing rats back of shops on London Road in Morden. Cllr Draper said this would be raised with officers.

A resident asked if pavement parking on Central Road next to Morden Recreation Ground, was allowed and cars are blocking the pavement. Cllr Draper said that specific issues could be raised with the Highways team by emailing

[trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk) and residents can also report illegal parking by calling 020 8545 4661

### 3 BISHOPFORD ROAD BRIDGE UPDATE (Agenda Item 3)

Paul McGarry, Head of Future Merton, and James McGinlay, Assistant Director for Sustainable Communities, from Merton Council provided an update on the bridge. They apologised for the inconvenience to residents, this was not an event that could be predicted. Heavy rainfall and flooding in June had resulted in water eroding the foundations of the bridge resulting in one arch collapsing and serious damage to another.

Work since has focused on stabilising the structure in order to make it safe for inspections and repairs. Over the last month, the bridge has been stabilised with the hole in the riverbed filled and concrete injected into the arches. Two reports have been commissioned: one on what caused the collapse; and another into the options to repair or replace the bridge. The initial investigation meant leaving the bridge as was in order to analyse the structure. The options appraisal with designs will report back before Christmas.

In addition to the bridge itself there have been issues with vehicles/mopeds crossing the footbridge, bus diversions and utilities. In response we have installed CCTV with Automatic Number Plate Recognition (ANPR) and lighting to improve safety on the footbridge and have been working with TfL to put on an additional bus service from Ravensbury to Morden. We are currently waiting for a provider to be appointed. Utility lines were broken in the bridge collapse, and whilst the electric supply was replaced, the gas supply was redirected through the existing network. With demand for gas now increasing as we go into winter there will need to be new works to secure the supply.

We are also installing new hoardings around the site. There will also be a monthly newsletter, and updates to the [website](#) whenever there is news. We are considering at taking down wall between bridge and Watermeads so that people feel safer following feedback from residents. This could be a temporary measure until bridge is completed.

Residents asked a number of questions and these are set out with the response below.

Question	Response
Did Merton consider providing free shuttle bus service	Shuttle service frequency requires large number of vehicles so TfL can provide a more reliable service
Has Merton checked the safety of other bridges?	We are responsible for over 50 bridges. Funding from TfL supports inspections of bridges across the

	borough, which then leads to capital programme for improvements. It was a survey taken out on Bisphodford Road that lead to works on bridge as they identified it need strengthening
Has Merton considered building a temporary bridge?	We have looked at temporary bridge options but the underpinning for a new structure would impact on riverbed and riverbank and therefore river flow.
Did the weight of vehicles affect the bridge?	We will look at if weight might have had an impact
There are pools of water at either end of the footbridge	Paths were gravel, which was being disturbed by extra use, we will be replacing with tarmac and widening shortly.
Going through the park makes people vulnerable and is frightening. Consider this when rebuilding the bridge	Will look at improving footpath in new bridge
What was the cause of collapse related to the works taking place?	Independent study will come back next month and will include lead up to the event. We always have a method statement for works, which also needs to be agreed by Environment Agency when over the river.
What contingency planning was done?	We have contingency plans for dealing with emergencies including flooding.
The barriers on the footbridge are not accessible	We are happy to look at barriers; they are there to prevent vehicle access. We are currently collating data on impact of ANPR
How long will LBM take to make a decision?	The report will provide options, whilst the decision making process depends on level of spend, as below a threshold certain can be done without any further reports but if over then it goes to Cabinet for a decision. A Repair could be a few months, where as a rebuild could be much longer, into summer 2020.
The gassworks has impacted on traffic in Morden	We meet with utility companies to plan but if it's an emergency we can't wait. With Ravensbury works it is better to do these now before the winter demand picks up. We can monitor traffic along with TfL, and have moved diversion signs to Rose Hill to redirect traffic away from the area. We will stop non-essential works whilst Bridge is out.
Footbridge is a drinking area and dark	We have installed lighting to make people feel safer
Does wall bare load for the bridge	The wall is not part of the bridge
5 October temporary traffic	We can look at local signage

#### 4 CLIMATE EMERGENCY (Agenda Item 4)

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The targets are challenging, it means 12% annual reduction to achieve this, which implies the decarbonisation of around 3000 properties improved a year and 2,500 of the 72,000 petrol and diesel cars registered in Merton will need to be replaced by electric or active travel per year. Merton Council responsible for 2.5% of emissions, the rest are from homes and businesses in the borough.

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Katie set out how residents could get involved

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- Community Projects – the Council would like to support setting them up or hearing about them
- Climate action plan – please get involved in the consultation on the action plan when it begins in October, we welcome new ideas
- [Solar Power Together](#) – run by Mayor of London – they have vetted solar panel providers through collective bargaining power. Depending on how many sign up they will agree a supplier who will conduct a survey and agree a final

price. Last year got 35% discount and they had good feedback on installations.

A resident asked about the connection between climate emergency and air quality and Katie responded that there was an overlap between the two so we would looking at the existing Air Quality Action Plan to identify synergies. For example, Merton has been working on education on engine idling, with signs going up and volunteers recruited. Following education of drivers then enforcement maybe necessary. A resident also asked about wood burners and Katie said that the national [Government Air Quality Strategy](#) includes consulting on removing the right to burn wood in built up areas.

A resident said that tall buildings can shade out existing solar panels, and can create microclimates. Katie said that we will be bringing in expertise to look at the sustainability of plans in Merton and this will include energy efficiency and being independent of gas. The plans that develop will apply across all regeneration projects.

A resident asked how young people will be involved. Katie said that she had already attended a Youth Parliament meeting and will be working with them and our Young Advisors to design survey to target children and young people. We will also create a young people's advisory panel.

A resident asked about TfL moving to electric buses in Merton and Katie said we were aware of TfL plans to change over their fleet and can take on board for the action plan.

UPDATE following the meeting: Residents can get involved by completing a [survey](#) so their ideas can be included or contact [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk).

## 5 COUNCIL UPDATE (Agenda Item 5)

Councillor Alambritis provided an anonymous case study of a 96-year-old man who lives independently but on his own. After a fall, he was diagnosed with Alzheimer's and already had Type 2 Diabetes. Merton Council's Reablement team has worked with the resident to create a Reablement Plan including four visits a day, with new equipment to make his home accessible, a MASCOT alarm, and referred him to Age UK Merton for support. The resident is now regaining his confidence and attending Wimbledon Guild to reduce his isolation. 45% of Merton Council controllable income goes on Adult Social Care and also supports groups like Wimbledon Guild and the Warm and Well project with £1m for the voluntary sector. Committed in the July Principles in 2011 to prioritise vulnerable residents.

Merton looks after more than 200 children and has a good rating from Ofsted on children's services. Four of our care leavers went on to University this year. Merton Council is looking at how we support students with special needs and lobbying the government to help fund this work.

Veolia still not good enough so continuing to push, but still some benefits including £1m in savings increasing recycling to 45% and reducing landfill. Friends of the Earth rated Merton joint 2<sup>nd</sup> in London for tackling climate change.

Thanks to volunteers to are essential to providing services. We are continuing to support VCS with £1m including MVSC and Merton and Morden Guild and Friends in St Helier (FISH).

Merton supports regeneration schemes like AFC Wimbledon move to Plough Lane, designating the old dog track for sporting intensity to make sure the site was protected.

We will work to keep all services at St Helier. The hospital is improving but needs new facilities on the existing site as that is where the most need is.

Merton Council has decided to keep all libraries open, despite 500 libraries closing nationally. The new library in Colliers Wood came second in a Library of the Year competition. Volunteers are vital in keeping libraries going and being innovative.

Nearly all schools in Merton are good or outstanding. Twenty-three primary schools have been expanded to address demand and a new secondary school in South Wimbledon is already oversubscribed. Adult Education also going from strength to strength under Merton College having saved the service from the impact from reduced central government funding.

We are supporting regeneration of three Clarion estates; and supporting other providers like Haig Homes housing veterans. Her Majesty the Queen opened 60 new units last Friday at Haig Homes in Morden.

MyLondon rated Merton as fourth best borough for families, based on the quality of schools, housing costs and services for families.

A Brexit Task Group is looking at the implications especially of a no deal Brexit, and is meeting monthly. We have also updated our Risk Register and have been supporting the 24,000 EU residents in Merton to access Settled Status, through funding a support worker Merton and Lambeth CAB, based in Morden and providing a document scanning service at the registry office in Morden. We are also monitoring Hate Crime incidents and looking at challenge for social care in terms of recruiting staff.



Bishopford Rd Bridge have the monies for the work, will hold a special Cabinet meeting if needed to speed up the process.

A resident asked about active travel, and if there were plans to replace cycling officer. Cllr Alambritis said he would be happy to raise with officers. A resident asked about lids for recycling boxes to stop waste being blown around. These are currently only available from Garth Road which can only be accessed by car so could alternative distribution locations be identified. Cllr Alambritis said he would be happy to look at the options for this.

A resident asked if there would be lift access in the Clarion regeneration for blocks of four stories. Cllr Alambritis said this would be in the detail of the planning applications so would follow up if the relevant details could be [emailed](#) to him.

## 6 DATE OF NEXT MEETING (Agenda Item 6)

Councillor Draper thanked residents for attending and closed the meeting.

The next meeting will take place on Wednesday 26 February at 7.15pm in the Council Chamber at the Civic Centre.

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COUNCIL MEETING – 5 FEBRUARY 2020

NOTICE OF MOTION – ONLINE PLANNING REPRESENTATIONS

Council agrees to restore planning representations from residents to Merton's Online Planning Explorer.

Councillor Anthony Fairclough Councillor Eloise Bailey Councillor Hina Bokhari

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COUNCIL MEETING – 5<sup>th</sup> February 2020

## NOTICE OF MOTION

This council supports the government's proposed £500 million investment in the Merton, Sutton and Surrey Downs Clinical Commissioning Groups.

Cllr Thomas Barlow

Cllr Andrew Howard

Cllr Oonagh Moulton

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## **Committee: Council**

**Date: 5 February 2020**

Wards: All

## **Subject: Council Tax Support Scheme 2020/21**

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: David Keppler, Head of Revenues and Benefits

### **Recommendations:**

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1. That the uprating changes for the 2020/21 council tax support scheme detailed in the report be agreed, in order to maintain low council tax charges for those on lower incomes and other vulnerable residents
  2. That Council adopts the new 2020/21 scheme.
- 

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

- 1.1. This report details the proposed changes to Merton's adopted council tax support scheme to ensure that the level of support awarded stays in line with the old council tax benefit scheme had it continued and therefore residents are not worse off due to the new scheme.
- 1.2. That council agrees to implement recommendation 1 and 2

## **2 DETAILS**

### **2.1. Council Tax Support Scheme 20120/21**

- 2.2. As part of the Spending Review 2010, the Government announced that it intended to localise council tax benefit (CTB) from 1 April 2013 with a 10% reduction in expenditure. These plans were included as part of the terms of reference for the Local Government Resource Review and the then Welfare Reform Bill contained provisions to abolish CTB.
- 2.3. Following a formal consultation exercise full Council agreed on the 21 November 2012 to absorb the funding reduction and adopt the prescribed default scheme in order to maintain low council tax charges for those on lower incomes and other vulnerable residents. CTB was formally abolished with effect from 1 April 2013
- 2.4. Council have subsequently agreed to continue with the same scheme on an annual basis for 2014/15, 2015/16, 2016/17, 2017/18, 2018/19 and 2019/20.
- 2.5. Each year the government "uprate" the housing benefit scheme and the new council tax support scheme for pensioners. This is where state pensions and benefits are increased by a set percentage and the government also increase the applicable amounts and personal allowances (elements that help identify how much income a family or individual requires each week before their housing benefit starts to be reduced) and also non dependant

deductions (the amount a non child who lives with the claimant is expected to contribute to the rent and or council tax each week).

- 2.6. The government have stated that under the new local council tax support scheme pensioners must not be worse off and that existing levels of support for them must remain and this protection will be achieved by keeping in place existing national rules, with eligibility and rates defined in Regulations broadly similar to those that previously existed. This is known as the Prescribed Pensioners scheme.
- 2.7. When full Council adopted the governments default scheme in November 2012 it was not clear what would happen with regards to the uprating of the default scheme from April 2014 onwards. Advice received from the then Department of Communities and Local Government (DCLG) at the end of September 2013 stated that if a Council did not formally agree a revised scheme for the following financial year which would include any “uprating” then its local scheme for the previous year would automatically become its default scheme and as a consequence the “uprating” would not take place and many residents would face an increased council tax bill.
- 2.8. This means that if Merton wants to continue with its council tax support scheme which is broadly similar to the old council tax benefit scheme it would have to formally consult and agree on the “uprating” each year. Merton has subsequently agreed this approach in prior years and is now seeking agreement to the same for 2020/21.
- 2.9. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral. Increases in payments for non-dependants living in households would not be applied and some residents receiving disability benefits or premiums could face higher council tax bills.
- 2.10. The government will uprate the housing benefit scheme from the 1 April 2020 and the detail of this process is unlikely to be known until early December 2019. The government will also uprate the prescribed pensioner scheme for council tax support from 1 April 2020, with the details announced in December 2019. Once the detailed information is known it is proposed to use the data from these to uprate the council tax support scheme.
- 2.11. The uprating of the council tax support scheme will be effective from the 1 April 2020.
- 2.12. A formal consultation exercise regarding the change of the scheme was undertaken between 19 July 2019 and 30 August 2019. Only 6 responses were received, 2 opted to apply the uprating and 4 opted not to apply the uprating.
- 2.13. This level of response is in contrast to the consultation exercise undertaken in the summer of 2012 when the Council first proposed to absorb the funding reduction and ensure that no Merton residents would be worse off due to the change in scheme. Then there were 1,007 responses of which 820 opted to retain the same level of support as council tax benefit and keep the level of contribution towards the council tax down for eligible applicants. Only 69 opted to implement a new council tax support scheme that’s offers less



assistance and means that certain groups of people would have to pay more council tax.

- 2.14. The Council has also consulted with our major precepting authority, the Greater London Authority (GLA). The GLA is content to endorse the approach taken by the council.

### **3 ALTERNATIVE OPTIONS**

- 3.1. The only alternative option for the Council Tax Support Scheme based on the consultation undertaken would be not to undertake the uprating of the scheme and continue with the existing scheme. This would result in some of the poorest residents facing increased council tax bills from April 2020

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

- 4.1. A consultation exercise has been undertaken and the results of this are detailed in 2.12 and 2.14 above

### **5 TIMETABLE**

- 5.1. The key milestones for council tax support scheme are detailed below:

Task	Deadline
Consultation with public and precepting authority on proposed change to the scheme	19 July 2019 to 30 August 2019
Report to full Council for agreement to proposed change to the scheme	20 November 2019
Detailed analysis of the housing benefit and prescribed pensioner schemes uprating to establish exact parameters to be applied for the uprating of the council tax support scheme	December 2019 – or as soon as the information is available from the Department of Work and Pensions
Deadline for agreement of amended scheme	11 March 2020
Testing of IT software for amended scheme	February 2020
Implement amended scheme	1 April 2020

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

- 6.1 Based on current expenditure for 2019/20 it is estimated that £11 million will be granted in council tax support for 2020/21 based on 2019/20 council Tax levels. This figure includes the Greater London Authorities share of the scheme (£2.3 million), the cost for Merton is £8.7 million. With a 2% increase in council tax from 1 April 2020 this estimate would increase to £8.9 million.

- 6.1. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral.

- 6.2. The council has recently submitted its Council Tax Base Return (CTB) to Government. This is based as at October 2019 and incorporates the latest information on council tax support and discounts and exemptions. This will be used to calculate the Council Tax Base for 2020/21 and the MTFs 2021-24 will be updated as appropriate during the budget process.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The Council must formally agree its council tax support scheme for 2020/21 by no later than 11 March 2020.
- 7.2. If a new scheme is not agreed by this date then the scheme the council administered for the previous year (2019/20) would become the default scheme for 2020/21.

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

- 8.1. A formal consultation exercise has been undertaken. The results of this are detailed in 2.12 and 2.14 above.
- 8.2. Any changes to the council tax scheme which results in reductions of support will mean some residents facing an increase in their council tax bills. Some of these residents, due to the yearly uprating undertaken by the Department of Work and Pensions, would not have previously been faced with increased council tax bills. In the past it has sometimes proved difficult in collecting council tax from residents who are on limited income and or benefits.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purpose of this report.

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

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

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

- 11.1 None

## **12 BACKGROUND PAPERS**

- 12.1. Consultation letter from GLA
- 12.2. Consultation responses as per 2.12 above

## **Committee: Council**

**Date: 5 February 2020**

Wards: All

**Subject: Proposed change to Parking PCN charges from Band B, to Band A.**

Lead officers: Chris Lee, Director of Environment & Regeneration

Lead members: Cllr Martin Whelton Regeneration, Housing and Transport

Contact officer: Ben Stephens, Head of Parking Services

## **1. Recommendations: Council**

- 1.1. Subject to consultation, the Council approves the proposal to change parking Penalty Charge Notice (PCN) charges from Band B to Band A.
- 1.2. To agree the consultation process and timescales set out in this report and authorise the Director of Environment (in consultation with the Lead Member) to conduct the consultation process.
- 1.3. Subject to the consultation, the Director of Environment (in consultation with the Lead Member) is authorised to take all necessary steps to give effect to the proposed change of Band.

## **2. OVERVIEW**

- 2.1. The change of Penalty Charge Notice (PCN) bands from band B to band A (higher charge) is considered essential to act as an effective deterrent and to reduce the number of vehicles parking in contravention.
- 2.2. Over the past 4 years, effective enforcement of parking and traffic restrictions has not provided the necessary deterrent to effect a significant reduction in the number of PCNs being issued.
- 2.3. The following table shows the number of Parking PCNs issued in the last 4 financial years. These figures do not include PCNs issued via ANPR for Moving Traffic Contraventions or Bus Lane Contraventions.

<b>Financial Year</b>	<b>Parking PCNs issued (on and off street)</b>
2015/16	54,701
2016/17	66,473
2017/18	66,745
2018/19	68,573

- 2.4. The above figures show that there has been a 25% increase in the number of PCNs issued for parking contraventions between the financial years 2015/16 and 2018/19.
- 2.5. A review of the parking PCNs issued in 2018/19 shows that approximately 72% of the total number of parking PCNs issued in that financial year were issued to vehicles that are not registered to an address within the London Borough of Merton.
- 2.6. The recent application to London Council TEC Committee from the Royal Borough of Greenwich shows that over the last four years London has seen an overall increase in PCN's of 13.6% during this period, Merton is experiencing a higher level of non-compliance, at 25% than the overall London trend.
- 2.7. Further to the provisions of the Traffic Management Act 2004 (TMA), the primary purpose of penalty charge levels is to encourage compliance and as such, banding levels should be set accordingly.
- 2.8. The Government introduced the De-Regulation Act (2015) which restricted the Councils use of Closed Circuit TV (CCTV) for most parking contraventions. This has resulted in increased non-compliance and we have seen an increase in the number of PCNs that would have been issued by CCTV before the ban, which are now being enforced by Civil Enforcement Officers (CEO). We believe that this increased noncompliance needs to be countered with an increase in the penalty charge band.

- 2.9. Parking enforcement, whilst highly contentious, is an essential element of improved road safety for all road users and pedestrians in the borough. Bus Lane enforcement facilitates the use of alternative, greener transport, and this enforcement as well as the enforcement of moving traffic restrictions, reduces the travelling and response times of emergency service vehicles.
- 2.10. Over the coming years, Merton and London will see a growth in population as the population across London is estimated to grow to 10 million people. It is inevitable that, despite many new developments in Merton being car free, this will in turn lead to more traffic (as not all traffic on Merton's roads originates from within Merton), increasing stress on the boroughs main roads, increasing journey times, worsening bus reliability, and contributing to poor air quality.
- 2.11. Improved compliance is essential to support many of the Councils objectives, including encouraging a greater uptake on sustainable forms of transport, helping to improve air quality, and improving journey times.
- 2.12. It is also expected that improved compliance, as a result of moving banding charges will result in;
- Fewer cars parked on single and double yellow lines, resulting in safer roads
  - Fewer cars parked on pavements and at other unauthorised locations
  - Fewer overstaying cars at on and off street pay and display locations, resulting in a better turnover of spaces for visitors to town centres and less congestion from cars 'circling' and looking for available parking
- 2.13. Local authorities are not permitted to use parking charges solely to raise income. When setting charges, we must instead focus on how the charges will contribute to delivering the Council's traffic management and other policy objectives. In this instance, it is anticipated that the move from Band B to Band A charges will result in increased compliance, contributing to traffic management objectives, and in addition, this will also help contribute towards our strategic approach to improving air quality.

2.14. Moving Parking PCNs from Band B to Band A will help to support these objectives. PCNs issued for Bus Lane contraventions or Moving Traffic contraventions are already charged at Band A.

Figure 1: The charges for Band B PCNs are as below;

	Band B	Band B	Band A	Band A
Contravention	Full charge	Discount if paid within 14 days	Full charge	Discount if paid within 14 days
More serious	£110	£55	£130	£65
Less serious	£60	£30	£80	£40

### 3. Car use, congestion and charging in context.

- 3.1. At the end of June 2019, there were 38.7 million licensed vehicles in Great Britain, an increase of 1.3% compared to the end of June 2018. The total number of licensed vehicles has increased in all but one year (1992), since the end of the Second World War.
- 3.2. The council recognises the part that it has to play in developing and delivering a framework to tackle air quality, manage demand for parking, and congestion in the borough. It does not stand alone on these issues. All of the other London boroughs are seeking to implement new parking policies to tackle similar problems.
- 3.3. Indeed, in July 2019, Merton declared a climate emergency and set an ambitious carbon reduction target to make Merton carbon neutral by 2050. Merton will also work towards decarbonising all council buildings and services by 2030. Currently, 25% of the boroughs carbon emissions are related to motorized transport.

- 3.4. The Council has a Public Health vision to protect and improve physical and mental health outcomes for the whole population in Merton, and to reduce health inequalities. At the heart of the strategy is the concept that the environment is a key driver for health. It can be summarised by 'making the healthy choice the easy choice'.
- 3.5. In setting out its measures of success, Merton's charging policy aims to deliver reduced/changed car ownership and usage across the borough, encourage more people to undertake alternative forms of active travel, purchase fewer resident permits and lead to a rebalancing of our streets - to benefit residents and businesses alike.
- 3.5.1. Ensuring the traffic moves freely by reducing motorists parking in contravention through appropriate charging and other initiatives to develop a better street environment is another key policy for Merton.
- 3.5.2. Merton's LIP 3 programme contains a series of actions through to 2041, which include.
- Reducing the impacts of climate change and improve local air quality.
  - Improving connectivity and whole journey experience to the public transport network, especially for people with restricted mobility to support a more inclusive society.
  - Reducing health inequalities.
  - Making Merton a safer place by reducing the number of collisions on our streets and supporting the Mayor's Vision Zero objective.
  - Supporting good growth, especially around the town centres at Colliers Wood and South Wimbledon, Morden and Wimbledon, and regeneration in and around Mitcham.

- Redefining the way our streets are laid out and used, to encourage the take-up of more active and healthier lifestyles where people feel confident to walk and cycle safely.

3.6. A comprehensive 2018 policy report by London Councils 'Benefits of Parking Management in London August 2018' stated that:

- Parking management is the only mechanism through which local authorities can ensure stationary vehicles are parked in an amenable and equitable manner, thus solidifying its importance and the benefit it delivers.
- There are many parking management benefits, which include reducing congestion, improving air quality, providing funding for parking and wider transport scheme improvements and ensuring good access and accessibility.
- Of particular significance is the fact that these benefits deliver benefit to everybody, from motorists themselves to the person sat at home, and all road users and non-road users in between.

3.6.1. The proposed change in banding is just one of a number of levers being used by Merton to adjust driver behaviours and reduce driver complacency in relation to PCNs. Either to use other forms of transport, or at least adhere to the parking restrictions in place; which contribute to the traffic management of the borough, and it is our contention that an increase from band B to Band A charges will help to deliver this change.

3.6.2. Many other London Boroughs have already successfully applied to move from Band B to Band A charges for part, or all of their geographical areas of responsibility, the London Borough of Croydon being our closest neighbour to have done so.

3.6.3. Data published by the London Borough of Greenwich in their application to move to Band A charges for the whole borough showed that in the areas where Band A charging was in force, motorists were less likely to commit a higher level contravention than in areas where Band B charges were in force.



### **3.7. Existing Controls**

- 3.7.1. The Council operates 63 Controlled Parking Zones (CPZ) across the borough. Waiting and loading restrictions also apply in many locations outside CPZs.
- 3.7.2. Planning policy is also used to minimise additional parking pressures arising from developments in some areas.
- 3.7.3. The Councils enforcement regime consists of Civil Enforcement Officers (CEO) deployed in mobile enforcement units and on foot. In addition, we have a network of Automatic Number Plate Recognition (ANPR) cameras that are strategically placed throughout the borough to enforce a range of moving traffic and bus lane contraventions. We also have 2 mobile CCTV units.
- 3.7.4. Despite these measures, and employing a robust parking and traffic enforcement regime, the borough continues to experience high levels of non-compliance with its parking regulations.

## **4. Financial, resource and property implications**

- 4.1. Whilst the purpose of any enforcement regime is to improve compliance with the restrictions in force, consideration also needs to be given to any surplus money that may be generated as a result of moving to these charges
- 4.2. Section 55 of the Traffic Management Act (2004) specifies what any surpluses from parking activities may be used for. Surpluses from parking activities are currently used to contribute towards concessionary travel for Merton residents, and carriageway and footway maintenance.
- 4.3. Any additional surplus from a change to the banding charge will continue to contribute towards these activities, but the desired effect of the change is to reduce the number of contraventions.

- 4.4. In the last financial year (2018/19), Parking Services issued 68,573 PCNs for parking contraventions. This was made up of 40,159 higher level PCNs, and 28,414 lower level PCNs.
- 4.5. The Traffic Management Act (2004) recognises that some contraventions are more serious than others, and introduced differential charging in recognition of this e.g. A PCN issued to a vehicle parked on double yellow lines would be a higher level PCN charged at £110 or £55 if paid within 14 days (at Band B charges) whereas a PCN issued to a vehicle that was parked beyond the expiry of a pay and display ticket would be a lower level PCN charged at £60 or £30 if paid within 14 days (at Band B charges).
- 4.6. The total amount of money received in payment for PCNs issued by Civil Enforcement Officers in this period was £3,821,375.

## 5. ALTERNATIVE OPTIONS

- 5.1. The do nothing option (not increase charges) would not address the problem of motorists taking the risk to park in contravention. An increase in the PCN charge would have a greater effect on reducing illegal parking.
- 5.2. Consideration has been given to apply Band A, only at certain locations within the borough. However, the number of and location of PCNs issued throughout the borough remains high and PCN are issued regularly between the hours of 7am to 11pm.

## 6. Approval process

- 6.1. A set approval process must be complied with in order to change from Band B to Band A charges. The table below sets out process to be followed;

No.	Approval Body	Description	Date
1.	Approval from Council	It would be necessary for the Council to approve and undertake a resolution to	February 2020

		move from Band B PCN charges to Band A PCN charges.	
2.	Public Consultation	Once approval has been given by the council, it is then necessary for the Council to consult with stakeholders.	March to May 2020.
3.	Approval from the Transport and Environment Committee	Application is made to London Councils requesting the move from Band B to Band A PCN charges, based on the model agreed following consultation. London Councils will prepare the report on behalf of the borough applying for these changes.	May – October 2020
4.	Approval from the Greater London Authority	Transport and Environment Committee need the approval of the Mayor of London. The committees' decisions will be formulated into a set of proposals to be presented to the Mayor of London for approval.	June – October 2020
5.	Approval from the Secretary of State	If the Mayor of London agrees the changes, the Secretary of State has 28 days to exercise a veto over any changes.	July – October 2020
6.	Implementation	Once approval has been given by the Secretary of State for Transport, there is a requirement for the proposed changes to be advertised for at least 3 weeks prior to implementation.	October 2020 - April 2021

## 7. Consultation Process

- 7.1. Once approval has been given by the Council, it is then necessary for the Council to consult with stakeholders about the resolution to move from Band B to Band A PCN charges. Given that this change will affect residents within the borough, as well as those living outside the borough, it will be necessary to undertake a full borough wide consultation.

7.2. Merton is committed to undertaking comprehensive consultation to gain the views of residents and stakeholders. This enables the Council to make informed decisions and to develop our policies.

7.3. A consultation will take place during the period March 2020 to May 2020. This consultation will form part of a statutory consultation process, and meet the relevant legal obligations to consult, as well as a commitment to bringing the proposals to as wide an audience as possible.

7.4. To ensure the council generates as much feedback as possible, representations will be invited in writing via the web page, or by email to a dedicated email box.

7.5. As well as the online consultation and an article in My Merton article the council will also undertake the following:

- A statutory notice placed in the newspaper.
- Copies of all proposals and background papers will be made available on deposit at all libraries and at the Civic Centre for public inspection/reference.
- Consult with statutory and non-statutory consultees.
- Consult with all recognized Equality Groups in Merton.
- On the council's home page, we will display a link to the consultation web pages. The web pages will give full details of the proposal along with background papers and reports. The pages also included a section, which aimed to address frequently asked questions.

7.6. **Boundary considerations**

7.7. It is the Transport and Environment Committee (TEC) policy that the boundaries between areas of different penalty bands are clearly demarcated to avoid the possibility of having different bands on opposing sides of the same road.

- 7.8. The London Borough of Merton shares boundaries with the London Boroughs of Sutton, Croydon, Lambeth, Wandsworth and the Royal Borough of Kingston upon Thames.
- 7.9. A full list of affected roads is shown in Appendix 1.

## **8. Legal and statutory implications**

### **Statutory Provisions**

- 8.1. The Road Traffic Regulation Act 1984 (s.122) specifies that the functions conferred on local authorities under the Act should be exercised:
- “to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway”.*
- 8.2. This includes (in s.122(1) of the Act)
- a) The desirability of securing and maintaining reasonable access to premises;
  - b) The effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
  - c) The strategy prepared under Section 80 of the Environment Act 1995 [National Air Quality Strategy].
  - d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
  - e) Any other matters appearing to the local authority to be relevant.

- 8.3. Under Section 45 of the Road Traffic Regulation Act 1984 (RTRA 1984) local authorities may designate parking places and may make charges for vehicles left in a parking place so designated. In exercising its functions under the RTRA 1984, including the setting of charges for parking places, the Council must do so in accordance with Section 122 of the RTRA 1984 above.
- 8.4. In addition, s.45(3) of the Act provides that in determining what parking places are to be designated under this section [45] the local authority shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include—
- (a) The need for maintaining the free movement of traffic;
  - (b) The need for maintaining reasonable access to premises; and
  - (c) The extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.
- 8.5. In accordance with the council's statutory responsibility under Section 122, the Council must have regard to these relevant considerations in the setting of charges. Setting pricing levels on the basis set out in this Report appears to be consistent with the requirements of the Act (provided that countervailing factors are also taken into consideration, as they have been in the present proposals).

### Fiscal Implications

- 8.6. The Road Traffic Regulation Act 1984 is not a fiscal or revenue-raising statute. In *Djanogly v Westminster City Council* [2011] RTR 9, Lord Justice Pitchford, in the Administrative Court, held that:

*"In my view, when designating and charging for parking places the authority should be governed solely by the s.122 purpose. There is in s.45 no statutory purpose specifically identified for charging. Charging may be justified provided it is aimed at the fulfilment of the statutory purposes which are identified in s.122"*

*(compendiously referred to by the parties as "traffic management purposes"). Such purposes may include but are not limited to, the cost of provision of on-street and off-street parking, the cost of enforcement, the need to "restrain" competition for on-street parking, encouraging vehicles off-street, securing an appropriate balance between different classes of vehicles and users, and selecting charges which reflect periods of high demand. What the authority may not do is introduce charging and charging levels for the purpose, primary or secondary, of raising s.55(4) revenue."*

- 8.7. This was in accordance with the previous Court decision in *Cran v Camden LBC* [1995] RTR 346, and was subsequently approved by the High Court (Mrs Justice Lang DBE) in the case of *R (Attfield) v London Borough of Barnet* [2013] EWHC 2089 (Admin).

#### Application of Revenue

- 8.8. In terms of any income that may be generated by the increased charges, the Traffic Management Act 2004 amends section 55 (4) of the Road Traffic Regulation Act 1984 and directs that income should be used:

- (a) To make good any payment used for parking places,*
- (b) For the provision of or maintenance of off street parking (whether in the Open or not) and*
- (c) Where off street parking provision is unnecessary or undesirable:*
  - (i) To meet the costs of provision of or operation of public passenger transport services, or*
  - (ii) For highway or road improvement projects within the borough, or*
  - (iii) For meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,*
- Or*
- (iv) For the purposes of environmental improvement in the local authority's area, or*
- (v) Any other purposes for which the authority may lawfully incur expenditure.*

- 8.9. In addition, for London authorities, this includes the costs of doing anything “which facilitates the implementation of the London transport strategy”
- 8.10. However, for the reasons set out above Members must disregard any benefit in terms of the revenue that may be generated by these proposals when making the decision as to whether to proceed or not.

Decision-making: Public Sector Equality Duty (PSED)

- 8.11. In considering this Report and coming to their Decision, Members should have due regard to the need to:

*(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this act;*

*(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

*(c) foster good relations between persons who share a relevant characteristic and persons who do not share it.*

(Public Sector Equality Duty (s.149 Equality Act 2010))

- 8.12. The characteristics protected by the Act are:

- a. age;
- b. disability;
- c. gender reassignment;
- d. marriage and civil partnership;
- e. pregnancy and maternity;
- f. race;
- g. religion and belief;
- h. sex; and
- i. sexual orientation



- 8.13. Due regard means that the duty has been considered ‘substance, with rigour, and with an open mind’ and requires a proper and conscientious focus on the statutory criteria.
- 8.14. The PSED is a duty to have due regard to the specified issues, and not to achieve a particular outcome.
- 8.15. Members should have due regard to the Council’s Equality Impact Assessment which accompanies this Report.

#### Decision-making - General Principles of Public Law

- 8.16. In considering his Report and coming to their decision, Members should ensure that the decision is one which is rational in public law terms.
- 8.17. This requires that Members carefully consider all relevant information, and disregard any information which is irrelevant, and so the proposed policy, the reasons for the proposed charging scheme and pricing should be considered with regard to the statutory purposes of the Road Traffic Regulation Act set out above.

#### Duty to give conscientious consideration to the consultation results

- 8.18. The Courts have held that a consultation should meet the following standards:
- Consultation must be at a formative stage
  - Sufficient information should have been provided to ensure consultees are able to provide a full response
  - Sufficient time for response should be allowed, and
  - Members should conscientiously take the consultation responses into account

#### Modifications and Post-decision process for making the proposed Orders

- 8.19. The draft Cabinet report recommends that the TMOs be made with the following modifications: -

- 8.20. If Cabinet agree with the officer recommendation that the proposed modifications do not appear to make a substantial change in the TMOs, the orders can be made without further consultation described in paragraph 9.26 above.
- 8.21. The process would be as follows: -
- (a) Choose a date to make the TMOs and an operational date for the Orders.
- 8.22. Orders once made are subject to a statutory 6-week judicial review period during which applications can be made to the High Court by persons wishing to question the validity of the Orders on the grounds that they are not within the powers of the Road Traffic Regulation Act 1984 or that the appropriate statutory procedures have not been complied with.
- 8.23. It would be prudent that the new charges come into force after this 6-week period has expired to avoid unnecessary costs that might be incurred delaying the implementation of the TMOs should a legal challenge be made against the Orders in the High Court.
- 8.24. Please note that the publication of the notice of making the TMOS is not an invitation to make further representations.
- (b) e-mail or write to all Cllrs and associations confirming that the Orders are to be made.
  - (c) within 14 days of making the Orders publish a notice of making in the local press and write to/email all persons/organisations who have made representations to notify them of the making of the Order and where persons have objected to the proposals and the objection(s) have not been wholly acceded to, include the reasons for the decision to make the Order.
  - (d) remove the notices of proposal displayed on site and replace with notices of making.
  - (e) deposit the notice of making and the made Orders at the Civic Centre and at all local libraries for a period of 6 weeks.

(f) the Orders would come into force after the 6 weeks' legal challenge period.

(g) remove the on-site notices of making.

8.25. The process of making and implementing the TMOs will likely take up to 8 weeks from the date of final decision.

## **9. Human rights, equalities and community cohesion**

9.1. The EIA is attached as Appendix 2

9.2. The EIA sets out the overarching aims objectives and desired outcome of the proposal and their contribution to the council's corporate priorities. It also includes a detailed background on who will be affected by this proposal and the evidence the council has considered as part of its assessment.

- The draft EA draws up a list of areas of concern and ways to remove or minimise negative impact/discrimination
- To consult appropriate stakeholders as part of the review. Formulate an action plan to tackle issues arising from the EA.
- A copy of the outcome of the EA will be published on the councils' website.
- The EA Plan will be reviewed in 12 months' time, notwithstanding this, it should be noted that if approved, the policy would be kept under review and representatives of the affected groups would be consulted with to assess ongoing impact and consider further mitigation. Adjustments would be brought forward for Members' consideration as appropriate.

## **10. Equality Groups**

10.1. Advice will be sought on the appropriate equality groups with protected characteristics, relevant to this proposal, in order to consult with directly to seek view and opinions.

- 10.2. In addition, a copy of the consultation documentation will be sent to Merton Voluntary Sector Council act (MVSC) who in themselves have direct links to over 800 voluntary groups and organisations in Merton.

## **11. Crime and Disorder implications**

- 11.1. None

## **12. Risk management and health and safety implications**

- 12.1. There are no health and safety implications associated with this report at present.

## Appendix 1

The London Borough of Lambeth issue PCNs under both Band A and Band B charges. Band A charges apply to all roads north of the A205 and all roads in CPZs. Band B charges are those roads south of the A205 and not in a CPZ.

The following roads are shared with, or adjoin the border between the London Borough of Merton and the London Borough of Lambeth;

Allen Close, CR4	- Adjoining road
Briggs Close, CR4	- Adjoining road
Greyhound Terrace, SW16	- Adjoining road
Grove Road, CR4	- Adjoining road
Lacrosse Way, SW16	- Adjoining road
Leonard Road, SW16	- Adjoining road

The London Borough of Wandsworth issue PCNs under both Band A and Band B charges. Band A charges apply to the north of the borough bounded by the A205 and the A3. Band B charges apply to the remainder of the borough.

The following roads are shared with, or adjoin the border between the London Borough of Merton and the London Borough of Wandsworth;

Bathgate Road, SW19	- Shared road
Church Road, SW19	- Adjoining road
Eastbourne Road, SW16	- Shared road
London Road, SW16 (A217)	- Shared road
Parkside, SW19 (A219)	- Shared road
Plough Lane, SW17	- Adjoining road
Queensmere Road, SW19	- Shared road
Revelstoke Road, SW18	- Shared road
Seely Road, SW16	- Adjoining road

The London Borough of Croydon issue PCNs under both Band A and Band B charges. Band A charges apply to all roads within the borough, with the exception of roads that are a boundary road with a neighbouring borough, and Band B charges apply to these roads only.

The following roads are shared with, or adjoin the border between the London Borough of Merton and the London Borough of Croydon;

Croydon Road, CR4 (A236)	- Adjoining road (clearway)
Galpin's Road, CR4	- Shared road
Northborough Road, SW16	- Shared road
South Lodge Avenue, CR4	- Adjoining road
Stanford Road, SW16	- Shared road
Turtle Road, SW16	- Shared road

The London Borough of Sutton only issue PCNs under Band B charges.

The following roads are shared with, or adjoin the border between the London Borough of Merton and the London Borough of Sutton;

Beddington Lane, CR4	- Shared road
Bishopford Road, SM4 (A217)	- Shared road
Carshalton Road, CR4 (A237)	- Adjoining road
Love Lane, SM4	- Shared road
Garth Road, SM4	- Adjoining road
Goat Road, CR4	- Shared road
Green Lane, SM4	- Shared road
Kingsbridge Road, SM4	- Adjoining road
Lower Morden Lane, SM4	- Adjoining road
Malmesbury Road, SM4	- Shared road
Middleton Road, SM4	- Shared road
Netley Road, SM4	- Adjoining road
Newhouse Walk, SM4	- Adjoining road
Newminster Road, SM4	- Adjoining road
Nova Mews, SM4	- Adjoining road
Stonecott Hill, SM4 (A24)	- Shared road (Red Route)
Tudor Drive, SM4	- Adjoining road
Wates Way, CR4	- Adjoining road

The Royal Borough of Kingston upon Thames only issue PCNs under Band B charges.

The following roads are shared with, or adjoin the border between the London Borough of Merton and the Royal Borough of Kingston upon Thames;

Blakes Lane, KT3	- Adjoining road
Burlington Road, KT3	- Shared road



Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet  
Text in blue is intended to provide guidance – you can delete this from your final version.

Page 83	<p>What are the proposals being assessed?</p> <p>Application to change Merton's PCN charge band from band B to band A. To effect this a full business case will need to be presented to Full Council. Following this, an application will be made to the London Councils Transport, and Environment Committee. Depending on the outcome at the Committee, the Mayor will also be required to ratify the application and the Secretary of State has final sign off.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p>The purpose of PCN parking charges is to dissuade motorists from breaking parking restrictions and charges must be proportionate. The income from charges must only be used in accordance with the Road Traffic Regulation Act 1984. These purposes are contained within the Council's traffic management and other policy objectives.</p>
<p>Which Department/ Division has the responsibility for this?</p>	<p>Parking Services, Environment and Regeneration</p>

Stage 1: Overview	
<p>Name and job title of lead officer</p>	<p>Ben Stephens, Head of Parking</p>
<p>1. What are the aims, objectives and desired outcomes of your proposal? (Also</p>	<p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p>

<p>explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)</p>	<p>Local authorities are not permitted to use PCN parking charges solely to raise income. When setting charges, we must instead focus on how the charges will contribute to delivering the Council's traffic management and other policy objectives.</p> <p>This proposal supports the rationale of seeking to adjust driver behaviour and to ensure that we can provide a modern, efficient and environmentally sustainable transport policy for residents, visitors and businesses, now and in the future.</p>
<p>2. How does this contribute to the council's corporate priorities?</p> <p>Page 84</p>	<p>Parking and Traffic Management</p> <p>This proposal is part of the important role Parking and transport policy has in managing the roads and wider travel needs of the public. Merton's policy links closely with the local Implementation Plan and the Mayors Transport Strategy, which sets out objectives in detail.</p> <p>It contributes in the following ways:</p> <ol style="list-style-type: none"> <li>1. Reduce congestion</li> <li>2. Improve road safety</li> <li>3. Improve air quality and meet EU quality standards</li> <li>4. To meet the actions set out in the Merton Health and Wellbeing Strategy 2019</li> <li>5. Adopt a healthy street approach</li> <li>6. Promote healthier life styles and encourage more active travel</li> <li>7. To ensure good parking management</li> <li>8. To support the local economy</li> <li>9. Providing funding for parking and wider transport scheme improvements</li> </ol>
<p>3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.</p>	<p>The proposal will affect all residents, businesses, workers and visitors to the borough, across all socio-economic groups.</p>



<p>4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?</p>	<p>Yes. Responsibility is shared with the following departments, organisations and partners. Future Merton, Highways and Transportation, Planning, Mayor of London, TfL, transport operators, Parking Services.</p>
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## Stage 2: Collecting evidence/ data

### 5. What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

The Council acknowledges that road safety and traffic flow along with accessibility for residents and visitors to enable them to park near their homes and close to their desired destination as practicable.

A number of key factors will be considered included:

- (i) Areas of high congestion
- (ii) Road safety
- (iii) Enforcement requirements

Merton is committed to undertaking comprehensive consultation to gain the views of residents and stakeholders. This enables the Council to make informed decisions and to develop our policies.

## Stage 3: Assessing impact and analysis

### 6. From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age	X			X	<p><b>Positive Impact</b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and</p>

					<p>increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Disability	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p>Including the provision of spaces for disabled motorists by increasing the charge of the PCN value as a deterrent to illegal parking.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Gender Reassignment	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton. In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Marriage and Civil Partnership	X			X	<p><b><u>Positive Impact</u></b></p>

					<p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Pregnancy and Maternity	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Race	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Religion/ belief	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management</p>

					<p>for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Sex (Gender)	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Sexual orientation	X			X	<p><b><u>Positive Impact</u></b></p> <p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>None identified</p>
Socio-economic status	X		X		<p><b><u>Positive Impact</u></b></p>

				<p>The proposals support the principle of effective traffic management for the whole population of and visitors to Merton.</p> <p>In setting out its measures of success, the proposed bandings and increase in PCN charges aims to deliver better compliance and driver behaviours in respect of parking regulations, which will reduce congestion, and lead to improved traffic flows and availability of spaces.</p> <p><b><u>Potential Negative Impact</u></b></p> <p>If the cost of a PCN increases, those on lower incomes may find it more difficult to pay the penalty charge.</p>
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## 7. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? E.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
Socio-economic status	Consultation	An increase in the cost of a PCN may have a negative effect on the ability of individuals on low income to pay. Any changes to the current banding charges will involve further consultation with those groups affected	2020	Within existing resources.	Ben Stephens	Actions will be added once the consultation has been completed.

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Note that the full impact of the decision may only be known after the proposals have been implemented; therefore, it is important the effective monitoring is in place to assess the impact.

### Stage 4: Conclusion of the Equality Analysis

#### 8. Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

OUTCOME 1

OUTCOME 2

OUTCOME 3

OUTCOME 4

### Stage 5: Sign off by Director/ Head of Service

**Stage 5: Sign off by Director/ Head of Service**

<b>Assessment completed by</b>	Ben Stephens – Head of Parking Services	<b>Signature:</b>	<b>Date: 28<sup>th</sup> January 2020</b>
<b>Improvement action plan signed off by Director/ Head of Service</b>	Chris Lee – Director of Environment and Regeneration	<b>Signature:</b>	<b>Date: 28<sup>th</sup> January 2020</b>

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## Committee: Council

**Date: 5 February 2020**

Wards:

**Subject: The addition of Wimbledon Park Lake Safety Scheme to the Capital Programme**

Lead Officer: Roger Kershaw, Assistant Director Resources

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

Contact Officer: Zoe Church, Head of Business Planning  
[zoe.church@merton.gov.uk](mailto:zoe.church@merton.gov.uk)

### Recommendations

That Council approve the following Capital Scheme to be included in the Capital Programme, funded by the deletion of the scheme below:

Scheme	2019/20 Budget	2020/21 Budget	Narrative
Sports Facilities - Wimbledon Park Lake De-Silting	(1,393,160)	0	Money being vired to cover priority scheme on the lake
Sports Facilities - Wimbledon Park Lake Reservoir Safety	75,000	1,318,160	Money required to cover statutory obligations
<b>Total</b>	<b>(1,318,160)</b>	<b>1,318,160</b>	

### 1. PURPOSE OF THE REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to approve the funding required to progress the Wimbledon Park Lake Reservoir Safety scheme.
- 1.2 In accordance with the Authority's Financial Regulations, any addition of £500,000 or more to the Capital Programme for a new scheme must be authorised by decision of Council. This is a distinct separate project to the Wimbledon Park De-Silting Project and requires such approval.

## 2. DETAILS

### 2.1 Wimbledon Park Lake

- 2.1.1 The approved capital programme 2019-23 contains £1,393,160 for Wimbledon Park Lake De-Silting. The capital fund set aside for Wimbledon Park Lake De-silting project should be reallocated to be Wimbledon Park Lake – Reservoir Safety.
- 2.1.2 It was originally envisaged that if the council invested in de-silting the lake that it would result in reservoir safety improvements that would assist the council in meeting its statutory obligations under The Reservoir Act 1975, but reports from studies recently commissioned identify that de-silting will not have this desired effect. The council is required to carry out Reservoir Safety improvements to Wimbledon Park Lake to comply with the Act by January 2022 and therefore request this fund be reallocated for this purpose.
- 2.1.3 In carrying out the Reservoir Safety requirements that the depth of water in the lake will be lowered and thus works in forthcoming years to de-silt would still be necessary if recreational pursuits wish to be maintained on this lake.
- 2.1.4 Proposals for de-silting as a stage 2 part to this project are intended to be developed as part of this first stage reservoir safety so that the council can progress in the future should funding be available and be deemed a priority post 2024.

## 3 FINANCIAL,RESOURCE AND PROPERTY IMPLICATIONS

- 3.1 Progression of these schemes requires the following amendments to the Capital Programme:

Scheme	2019/20 Budget	2020/21 Budget	Narrative
Sports Facilities - Wimbledon Park Lake De-Silting	(1,393,160)	0	Money being vired to cover priority scheme on the lake
Sports Facilities - Wimbledon Park Lake Reservoir Safety	75,000	1,318,160	Money required to cover statutory obligations
<b>Total</b>	<b>(1,318,160)</b>	<b>1,318,160</b>	

- 3.2 There is no revenue impact on the funding of the capital programme as the cost and source of funding remains the same.
- 3.3 It is envisaged that an accurate spend profile will be established within the Capital Programme once the Quantity Surveyor and Design and Build Company are established.

**4 LEGAL AND STATUTORY IMPLICATIONS**

4.1 Detailed in the body of the report.

**5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

5.1 None for the purposes of this report

**6 CRIME AND DISORDER IMPLICATIONS**

6.1 None for the purposes of this report

**7 RISK MANAGEMENT AND SAFETY IMPLICATIONS**

7.1 None for the purposes of this report

**8 RISK MANAGEMENT AND SAFETY IMPLICATIONS**

8.1 None for the purposes of this report

**9. APPENDICES**

9.1 None

**10 BACKGROUND PAPERS**

10.1 Papers held by Resources.

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**Committee:** Council

**Date:** 5<sup>th</sup> February 2020

**Agenda item:**

**Wards:** All

**Subject:** Appointment to the post of Managing Director of the South London Legal Partnership and designation of that post as the Council's Monitoring Officer.

**Lead officer:** Ged Curran, Chief Executive

**Lead member:** Chair of Appointments Committee and Cabinet Member for Strategic Resources and Performance

**Key decision reference number:**

**Recommendations:**

A To confirm the appointment of the recommended candidate to the post of Managing Director of the South London Legal Partnership, to designate that post as the Council's Monitoring Officer and to amend references in the constitution from Assistant Director Corporate Governance to Managing Director of the South London Legal Partnership

## 1. Purpose of report and executive summary

- 1.1 The purpose of this report is to confirm the appointment of Louise Round to the post of Managing Director of the South London Legal Partnership.
- 1.2 To designate that post as the Councils Monitoring Officer and for the references in the Constitution to Assistant Director Corporate Governance to be amended to Managing Director of the South London Legal Partnership.

## 2. Details

- 2.1 The Appointments Committee have previously ratified the recruitment process to the post of Managing Director of the South London Legal Partnership at a meeting held on 20<sup>th</sup> November 2019.
- 2.2 The recruitment campaign was handled by Penna who have a good track record of recruitment to similar roles in other London Boroughs. They also advised about the salary for the role. .
- 2.3 Long list assessments were conducted by Julie Towers (Managing Director, Penna) and Ben Cox (Associate Director, Penna). Those candidates who were long listed then had a preliminary technical interview with Julie Towers (Managing Director, Penna), Paul Evans (Technical assessor, previous AD Corporate Governance and current Director of Law and Governance at Surrey County Council) and Jonathan Evans (Technical assessor and Assistant Chief Executive at London Borough of Richmond). They produced detailed reports on the candidates and three candidates were recommended for short listing.
- 2.4 The short listed candidates completed psychometric assessments that tested intellectual ability, personality and motivation.

- 2.5 On 27<sup>th</sup> November 2019 the three candidates met key stakeholders from partner boroughs within the South London Legal Partnership and had a formal interview with the selection panel (Councillors Stephen Alambritis, Mark Allison and Oonagh Moulton), which included a pre-prepared presentation.
- 2.6 Louise Round, whose previous role was that of Chief Executive at Tandridge District Council where she was responsible for the delivery of full council services and prior to that had provided legal advice in London Boroughs for over 20 years, was recommended to be appointable to the post.
- 2.7 Details of the long listing, short listing and final panel reports for Managing Director of the South London Legal Partnership can be made available should they be required.

### **3. Financial, resource and property implications**

- 3.1 The costs of procuring the Managing Director of South London Legal Partnership c£25,000, including advertisements costs.

### **4. Legal and statutory implications**

- 4.1 The recommendations contained within this report are designed to ensure that the Council meets its statutory obligations to appoint staff on merit pursuant to the Local Government & Housing Act 1989. This means that the procedure should be capable of objective justification.
- 4.2 This post is covered by the Employee Procedure Rules (part 4H) of the constitution. Once the recruitment process is completed in accordance with the Council's recruitment procedures, the Chief Executive is notified of the name of the person to whom an offer should be made. The Chief Executive then needs to notify the details to every member of the Cabinet. The appointment will only be made where no material or well founded objection from the Cabinet has been received. Additionally, because the remuneration package exceeds £100,000, the appointment must be reported to Full Council

### **5. Human rights, equalities and community cohesion implications**

- 5.1 The contents of this report are designed to ensure that the Council's processes are human rights and equalities compliant.
- 5.2 It is unlawful to discriminate on grounds of gender, race, disability, age, religion and belief and sexual orientation. This refers to both direct and indirect discrimination. In effect the process has to be evaluated against three tests (1) intention (2) method (3) effect. Where there is an **intention** to discriminate on any of the prohibited grounds, this would be unlawful. Where there is no such intention but the recruitment **methods** used are discriminatory, then the outcome may be open to challenge. Where the intention and method are sound but the **effect** is shown to have disproportionate effect on a particular category of applicant then the outcome may be open to challenge.

### **6. Risk management and health and safety implications**

- 6.1 None

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

7.1 None

**8. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report**

8.1 None

**9. Contacts**

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  - Tel: 020 8545 3181
- London Borough of Merton:
  - Address: Civic Centre, London Road, Morden, SM4 5DX
  - Tel: 020 8274 4901

**10. Useful links**

10.1 Merton Council's Web site: <http://www.merton.gov.uk>

10.2 Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.

10.3 <http://www.merton.gov.uk/legal.htm>

10.4 This disclaimer also applies to any links provided here.

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## **Committee: Council**

**Date: 5 February 2020**

Wards: All

### **Subject: Approval of the pay policy statement and of the Members' allowances scheme**

Lead officers: Liz Hammond, Interim Head of HR; Louise Round, Managing Director of the South London Legal Partnership

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

Contact officers: Peter Andrews, Employee Relations, Pay and Rewards Manager; Julia Regan, Head of Democracy Services

#### **Recommendations:**

- 
1. That Council approve publication of the Pay Policy Statement for 2020/21;
  2. That Council reconfirm the existing Members' Allowance Scheme for 2020/21, to retain the same level of allowances for 2020/21, thereby agreeing to not apply the local government pay settlement, with effect from 1 April 2020;
  3. That Council approve an amendment to the Members Allowances Scheme so that the dependent carers allowance is set at the London Living Wage as recommended by the Independent Panel and agreed by Council on 18 September 2019;
  4. That Council approve the inclusion of a new paragraph in the Members Allowances Scheme to confirm that member allowances will continue to be paid during periods of sickness and parental leave (as agreed by Council on 18 September 2019); and
  5. That Council authorise the Monitoring Officer to make the consequent wording changes to the Members' Scheme of Allowances in Part 6 of the council's constitution as drafted in Appendix D.

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

- 1.1 The Localism Act 2011 requires the Council to publish a pay policy statement and for the statement to be re-approved by Council each year.
- 1.2 The existing pay policy statement for 2019/20 was approved by Council on 6 February 2019. The only amendments from the last year's version are updates to the pay ratios to reflect the current position.
- 1.3 The report also recommends re-adopting the existing Members' Allowances Scheme with two amendments as requested by Council on 18 September 2019 to set the dependent carers allowance at the London Living Wage and to state

explicitly that allowances will continue to be paid during periods of sickness and parental leave.

## **2 DETAILS – PAY POLICY**

- 2.1. The pay policy statement for the year 2019/20, approved by Council, is currently published on the Council's website.
- 2.2. Council is required to re-approve the pay policy statement each year.
- 2.3. There has been no change in the council's pay policy. The only amendments from last year's pay policy statement are to update the pay ratios and statutory gender pay gap information to reflect the current position, and to provide the ethnicity pay gap for the first time. The ethnicity pay gap has been determined using a similar methodology to that for the statutory gender pay gap, for those employees who have declared their ethnicity.
- 2.4. A draft Pay Policy Statement for 2020/21 is attached at Appendix A, along with the pay gap publication figures for 2018/19 at Appendices B and C.

## **3 DETAILS – MEMBER ALLOWANCES**

- 3.1. In relation to the Members' Allowances Scheme the Council is required further to the Local Authorities (Members' Allowances) (England) Regulations 2003 to re-adopt its scheme of members allowances for the year 2020/21 and in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London whose latest report was published in 2018.
- 3.2. The Independent Panel found that the workload and responsibilities of councillors continue to increase and that their role has become more complex. The Panel advised that allowances should be set at a level that enables people to undertake the role of councillor, whilst not acting as an incentive to do so. Furthermore, the Panel advised that there should not be a financial disincentive and that service as a councillor should not be confined to those with independent means.
- 3.3. The Independent Panel fully accepted that in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances. It recommended that members' allowances be pegged to the annual local government pay settlement, as is already the case in Merton.
- 3.4. The Independent Panel recommended that the dependent carers allowance should be set at the London living wage but that, on presentation of proof of expense, payment should be made at a higher rate when specialist nursing skills are required.
- 3.5. The Independent Panel also recommended that Member allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave under the same terms as the council's employees. This is the case in Merton though this is not explicitly stated within the scheme.
- 3.6. Council is reminded that, at its meeting on 18 September 2019, it resolved to raise the dependent carers allowance entitlement to the London Living Wage. It

also resolved to ensure that all councillors have an entitlement to parental leave after giving birth or adopting, and that this should be reflected in the constitution when the members' allowances scheme is renewed in February 2020.

- 3.7. This report therefore includes recommendations to implement those resolutions. The proposed wording changes to the council's constitution are set out in full in Appendix D.

#### **4 ALTERNATIVE OPTIONS**

- 4.1. Publication of a Pay Policy Statement and member allowances are statutory requirements.
- 4.2. The Council can seek to adopt any reasonable scheme of Member Allowances or can agree to retain the present scheme for 2020/21. The Regulations allow for amendments to come into effect from the beginning of the year in which the amendment was made.

#### **5 CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1. Any changes to the pay policy statement would be considered by the Council's Senior Remuneration Panel prior to submission to Council.

#### **6 TIMETABLE**

- 6.1. The Pay Policy Statement must be approved by Council for publication from 1 April 2020 on the Councils website.

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

- 7.1. There has been no change in the council's pay policy, and the council is currently awaiting the outcome of national negotiation. The outcome of national negotiations was the agreement in June 2018 of a Chief Officers pay award of a 2% award for 2018 and 2019. The only amendments from last year's version are to update the pay ratios to reflect the current position.
- 7.2. There is provision in the draft MTFS for 2020-24 for an increase in the budgeted cost of salaries and Members' Allowances. These provisions will be kept under review each year.
- 7.3. At present Merton pays a dependent carer allowance of up to a maximum of £6 per hour. The London living wage is currently set at £10.55. No claims have been made by Merton Members in the past eight years.

#### **8 LEGAL AND STATUTORY IMPLICATIONS**

- 8.1. It is a statutory requirement under the Localism Act 2011 that the Council prepares and publishes an annual Pay Policy Statement to be approved at a meeting of the full council. The Council's Pay Policy Statement outlines the local authority's approach to the pay of its workforce and in particular the pay of its senior staff.

- 8.2. Guidance was issued to authorities in 2011 to accompany the Localism Act, and revised 'final supplementary guidance' was issued by the DCLG in late February 2013. The required changes were addressed in the 2013/14 Pay Policy Statement and in subsequent years.
- 8.3. The Local Authorities (Members' Allowances) (England) Regulations 2003 requires that a Members' Allowance Scheme is prepared and adopted before the beginning of each financial year. Before making or amending its Members' Allowances Scheme, the Council is required, by Regulation 19, to have regard to the recommendations of an Independent Remuneration Panel.

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

- 9.1. The intention of the pay policy measures in the Localism Act is to improve transparency of decision making, particularly in relation to top earners in the organisation.

## **10 CRIME AND DISORDER IMPLICATIONS**

- 10.1. None

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

- 11.1. None

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

- Appendix A – draft pay policy statement for 2020/21.
- Appendix B – statutory gender pay gap publication figures for 2018/19
- Appendix C – statutory BAME pay gap publication figures for 2018/19
- Appendix D – proposed wording changes to the Members Scheme of Allowances, Part 6 of the council's constitution

## **13 BACKGROUND PAPERS**

- 13.1. None

LONDON BOROUGH OF MERTON  
2020/2021  
Pay Policy Statement

1. Introduction

- 1.1 The Council is committed to transparency of pay, and best value for money to residents in terms of the pay bill to the workforce and quality of services provided to residents. This statement is required under the provisions of the Localism Act 2011.

We monitor the Council's benchmark position regularly in London utilising data sets from London Councils, and in particular the annual chief officers' salary survey. This information is used when reviewing pay and grading structures, in combination with data on turnover, recruitment and retention.

- 1.2 This pay policy statement sets out: the Council's current position in the labour market and pay benchmarking, pay ratios, the current pay structure and arrangements, dealing with data transparency and senior officer termination payments.

2. Pay benchmarking

- 2.1 In terms of the senior pay benchmarks derived from the London Councils database we know the Council is positioned in the lower quartiles for senior pay for the 32 boroughs. Our overall pay rates below chief officer-level broadly mirror the median for Outer London Local Authorities.

- 2.2 The pay benchmarks are reviewed annually to ensure the Council continues to provide good value for money and that senior managers are not paid in excess of local, regional and national labour markets, as appropriate to the job.

3. Pay ratios and Fair Pay in the Public Sector

- 3.1 The Council has a pay ratio of 1:10 between the lowest and highest paid employees, conforming to CIPD research evidence that the average ratio in Local Government in England is 1:10. It should be noted this is well within the ratio level of 1:20 that was established for the Hutton Fair Pay Review (March 2011) to consider.

- 3.2 Merton uses job evaluation to determine an employee's grade and the rates within the grade are determined through national and London-level pay bargaining. The minimum rate of pay for NJC employees from 1 April 2019 of £20,103 per annum is based on the nationally determined minimum spine point rate. Entry-level apprentices are paid the London Living Wage. At the time of preparing this statement national pay negotiations were still ongoing for the year from 1 April 2020. Merton operates a London Living Wage guarantee, which ensures staff receive at least the London Living Wage from 1 April each year. The minimum NJC rate of pay at 1 April 2019 exceeded the

London Living Wage. See paragraph 4.1 below for more detail on how we determine grades.

- 3.3 Senior managers are required to demonstrate they are performing to appraisal objectives in order to qualify for incremental pay increases and this pay policy system conforms with the recommendations from the Hutton Fair Pay Review that senior managers' pay includes an element of 'earn back'.
- 3.4 As well as comparing with the lowest paid we also make comparison with the median (recommended in the Government's transparency guidelines). The ratio of the Chief Executive's pay to median employee salary is 1:6. The Hutton report suggested the ratio for the FTSE top 250 private sector companies was 1:38.
- 3.5 The average full-time basic salary for males employed by the Council is £36,640 a year, and the average full-time basic salary for females is £34,127 a year. The basic pay gap between male and female pay is £2,513 i.e. males earn on average more than females.

A number of factors have caused this gap in basic pay, notably the TUPE transfer of staff both in and out of the organisation has had an impact on the basic gender pay gap. In March 2017, 185 mainly male relatively lower paid staff transferred out with Street Scene and Waste. In February 2017, 62 were transferred from Sustainable Communities. Meanwhile, 65 Regulatory Services employees transferred to Merton from LB Wandsworth in November 2017. These mainly higher paid staff who were employed by Wandsworth include a large number of men.

The statutory gender pay gap figures for 2017/18 were published, as required by legislation, by 31 March 2019. The pay gap figures for 2018/19 will be published with this Pay Statement and are attached as Appendix A. The figures, which include allowances and bonuses, show a similar gap to that for basic pay with men earning more than women both in terms of mean and of median earnings. There has a slight reduction since March 2018 with the gap reducing from a mean of 10.5% to 8.9%, and from a median of 8.2% to 8.1%. Men also receive higher bonuses on average (mean), this being mainly due to a high proportion of pay consisting of bonuses in the small mainly male Bailiffs service.

Pending any introduction of statutory pay gap monitoring by ethnicity, the pay gap between White and BAME employees has been established and is shown for the first time as Appendix B. This shows a wider pay gap than for gender, due to the much higher proportion of BAME employees in lower graded roles. The bonus gap in favour of BAME employees is due to a relatively high proportion of BAME Bailiffs. It should be noted that declaration of ethnicity is optional and the figures will therefore only cover those employees where they have declared their ethnicity.

#### 4. Current pay structures and arrangements

##### 4.1 The Council operates:

- The Joint National Council (JNC) for LA Chief Executives, and the JNC for LA Chief Officers pay agreement arrangements &
- The National Joint Council (NJC) Greater London Provincial Council (GLPC) Outer London pay agreement for most posts below Management Grade (MG), and applies the GLPC job evaluation scheme for jobs up to grade ME16. Job evaluation objectively establishes the relative size/value of posts whereas the pay/grade relationship ('price tag') is agreed by the Council with reference to GLPC benchmark guidance. The pay and grading structure below chief officers and Management Grade (see 4.3 below) currently allows for time-served incremental progression on an annual basis up to the grade maxima.

4.2 Some other employees are paid on nationally determined pay scales such as: Soulbury, Youth & Community, Teachers, Craft Workers and local conditions.

4.3 Senior managers, on grades MGA to chief executive grade are placed on grades with incremental progression on a biannual basis. Progression through the grade is dependent upon satisfactory performance. Job evaluation for chief officers and managers above ME16 is conducted using the Hay job evaluation scheme.

4.4 Some senior staff who transferred to Merton under TUPE receive performance-related pay or bonuses, but the majority of senior staff do not receive them. They contribute from 8.5% up to 12.5% of their salary to the local government pension scheme and Merton's employer contribution to the pension fund for all contributing members is 17.06% from April 2020. In some years the Chief Executive also receives election expenses when general, local or European elections occur. Annual cost of living increases are determined nationally.

4.5 All matters relating to senior pay, including the chief executive's appraisal setting and assessment is dealt with by the Council's senior remuneration panel comprising of the four party leaders, chaired by the Leader of the Council for the administration at which the salary package is considered and recommended for approval. Salary packages over £100,000 are also reported to full Council for approval.

4.6 The Council applies the NJC and Chief Officers pay awards. A two year pay deal from 1 April 2018 saw a bottom-loaded increase in pay for all staff, and assimilation of staff onto a new pay spine from 1 April 2019. No national agreement has been reached at the time of writing for 1 April 2020.

4.7 Any proposed changes to the pay and grading structure are subject to an Equality Impact Assessment to assess the likely impact of the changes.

## 5. Transparency arrangements

- 5.1 The Council via its Internet site:
- publishes all senior employee salaries with: names (where not withheld below £100k), title, salary band and information including job descriptions that will cover span of control and managerial responsibilities.
  - publishes on an annual basis via its website a schedule of all council employees earning £50,000, or more, in accordance with the recommended code of practice for data transparency.
  - publishes structure charts on the Council's website as recommended by the government code of practice for data transparency.
  - publishes this policy via the Council's website
- 5.1 In the event that there are changes in an employee's salary (including market supplement) which results in a salary increase to £100k during the year; this package needs to be recommended by the remuneration panel and approved by full Council. Once agreed by full Council the details of the individual and post will be included in the next annual publication of senior employee salaries including: name, title, salary band and information including job description that will cover span of control and managerial responsibilities.
- 5.2 The Chief Executive's remuneration, that of the Directors, and any officer earning over £100k, is already the subject of a published statement (Senior Employee's Salaries) on the Council's website. Such levels of remuneration are subject to the Council's senior remuneration panel consisting of the four different political party leaders (see 4.5 above). Other salary and budget information is published in the annual statement of accounts, also available from the Council's website. The Chief Executive's priorities are also published on the website here: <https://www.merton.gov.uk/council-and-local-democracy/chief-executive>
- 5.3 For any new appointment where the salary is £100k per annum or more approval should be obtained from full Council prior to the appointment being made (in practical terms the agreement would be sought at the start of the recruitment process).

## 6. Termination payments

- 6.1 For Chief Officers, termination payments are reported to the Standards and General Purposes Committee and the rationale for such termination arrangements for these matters is approved by members of the Council. From April 2013 all severance packages over £100,000 are reported to full Council for approval. Pending statutory changes, if introduced, will further limit severance packages and introduce arrangements to recover payments should the person return to work in the public sector.



- 6.2 We will continue to review and publish our policy on the exercise of discretions under local authority regulations covering compensation for early termination of employment, redundancy and pension enhancements.

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**MERTON GENDER PAY GAP FOR PUBLICATION AS AT 31/03/2019**

**Hourly Rate**

Women's hourly rate is

8.9 % lower	8.1 % lower
(mean)	(median)

**Pay quartiles**

How many men and women are in each quarter of the employer's payroll

Top quartile

37% men	63% women
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Upper quartile

35% men	66% women
---------	-----------

Lower middle quartile

30% men	70% women
---------	-----------

Lower quartile

26% men	74% women
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**Bonus Pay**

Women's bonus pay is

84.6% lower*	200.0% higher
(mean)	(median)

*\* Caused in Merton by a few mainly male bailiffs amongst a small data set earning high levels of bonus*

Who received bonus pay

10.1%*	8.9%*
of men	of women

*\* Noting bonus includes retention payments, merit pay, and long service awards.*

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**MERTON ETHNICITY PAY GAP FOR PUBLICATION AS AT 31/03/2019**

**Hourly Rate**

BAME employee's hourly rate is

12.5 % lower (mean)	9.5 % lower (median)
------------------------	-------------------------

**Pay quartiles**

How many BAME and White employees are in each quarter of the employer's payroll

Top quartile

74% White	26% BAME
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Upper quartile

74% White	26% BAME
-----------	----------

Lower middle quartile

68% White	32% BAME
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Lower quartile

53% White	47% BAME
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**Bonus Pay**

BAME employee's bonus pay is

66.8% higher* (mean)	650.0% higher* (median)
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*\* Caused in Merton by a number of BAME bailiffs amongst a small data set earning high levels of bonus*

Who received bonus pay

8.5%* of White employees	7.3%* of BAME employees
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*\* Noting bonus includes retention payments, merit pay, and long service awards.*

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**Proposed wording changes to the members' Scheme of Allowances, Part 6 of the Council's Constitution**

**DEPENDENT CARERS ALLOWANCE**

Paragraph 7.5.2 currently reads:

"The Allowance is to reimburse actual costs incurred up to the following maximum rate of £6.00 per hour, subject to a maximum weekly payment of £45 per week (or seven and a half hours equivalent care)."

Replace above paragraph with:

"The Allowance is to reimburse actual costs incurred up to a the London Living Wage maximum rate per hour, subject to a maximum weekly payment of seven and a half hours equivalent care."

**New Section 5:**

**SICKNESS AND PARENTAL LEAVE**

"Members on sickness, maternity, paternity and adoption leave may continue to claim both their basic allowance and any special responsibility allowance for which they are eligible. A pro-rate special responsibility allowance will be paid to a member covering an eligible post during such a period of absence."

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## **Committee: Council**

**Date: 5 February 2020**

Wards: n/a

## **Subject: Amendments to the Constitution**

Lead officer: Fiona Thomsen, Interim Monitoring Officer

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

Contact officer: Julia Regan, Head of Democracy Services

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### **Recommendations:**

#### **That Council:**

- A. Authorise the changes to the Constitution set out at paragraph 2.2 below in response to advice received from the Local Government Ombudsman.
  - B. Authorise the changes to the Constitution set out at paragraphs 2.4 and 2.5 below in response to the review of Ethical Standards.
  - C. Authorise the changes to the Constitution set out at paragraph 2.9 to update the Council's Budget and Policy Framework.
- 

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

- 1.1. To seek Council's approval of changes to the Constitution following advice received from the Local Government Ombudsman, the report of the Committee for Standards in Public Life and the review of the Council's Budget and Policy Framework.
- 1.2. The review of ethical standards was considered at the Standards and General Purposes Committee on 25 July and 9 September 2019 and the Committee agreed to forward the proposed changes to Council.

## **2 DETAILS**

- 2.1. Planning Protocol
- 2.2. Following consideration of a complaint made to the Local Government Ombudsman, the Monitoring Officer wrote to all Planning Applications Committee Members on 12 July 2019 reminding them of the requirements of the Council's Planning Protocol in respect of site visits by individual Members. The letter advised that the Planning Protocol would be revised to strengthen the advice and emphasise that site visits by individual Members should be limited to a public vantage point, and they should not visit an applicant's property to avoid a perception of bias. The proposed revisions are set out in Appendix 1 to this report.
- 2.3. Review of ethical standards
- 2.4. At its meeting on 25 July 2019, the Standards and General Purposes Committee considered a report on the report of the Committee for Standards in Public Life's review of ethical standards in local government. The report

made 15 best practice recommendations, with which the Council was largely compliant. However it was recommended that minor amendments be made to current practices to be fully compliant with all 15.

At its meeting on 9 September 2019, the Committee agreed four actions for approval by Council

- i. To develop a definition of bullying and harassment to be incorporated into the Council's Member/Officer Protocol.

The revised Member/Officer Protocol, including the examples recommended by the Advisory, Conciliation and Arbitration Service (ACAS) is attached at Appendix 2.

- ii. "Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors"

The Council's procedure for the consideration of complaints already provides that trivial or malicious allegations will not be investigated. The revised Member/Officer Protocol, including an addition to paragraph 3.3 to require compliance with a formal standards investigation is attached at Appendix 2.

- iii. "Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities."

The Standards and General Purposes Committee will include in its work programme a yearly review of the Council's Code of Conduct. This review should incorporate an invitation to the public and local organisations to submit their views throughout the year.

- iv. "Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place."

The South London Legal Partnership – The SLLP is hosted by Merton and delivers legal services to five London Boroughs. It is managed by a Governance Board at officer level and reports to the Cabinet Member for Finance and Corporate Services. An annual report is considered by the Governance Board and reported to the partner Council's. If members consider wider member oversight within Merton would be beneficial it is suggested this could be provided with the annual report being presented to a scrutiny panel for members consideration and any recommendations.

## 2.5. Budget and Policy Framework

- 2.6. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, there are specified plans and strategies where adoption or approval by the local authority must be made by Full Council. The

Regulations also provide that a local authority can choose that certain other plans or strategies (statutory or non-statutory) can be added to the policy framework.

2.7. Merton's Policy Framework, set out in Part 2, Article 4, Paragraph 4.2(a) of the Constitution, currently comprises the 12 plans and strategies listed below:

- Business Plan
- Community Plan
- Corporate Equality Scheme (now Equality and Community Cohesion Strategy)
- Housing Strategy
- Local Development Plans (now Local Plan)
- Children and Young People's Plan
- Local Transport Plan (now part of the Local Plan)
- Civil Contingencies Plan (now Strategic Business Continuity Plan)
- Equal Opportunity and Diversity (now Equalities Strategy)
- Procurement Strategy
- East Merton and Mitcham Neighbourhood Renewal Strategy (now Neighbourhood Renewal Strategy)
- Climate Change Strategy

2.8. The Corporate Management Team have reviewed the list and recommended that this list should be updated so that it reflects the changes that have been made to the titles and to include the Wimbledon Town Centre Master Plan, as agreed by Council at its meeting on 21 November 2018.

2.9. The updated list would therefore comprise 11 plans and strategies:

- Business Plan
- Community Plan
- Equality and Community Cohesion Strategy
- Housing Strategy
- Local Plan
- Children and Young People's Plan
- Strategic Business Continuity Plan
- Procurement Strategy
- Neighbourhood Renewal Strategy
- Climate Change Strategy
- Wimbledon Town Centre Master Plan

2.10. The proposed amendments were discussed by Standards and General Purposes Committee on 7 November 2019 and it was agreed to recommend to Council.

### **3 ALTERNATIVE OPTIONS**

3.1. The Council is advised to make these changes in light of advice received from the Local Government Ombudsman, the best practice

recommendations in the report of the Committee for Standards in Public Life, and the need to periodically review the Council's Budget and Policy Framework to ensure it is compliant with current legislation and best practice. The alternative option would be to do nothing, which is not recommended.

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

4.1. None for the purposes of this report.

#### **5 TIMETABLE**

5.1. The changes will be implemented following agreement by the Council. Reports have been taken to the Standards and General Purposes Committee on the Review of Ethical Standards on 25 July and 9 September 2019.

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

6.1. None for the purposes of this report.

#### **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. *The Constitution provides that proposed changes to the Council's constitution be reported to the Standards and General Purposes Committee for approval prior to being considered at Council. (Article 15)*

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

8.1. None for the purposes of this report.

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

9.1. None for the purposes of this report.

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

10.1. None for the purposes of this report.

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

- Appendix 1 – Revised Planning Protocol (extract)
- Appendix 2 – Revised Member/Officer Protocol (extract)

#### **12 BACKGROUND PAPERS**

12.1. None

- 4.9.4 You should not decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other member to do so. Political group meetings should never dictate how members should vote on a planning issue.

### 4.10 Site Visits

#### 4.10.1 Site Visits by PAC

It is not general practice to arrange site visits for the Committee. Such site visits will only be considered where the expected benefit is substantial.

- 4.10.2 You should not request a site visit unless you feel it is strictly necessary because:

- ) The impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers (although if that is the case, additional illustrative material should have been requested in advance); or
- ) There is a good reason why the comments of the applicant and objectors cannot be expressed adequately in writing or by verbal presentation at the Committee meeting.

#### Site Visits by individual members of PAC

- 4.10.3 Many members will already be familiar with sites which are the subject of applications but not in all cases. It is normal and proper for members in these circumstances to visit a site themselves before the Committee meeting. Where individual members of the Committee wish to undertake their own site inspection prior to the Committee meeting, these should be conducted unannounced and limited to from a public vantage point. **Members of the Committee should not visit an applicant's property to avoid the perception of bias.** Members of the Committee should not arrange to meet applicants/agents or third parties for the purpose of a site inspection.

- 4.10.4 If a Committee member is approached on site by any applicant/agent, objector or other third party interest they should seek to avoid discussion of the application and should ensure they do not give any indication of their views or the likely decision of the Committee.

### 4.11 Conduct at Meetings

- 4.11.1 You should not allow members of the public to communicate with you during the Committee's proceedings other than through the scheme for public speaking, as this may give the appearance of bias. You should avoid communicating privately with applicants and objectors during the Committee meeting.
- 4.11.2 Avoid speaking to other members whilst the applicant or objectors are making representations to PAC. It may give the impression you are not taking into

consideration their views.

4.11.3 Be aware of public perception. You should be paying attention to the discussion

## Part 5 – C

### MEMBER/ OFFICER PROTOCOL

#### 1. Introduction

- 1.1 This protocol aims to provide guidance on the complex relationships between members and officers of the Council.
- 1.2 The Government is encouraging the changes already begun to modernise political management arrangements. These need to be effective, transparent and accountable as well as facilitating clear community leadership. As the Council enters into new executive arrangements this protocol is intended to support the new ways of working.
- 1.3 The protocol supplements the separate Codes of Conduct for members and for Employees of the Council, which should be read in conjunction with this document.
- 1.4 The seven principles of public life as stated by the “Nolan” Committee (the Committee on Standards of Conduct in Local Government), which are set out in the members’ Code of Conduct (selflessness, integrity, objectivity, accountability, openness, honesty and leadership) should inform the relationships between members and officers.

#### 2. The Role of Members

- 2.1 The roles of the councillor are set out in the members’ Code of Conduct. This states that a councillor may have a number of complex roles including politician, policy maker, representative, constituent advocate and council/ committee worker. It is not the role of the councillor to involve themselves in the day to day management of council services.

) **Councillor** – in this capacity councillors will usually belong to particular groupings represented on the Council and will express political values and support the policies of the group to which they belong.

) **Policy Maker** - Members may have personal, individual or collective responsibility depending on their role for the local authority organisation and its activities. They set the direction of the Council; are responsible for ensuring that adequate management arrangements are in place; develop and allocate the Council’s physical, financial and human resources and monitor the performance, development, continuity and overall well-being of the organisation.

) **Ward Member** –in this capacity councillors interpret and express the wishes of the electorate, advocate on behalf of constituents and seek to account for service priorities, allocation of resources and ultimate performance of the Council. Councillors may also be appointed to outside

bodies and the role can vary from representing the views of the Council to acting according to individual judgement.

## **2.2 Members, collectively, therefore need to:**

- ) Determine vision and values and ensure staff commitment;
- ) Ensure standards are properly established and monitored;
- ) Link service and corporate objectives;
- ) Enable local people to resolve problems and issues faced by the community;
- ) Ensure community needs are fed into strategy formulation and service provision;
- ) Develop and support community leadership.

## **2.3 Cabinet Members and Leader of the Council**

In accordance with current legislation, the Leader and members of the Cabinet have executive legal powers as of 17 October 2001. Working closely with the Corporate Management Team, they will develop the policy framework and budget proposal to Council. The Leader and Cabinet are then responsible for implementing the approved policy framework by collectively and individually making decisions in keeping with the Council's scheme of delegation.

## **2.4 Opposition Members**

All members, not just those of the majority group are entitled to receive confidential, but not covert support and advice. All members shall be given timely access to information required in their role as councillors and shall have the same rights and obligations in their relationship with officers.

## **2.5 The Mayoralty**

The Mayor has a representative role of behalf of the Council and the borough to local residents and those who work or study in the borough. The position is non-political and this must be reflected when invitations to functions are accepted. It is reasonable for the Mayoralty to be supportive of local business, but the office should not be used for commercial promotions. The Mayor should not use his or her office, nor Council officers, to by-pass recognised systems of working.

## **3. The Role of Officers**

### **3.1 Officers of the Council have, in broad terms, the following main roles:**

- ) Initiate policy proposals;
- ) Implement all Council policies;
- ) Manage the services for which the Council has given them responsibility. They are accountable for the efficiency and effectiveness of those services and for proper professional practice in discharging their responsibilities and taking decisions, within agreed policy;



- ) Provide professional advice to the Council, its committees and members and the public in respect of their service;
- ) Ensure that the Council acts in a lawful way.

**3.2 Members can expect officers to:**

- ) maintain confidentiality;
- ) perform their duties effectively, efficiently and with political neutrality
- ) behave in a professional and courteous manner;
- ) be helpful to members and respect their role;
- ) avoid personal close familiarity with members and not use their relationship with members to advance their personal interests or to influence decisions improperly;
- ) report to their service heads any time that a member asks or pressurises the officer to deal with a matter outside of Council procedure or policy;
- ) demonstrate an understanding of and support for respective roles, workload and pressures;
- ) comply with the relevant Codes of Conduct.

**3.3 Officers can expect from members:**

- ) political leadership and direction;
- ) respect, dignity and courtesy;
- ) an understanding of and support for respective roles, workload and pressures;
- ) not to be subject to bullying or undue pressure;
- ) not to use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- ) compliance with the relevant Codes of Conduct.
- ) Compliance with any formal standards investigation

3.4 Members and officers will wish to discuss policy issues and officers will often require political guidance in framing proposals. However, when officers write reports for member decisions they have a duty to give the advice dictated by their professional expertise and in accordance with their own professional codes of conduct. In some situations an officer will be under a duty to submit a report on a particular matter. Officers expect to have their professional integrity respected and not to be influenced or required to reduce options, withhold information or make recommendations to the Cabinet or a committee they cannot professionally support.

3.5 An officer's first duty is to the Council as a whole and not to an individual member, or to a political or other group of members. However, officers may be called upon to provide advice to the majority group or leading members. This should not preclude them offering a similar service to the opposition parties.

3.6 Directors and Heads of Service are likely to develop a close working relationship with their relevant portfolio members and committee chairs. They may meet on a regular basis to discuss current issues, reports to be considered by committee and budgets.

3.7 The Cabinet and/or members' complaints about council services or officers should be referred to the relevant Director or the Service Head in the first instance. If the matter is not resolved, the member should contact the Chief Executive. Further details on such complaints are contained in the Council's Code of Conduct for Councillors.

### 3.8 Officers with Specific Responsibilities

3.8.1 A number of individual officers have specific roles including the Head of Paid Service (Chief Executive), the Chief Finance Officer (Director of Corporate Services), the Monitoring Officer (the Head of Legal Services), Proper Officers for particular functions (e.g. elections and licensing) and the statutory officers responsible for Children's Services and Adult Social Services.

3.8.2 The Monitoring Officer has a duty to provide advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all members of the Council. In addition, the Monitoring Officer gives advice to members on the application of Local Codes of Conduct, maintains a register of interests for Council members, and promotes high standards of conduct through support to the Standards Committee.

### 3.9 Politically Restricted Posts

Section 2 of the Local Government and Housing Act 1989 introduced restrictions on the political activities of officers holding politically restricted posts. It prevents certain officers from being councillors in another council and restricts certain political activity such as canvassing. This includes all officers above PO4 and those who regularly advise members and speak to the media on behalf of the Council.

## 4. Other Officers

4.1 Departmental officers should not go beyond the bounds of their delegated authority. If officers do not have regular contact with members they may be asked to inform their manager if they are asked to provide assistance to a member. Members must not request officers to carry out research for them covertly. Members' access to information will be on a 'need to know' basis. The 'need to know' must be decided by a Head of Service and members should not exert pressure on junior officers to circumvent the process.

4.2 Bullying or harassment of officers, including sexual and racial, by members is unacceptable. Members should not use their position and knowledge of the Council to place undue pressure on officers to take a different course of action than they would otherwise have done.

*(Workplace bullying is defined by Unison, the public sector union, as 'offensive, intimidating, malicious, insulting or humiliating behaviour, abuse of power or authority which attempts to undermine an individual or group of employees and which may cause them to suffer stress.' The Council has defined racial harassment as 'offensive conduct of a racial nature, or conduct based on race,*

*which is offensive to the recipient'. Sexual harassment has been defined as 'unwanted conduct of a sexual nature, or conduct based on sex, which is offensive to the recipient.'*)

The following examples are given by the Advisory, Conciliation and Advocacy Service (ACAS)

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems. It is good practice for employers to give examples of what is unacceptable behaviour in their organisation and this may include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying e mails that are critical about someone to others who do not need to know
- ridiculing or demeaning someone
- picking on them or setting them up to fail exclusion or victimisation unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances
- touching, standing too close, display of offensive materials, asking for sexual favours
- making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and
- constant criticism preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

## **5. At Meetings**

- 5.1 Officers and members will most frequently come into contact with each other at the variety of meetings held to conduct the Council's business. The respective roles of the participants may vary according to the purpose of the meeting and therefore their relationship to each other will also vary. The examples provided below are merely illustrative and not intended to be exhaustive.
- 5.2 At all times officers and members should show respect to one another and although members are entitled to question officers at meetings they should avoid personal attacks on officers and ensure that criticism is constructive and well-founded. Officers would expect to have the opportunity to explain what appears to be a performance failure or inconsistency.

5.3 Whenever a public meeting is organised to consider a local issue, all the members representing the ward(s) affected should, as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the ward members should be notified at the outset of the exercise. (For example, by being provided with a copy of the weekly list of planning applications.)

#### 5.4 **Council, Cabinet, Committee and Sub-Committee Meetings.**

These bodies have executive powers and as such are run in a formal manner. They are subject to the Council's rules and procedure which can only be amended or waived by decision of the Council. Members of the relevant body are required to consider and take decisions on the matters falling within the terms of reference of the body. Chief officers at Director level or their nominees attend meetings either on a regular basis if reports are written in their name or at the request of the Chair to answer any detailed questions and provide appropriate advice. Other officers attend to provide financial and legal advice and to act as record keeper. Questions and answers are dealt with via the Chair. Officers and members will generally address each other in terms of Councillor 'A' and Mr./Mrs./Ms. A ''.

#### 5.5 **Working Groups/Consultative Committees.**

These are more informal bodies that have no executive powers, and may make recommendations to the relevant body, or advise an officer to whom delegated power has been given. Officers are likely to have a more participative role, joining in the debate and contributing their own views and comments.

## 5.6 Area Forum Meetings.

These are to be held periodically throughout the year in various areas of the borough. Their aim is to improve communication with residents, provide a means for residents to express their views and for the Council to explain its policies. Ward councillors and the Leader of the Council and lead members attend as appropriate. Area Forum lead officers will attend these meetings which will be minuted.

## 5.7 Service Issue Consultation Meetings.

These may be set up for a variety of reasons, for example a proposed traffic management scheme, or the introduction of charging for social services. The relationship of officers and members at such meetings may vary. There may be a 'top table' of members dealing with questions with the assistance of officers or the meeting may be more informal.

## 5.8 Appeals Panels.

There are a variety of quasi-judicial bodies the Council is required to run. Quasi-judicial bodies are those where a decision 'affects the rights of subjects'<sup>1</sup> and there is usually a right for a person affected to appear before or make representations to the body which deliberates on the issues involved and takes a decision within legal guidance provided by officers. (There are other quasi-judicial bodies such as Planning & Licensing which are not appeal bodies.) Officers who have not previously been involved with the case in question must provide such advice. Some of these bodies must be seen to be operating at arms-length from the original decision-maker on the matter.

## 5.9 Group Meetings.

Group meetings of the political parties are organised by members and have no executive powers, although the majority group will consider the political direction of the Council and as a result they will request officers to develop and pursue their policy initiatives.

## 5.10 Meetings with Outside Organisations and Meetings of Outside Bodies –

Local authorities are often invited and in some instances have a right to be represented on other bodies, both statutory and voluntary and these may be executive, influential or advisory bodies and may involve agency arrangements. The role to be exercised by the representatives may be to represent the collective view of the nominating local authority or to act according to individual judgement. Members may also have to represent the Council at meetings with outside organisations where they may be negotiating or putting forward the Council's views. Officers may need to attend to provide professional advice to the member representative and may also be asked to provide appropriate

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<sup>1</sup> Ridge v. Baldwin [1964] A.C. 40

briefings. Members should note that declaration of interest requirements apply to their service on outside bodies. Further guidance is available for members and officers as issued by the Standards Committee.

## **6 Delegated Authority of Executive Functions**

- 6.1 The Council may delegate authority for executive functions to the Cabinet, an individual Cabinet member, a Cabinet committee or sub-committee and to one or more officers, but not to non-Cabinet members. There is a difference between one-off delegations to deal with a particular issue and permanent delegations which can only be agreed by the whole Council and need to be recorded in a document (the Scheme of Delegation) which is open to public inspection. Powers must be delegated to a single officer and if in practice they are sub-delegated by a scheme of management, this should be recorded and open to public inspection. In some cases authority is delegated to an officer in consultation with the chair. However, the officer must not act under the dictation of a member<sup>2</sup> and the officer remains accountable for the action taken.

## **7 Delegated Authority of Non-Executive Functions**

- 7.1 The delegation of non-executive functions will be determined by Full Council.

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<sup>2</sup> R v Port Talbot Borough Council, ex p Jones [1988] 2 All E. R 207

## **Committee: Council**

**Date: 5 February 2020**

Wards: All

## **Subject: Fairtrade resolution**

Cabinet Member: Councillor Caroline Cooper-Marbiah

Lead officer: Karin Lane, Head of Information Governance

Contact officer: Karin Lane, [karin.lane@merton.gov.uk](mailto:karin.lane@merton.gov.uk) 020 8545 4182

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### **Recommendations:**

- A. That Council support and agree the proposed Fairtrade resolution as detailed in 2.8.
- 

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

- 1.1. To review the council's commitment to Fairtrade and demonstrate its' continued support by passing the proposed Fairtrade resolution.

## **2 DETAILS**

- 2.1. The aim is for Merton Council, as a service deliverer and community leader, to support and promote the Fairtrade Mark in pursuit of sustainable development, and to give marginalised producers a fair deal.
- 2.2. Fairtrade Merton was set up in 2005 with the strapline 'Small change locally; lives changed globally.'
- 2.3. The original Fairtrade resolution was passed at Council on 22 February 2006 and a revised version passed at Council on 19 November 2014.
- 2.4. A Merton Council representative joined the Fairtrade Merton steering group in 2007.
- 2.5. Merton originally received Fairtrade status in 2009 and has successfully renewed every two years. Our current Fairtrade status has been renewed by the Fairtrade Foundation until October 2021.
- 2.6. There are five goals to be achieved for continuing Fairtrade status:
1. The local council passes a resolution supporting Fairtrade, and agrees to serve Fairtrade products
  2. A range of Fairtrade products are readily available in the area's shops and served in local cafés/catering establishments
  3. Local work places and community organisations (places of worship, schools, universities, colleges and other community organisations) support Fairtrade and use Fairtrade products whenever possible. Populations over 100,000 will also need a flagship employer
  4. Events and media coverage raise awareness and understanding of Fairtrade across the community.

5. A local Fairtrade steering group representing a range of local organisations and sectors meets regularly to ensure the Fairtrade Town continues to develop and gain support
- 2.7. As a Fairtrade Borough, Merton is also part of London's Fairtrade City status. The London Assembly continues to support Fairtrade.
- 2.8. The proposed Fairtrade resolution to meet the five Fairtrade goals is:

**This council notes that:**

- 2019 marks 25 years since the FAIRTRADE Mark was launched in the UK.
- Since 1994, consumer demand for Fairtrade has grown thanks to the efforts of grassroots campaigners, and pioneering Fair Trade businesses.
- There are now over 600 Fairtrade Communities in the UK and more than 2,000 globally.
- As a result of Fairtrade commitments from mainstream brands and retailers, the UK Fairtrade market is now one of the biggest in the world.
- Global Fairtrade sales last year generated £142 million in Fairtrade Premium. Farmers in 73 countries have invested this money in their communities, increasing business productivity and contributing to the achievement of the global Sustainable Development Goals (SDGs).
- Despite this positive news, exploitation remains rampant in global supply chains. More than 40 million people are trapped in modern slavery, including forced labour, and 152 million young people in child labour. Hundreds of millions more are earning less than a living income or wage.

**This council believes that:**

- Fairtrade and the wider Fair Trade movement has a significant contribution to make towards ending exploitation in global supply chains and achieving the SDGs.
- The recently agreed [International Fair Trade Charter](#) should be welcomed, with its vision of transforming trade to work for people and planet.
- The Fairtrade principles of paying a 'premium' that is wholly managed by farmers and workers themselves, and of minimum prices to protect producers from market volatility, are crucial to systemic change.
- Public bodies, including local authorities, should support ethical procurement policies, using their purchasing power to support Fairtrade and ensure their supply chains, at home and abroad, are free of exploitation, including modern slavery.
- Companies operating through global supply chains should go further and take steps to require the payment of living wages and achievement of living incomes for all.

**This council resolves to:**



- Renew its commitment to achieve 'Fairtrade Town' status.
- Actively promote Fairtrade locally, through support, celebration and championing for local groups and businesses who support Fairtrade, in the media including social media, and events, including during Fairtrade Fortnight.
- Promote Fairtrade in its Schools.
- Review its procurement policy, including its catering offer, to ensure that Fairtrade produce is chosen wherever possible, and that Fair Trade considerations are included as a preference in any contracts going out to tender.

2.9 Continuing Fairtrade accreditation supports the council's Climate Change Strategy and also forms part of the council's overall Good food for London score.

### **3 ALTERNATIVE OPTIONS**

3.1. The council could choose not to support Fairtrade which would negatively affect the renewal status of Fairtrade Merton.

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

4.1. None for the purposes of this report.

### **5 TIMETABLE**

5.1. To be agreed with immediate effect, to support Fairtrade Merton's renewal application.

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

6.1. There is currently no financial implication for the council in its use of Fairtrade products, as Fairtrade products are only used when value for money can be demonstrated.

6.2. The resource implication is the continued support of a named council officer to be an active part of the Fairtrade Merton steering group and some marginal costs in printing promotional material for Fairtrade events.

6.3. There are no property implications.

### **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. None for the purposes of this report.

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

8.1. Fairtrade ensures better prices, decent working conditions and fair terms of trade for farmers and workers in the developing world, who are amongst the most marginalised groups globally.

### **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**
- 12 BACKGROUND PAPERS**
- 12.1. None for the purposes of this report.

## **Committee: Council**

**Date: 5 February 2020**

## **Subject: Appointment of an Independent Person**

Lead officer: Louise Round, Managing Director, South London Legal Partnership

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

Contact officer: Amy Dumitrescu, Democratic Services Officer, 0208 545 3357

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### **Recommendations:**

- A. That Council agrees to appoint Katy Willison as an Independent Person for the purposes of Chapter 7 of the Localism Act for a period of three years from 6 February 2020;
  - B. That Ms Willison also be appointed as an advisory non-voting member of the Standards and General Purposes Committee for the duration of her tenure as an Independent Person
- 

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

- 1.1. This report seeks Council's approval of the appointment of one Independent Person which we are required to appoint under section 28(7) of the 2011 Localism Act.

## **2 DETAILS**

- 2.1. The functions of the Independent Person, set out in the Council's constitution are:
  - The Independent Person must be consulted and views taken into account before the authority takes a decision on any allegation that a member has breached the Code of Conduct for members it has decided to investigate;
  - The Independent Person may be consulted by the authority in circumstances where the authority is not taking a decision whether to investigate the allegation;
  - The Independent Person may be consulted by a member of the authority against whom an allegation has been made.
- 2.2. The Independent Person will also be invited to attend meetings of the Standards and General Purposes Committee in that capacity.
- 2.3. Independent Persons are appointed for a maximum of two terms of three years. Following the end of the term of office of one Independent Person, Pam Donovan, the Standards and General Purposes Committee agreed to the appointment of an interview panel, comprising one councillor nominated from each political group to interview and recommend the appointment to Council. In accordance with the provisions of the Localism Act, the vacancy was advertised and one application was received from Katy Willison. Ms Willison is a senior civil servant with many years' experience working in a

political environment, having to balance competing arguments and uphold high standards of governance.

- 2.4. The interview panel comprised Councillors Nick Draper, Oonagh Moulton, Peter Southgate and Hina Bokhari. Louise Round, Managing Director, South London Legal Partnership attended as an observer. The interview took place on 20 January 2020 and the panel concluded that Ms Willison was eminently suitable for the post and accordingly recommended the appointment of Katy Willison to the post.

### **3 ALTERNATIVE OPTIONS**

- 3.1. The Council must appoint at least one Independent Person. The appointment of Ms Willison will increase the number of independent persons to two which will provide some resilience in this area and allow for any situations where one of the incumbents is unable to act for any reason.

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

- 4.1. None.

### **5 TIMETABLE**

- 5.1. The appointment made by Council will take effect on 6 February 2020 for a period of three years.

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

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

### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. Section 28(8) sets out a number of criteria which an applicant to be and Independent Person has to fulfil to be eligible for the role. The panel was satisfied that Ms Willison meets those criteria.

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

- 8.1. None specific to this report.

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

- 9.1. None specific to this report.

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

- 10.1. None.

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

- 11.1. None.

### **12 BACKGROUND PAPERS**

- 12.1. None.

## **Committee: Council**

**Date: 5 February 2020**

Wards: n/a

## **Subject: Calendar of meetings 2020/21**

Lead officer: Caroline Holland, Director of Corporate Services

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

Contact officer: Louise Fleming, Democratic Services

### **Recommendations:**

- 
1. That the Calendar of meetings for the 2020/21 municipal year, attached at Appendix A, be agreed.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. To propose a calendar of meetings for Council bodies for 2020/21.

## **2 DETAILS**

- 2.1. The details are set out in Appendix A.

## **3 ALTERNATIVE OPTIONS**

- 3.1. The Council can make whatever arrangements it sees fit in respect of the calendar within the legal constraints set out below. The Council should also have regard to audit and accounting requirements in respect of submission of the Annual Governance Statement by the end of June in each year and the approval of the Final Accounts by the end of September in each year.

## **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. The Leader of the Council has been consulted in respect of the Cabinet meeting schedule. The chairs of the Overview and Scrutiny Commission and scrutiny panels have been consulted in respect of the scrutiny schedule. Group offices and leaders have been consulted and their comments taken into account where possible.

## **5 TIMETABLE**

- 5.1. The calendar covers the period from immediately after the 2020 Annual meeting up to and including the Annual meeting 2021.

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

- 6.1. None for the purposes of this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. In borough election years the Council must hold its annual meeting between 12 and 25 days after the election. In other years the annual meeting must be held in March, April or May.
- 7.2. The Council must hold a meeting to agree its budget by 11 March in each year.

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

- 8.1. Publishing a calendar of meetings in advance is important in giving people information about when the Council proposes to do its business and take decisions which affect the community and individuals.

**9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purposes of this report.

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

- 10.1. It is important for the proper discharge of the Council's duties that a proper framework for decision making is established including the scheduling of meetings in advance to allow for business reports to be properly prepared for decision making bodies.

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

- Appendix A – calendar of meetings 2020/21

**12 BACKGROUND PAPERS**

- 12.1. None

2020-21	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-19	Jan-21	Feb-21	Mar-21	Apr-21	May-21
<b>COUNCIL</b>													
Annual (2)	20												19
Ordinary (5)			8		16		18			3		21	
Council budget (1)											3		
<b>EXECUTIVE (inc LSG)</b>													
Cabinet (11)	20	15	13		7	12	9	7	18	8	22		19
LSG (9)		1 & 29		24	28	26	23		4 & 25		8		
Merantun Development Ltd Sub-Committee (4)			13			12			18		22		
<b>SCRUTINY</b>													
Overview and Scrutiny Commission (6)			15		9		11		20		17	28	
Healthier Communities and Older People OSP (6)		22			2		3		11	9		26	
Children and Young People OSP (6)		24			30		4		13	10		27	
Sustainable Communities OSP (6)		25			1		2		19	23	29		
Overview and Scrutiny Topic Workshops		8 & 10											
<b>NON-EXEC &amp; ADVISORY</b>													
Standards and General Purposes Committee (4)			23		10		5				11		
Borough Plan Advisory Committee (4)		4			3		26				4		
Licensing Committee (3)		9				15			28				
Planning Applications Committee (12) Thurs	14	18	16	20	24	22	12	10	14	11	18	29	
Pension Fund Investment Advisory Panel (4)			21		24		25				10		
<b>OTHER</b>													
Wimbledon Forum (4)		17			23			1			25		
Raynes Park Forum (4)		11			17			3			30		
Morden Forum (2)						14				24			
Mitcham Forum (2)						8				25			
Colliers Wood Forum (1)						1							
JCC (4)		10			8			2			24		
<b>JOINT COMMITTEES</b>													
Health and Well-Being board (5) (6.15pm) Tues		23			29		24		26		23		
South London Waste Partnership Joint Committee 6.30pm* (4)		16			tbc			tbc				tbc	
North East Surrey Crematorium Board** (10.00am) (4)		9			8			8			tbc		
Merton and Sutton Joint Cemetery Board 2.00pm*** (3)		23					tbc			tbc			
Joint Regulatory Services Committee 10am**** (3)			7			13				9			
<b>Final budget round meetings in bold</b>													

\* TBC with joint Boroughs  
 \*\*TBC with Sutton and LBW  
 \*\*\* TBC with Sutton  
 \*\*\*\*TBC with LBR and LBW

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## **Committee: Council**

**Date: 5 February 2020**

## **Subject: Changes to Membership of Committees and related matters**

Lead officer: Ged Curran, Chief Executive

Contact officer: Louise Fleming, Senior Democratic Services Officer

Democratic Services 020 8545 3616 - [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

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### **Recommendations:**

1. That the Council approves the re-appointment of Councillor Adam Bush as Vice-Chair of the Pension Fund Investment Advisory Panel.
  2. That the Council notes that the Merton Heritage Forum agreed at its meeting on 15 October 2019 to dissolve and no longer meet as a constituted body with immediate effect; and agree that the Terms of Reference of the Forum are removed from the Council's Constitution.
  3. That the Council notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report seeks Council's approval for appointments to committee places and asks Council to note the changes made to committee membership under delegated authority since the publication of the agenda for the last ordinary Council meeting on 18 September 2019.

## **2 DETAILS**

- 2.1. Following the resignation of David Williams and the reinstatement of Councillor Adam Bush on the Pension Fund Advisory Panel, the Council is requested to approve the reappointment of Councillor Adam Bush as Vice-Chair.
- 2.2. At its meeting on 15 October 2019, the Merton Heritage Forum agreed to dissolve as a formally constituted body with immediate effect. The body is likely to continue as a community led forum by stake holder groups. The community approach will ensure that the forum is more relevant to stake holders' interests and maintains the ability for groups to network and share best practice. Therefore there will be no further meetings of the Forum and it is proposed that the Constitution be updated to remove the Terms of Reference for this body. Officers have reviewed proportionality as a result of the dissolution of the Forum and this has resulted in no overall change to political proportionality. The minutes of the meeting are attached at Appendix 1.
- 2.3. The following membership changes have been made by the Chief Executive under his delegated authority in accordance with section 1.4 of part 3F of the Constitution:

<b>Committee</b>	<b>Member resigning</b>	<b>Replaced by</b>	<b>Date</b>
Pension Fund Advisory Panel	Adam Bush	David Williams	19 September 2019
Children and Young People Overview and Scrutiny Panel	Vacancy	Dennis Pearce	30 September 2019
Children and Young People Overview and Scrutiny Panel	Marsie Skeete	Brenda Fraser	1 October 2019
Pension Fund Advisory Panel	David Williams	Adam Bush	15 October 2019
Children and Young People Scrutiny Panel	Brenda Fraser	Marsie Skeete	28 November 2019

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

3.1 None for the purposes of this report.

### **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.
- 5.2. The Housing and Local Government Act 1989 contains provisions relating to the political balance on committees, the duty to allocate seats to political groups and the duty to give effect to allocations.
- 5.3. The Council has a statutory duty to review the representations of different political groups on the Council in order to ensure that a political balance is secured on council committees so as to reflect the overall political composition of the council.
- 5.4. The requirement to allocate seats must be made in accordance with the following statutory principles:
  - a) All of the seats are not to be allocated to the same political group.
  - b) The majority of the seats must be allocated to the political group with a majority on the Council.
  - c) Subject to the two principles listed above, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to that on full Council.

### **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**

9.1 Appendix 1 – Minutes of the Merton Heritage Forum 15 October 2019.

## **10 BACKGROUND PAPERS**

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

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# Minutes

## Merton Heritage Forum

Tuesday 15 October 2019

Merton Heritage Centre, 2<sup>nd</sup> floor, Morden Library, Merton Civic Centre

### Present:

Cllr Nick Draper ( Chair ), Cllr Geraldine Stanford, Cllr Dickie Wilkinson, Cllr Joan Henry, Cllr Najeeb Latif, John Davis ( Friends of Canons Park, Tree Wardens); Hannah Shimko & Alison Plant ( Canons Project )  
 John Hawks ( Merton Priory Trust, Wandle Industrial Museum),  
 Nicholas Hart ( Wandle Industrial Museum )  
 Neville Squires ( LNHS & ECSS ), Tony Burton ( MCGC&H ),  
 Norman Plastow ( Wimbledon Society & Wimbledon Windmill )  
 Alison Cousins ( John Innes Society ), Tony Scott ( Merton Historical Society )  
 Duncan Rabagliati ( Wool Rd & Drax Avenue Conservation Area ),  
 Anthony Hopkins ( LBM ), Sarah Gould ( Minutes ), Jill Tyndale ( LBM )

### Apologies:

John Veale ( John Innes Society ) ; Cyril Maidment ( Merton Priory Trust )  
 Sandra Vogel & Joyce Bellamy (MCGC&H )

Item	Actions
<p><b>Minutes and Matters arising:</b>            Forum members had the opportunity to view minutes from the last meeting. There were no requests for amendments.</p> <p>Forum members sent their best wishes to John Veale (JIS ) who was absent from the meeting due to health reasons.</p> <p><b>1. Canons Project.</b>            AP and HS gave an update on the Canons project. The tender process is going well. 5 tenders have been returned, including 4 for the landscaping aspects of the project and 1 for the project as a whole – these are all of a high quality. The project team is aiming to secure permission for programmes of work to start in February 2020, following Cabinet approval in January.</p> <p>The team are keen to progress a mini Canons arboretum.</p> <p>HS – the project has a website, Facebook, newsletter and Instagram accounts providing project updates and events information. She has also done project promotion at the Heritage Discovery Day and was involved in the recent</p>	

Mitcham Heritage Day. HS showed the group a short report produced following community archaeology in the area to the rear of Canons house.

A reminiscence project will be starting soon – this will be an intergenerational activity working with young people in Mitcham. They will be running reminiscence sessions with local people who grew up between the 1940s and 1960s. Clarion Futures are helping to spread the word and HS would be grateful if Forum members could also help to promote this initiative.

After Christmas the project will be running heritage sessions for children in Mitcham - trial sessions will be run with local teachers.

Tendering will be undertaken for interpretation work including community workshops. It is possible to follow project developments on social media, Twitter and via MVSC and MCGC&H.

ND thanked AP and HS for the information and praised the project for the variety of events on offer and for keeping people engaged.

## **2. Mitcham Heritage Day.**

TB gave an update on the 2019 Mitcham Heritage Day. This was a very successful celebration of Mitcham's rich history and included more sites and organisations than previous events. For example Mitcham Golf Club was involved and visitors were given an insight into local personalities, including the first female golf professional. The Mary Tate almshouses were also open for the first time with an accompanying exhibition. The MH Day also celebrated 50 years of the Mitcham Conservation area, the 190<sup>th</sup> anniversary of the Tate almshouses and the 200<sup>th</sup> anniversary of the Parish church. There was a celebratory cricket match and 3 displays supplied by Merton Heritage Centre at the local church and Wandle Industrial Museum. Over 700 visitors took part in the day's events.

TSc and TB – the only complaint was that there was so much going on, it was tricky for visitors to see everything.

JH praised the event, which was most enjoyable. Idverde do need to do some work to improve access along some of the paths and paving in the area for future events.

## **3. Merton Memory Bank / Common Sense Projects**

SG told the Forum about two new projects being run by Merton Heritage Service using funding from Winter Pressures funding.

The Merton Memory Bank project will offer support and activities for people living with dementia. Staff and local volunteers will be trained as Dementia friends and an area of the 2<sup>nd</sup> floor at Morden Library will be turned into a dementia-friendly space to host reminiscence sessions, themed craft activities and dementia cafes.

Resources will be available both for larger groups from local care homes and also for small family groups or individuals who want to access heritage resources. With input from stakeholders and service users, the project team will be creating a range of themed memory boxes featuring objects, photos and sensory material to trigger memories and stimulate discussion.

**Forum members to assist HS in promoting the reminiscence project.**

Staff will also be looking to record the reminiscences of people living with dementia to expand the material available in the heritage collection and to ensure that this group feel valued and included in our work.

The Common Sense project aims to make the Heritage Centre and its resources more accessible for people with special needs – particularly sight / hearing loss and to some extent adults with autism and learning difficulties. The project team will work with stakeholders, advisers, public health and service users to devise a sensory exhibition – allowing all visitors to the Heritage Centre to experience local heritage in a new way. Volunteers will also be devising and running descriptive tours, producing audioguides, and signed tours for the target groups. Touchscreens will also be installed and the team will produce assorted presentations that can be subtitled or available in community languages.

The nature of the library building is not ideal for people with autism. A flexible chill-out area will be available, complete with sensory material for anyone who is feeling overwhelmed and needs a quiet area in which to relax and feel safe. Heritage activity boxes will also be produced for loan to day centres, care homes and residential units, so adults with autism can engage in aspects of local heritage in a place with which they are already familiar and feel comfortable.

Staff will be trained in visual / hearing awareness, interpretation and autism support to assist service users. Initially both projects will be based at the Heritage Centre but as part of ongoing development, SG will look to create remote / loan services.

Project work will also involve outreach work and the creation of promotional materials in accessible formats, enabling our target audience, families and carers to make informed choices about service take-up and how to plan a visit to the Heritage Centre.

The main project funding runs to the end of March 2020 but by developing a core team of volunteers, SG plans to continue service delivery and development beyond that point.

ND – 1 in 3 people may develop dementia and it is also important to provide support for carers. This need not be difficult and there are great benefits to taking part in joyful activities. Autism is very complex and there is a role for the local community in supporting and engaging adults with autism.

#### **4. Local List**

JT told the group that the latest list has gone out to consultation and will hopefully be on the web next week. There have been a number of obstacles to its completion but hopefully any difficulties will soon be resolved.

A further query was raised regarding refurbishment of the Sunnyside sub station structure. LBM has established that this is owned by one of the electricity firms. They have agreed to paint but not refurbish it. Money is still needed for repair – DR's resident's group (£5K) and the Wimbledon Society have already offered financial support. The work needs to be costed.

**SG asked Forum members to assist in raising awareness of the projects and the current volunteer recruitment drive.**

**Project Officer Dorian Knight can provide further information - Tel 020 8545 4038 or email [dorian.knight@merton.gov.uk](mailto:dorian.knight@merton.gov.uk)**

**JT and DR to liaise on taking this project forward**

<p>ND asked JT to refer this back to the utility firm – JT is concerned about the likely response. DR and JT to liaise on this.</p> <p>JT = gave an update regarding damage to a section of Priory Wall situated in the garden of 29 Windsor Avenue.</p> <p>JH – the current resident has removed flint and stone from a large section of wall – there has been a failure to comply with LBM requests to cease.</p> <p>JT is trying to speak to Historic England about this but wants to be armed with precisely dated photos to document damage to the structure. The resident had been filling a skip with stonework and was instructed to halt removal of further stones and to retain the material already stowed. Unfortunately the skip was taken away before any further action could be taken.</p> <p>JH and David Luff can provide photos but these will not all have precise dates.</p> <p>ND – thanked JT, JH, David Luff and Cyril Maidment for raising awareness of this problem.  JT – has opened an enforcement case and this matter may go to court.  JH - it is important that the current property owner is dissuaded from further removal of historic stonework.</p> <p>ND – the owner may plead ignorance of the status of the wall.  TB – ignorance is no defence. TB – a test case is looming.</p> <p>SG has requested updates from forum members re. aspects of work assigned to them in the action plan of the Heritage Strategy ( due for revision in 2020. )  SG thanked JH, TB, AP and colleagues for their submissions.</p> <p>AC – the John Innes Society wants to refurbish the bandstand on John Innes Park but has been told that this needs to go out to tender. Previously anything under £5-10K did not require tenders – AP &amp; HS confirmed that all work is now subject to the tendering process.</p> <p>ND – sees this as a potential obstacle to progress. ND asked DW to seek an update.</p> <p>NP – Wimbledon &amp; Putney Commons Conservators have received a £150K grant for general improvements to the Common – this includes some reorganisation and improvements – a meeting is scheduled for 16 October. A particular focus will be providing a green space for all.</p> <p>JH – The Chapter House has now completed its first season of opening to the public. ( Sundays – April to October. ) There have been several hundred visits to date, with increased learning opportunities and greater accessibility. The site will now be closed from November to March. The Priory Trust has been fortunate to secure a Community Infrastructure Levy grant of just over £40K to fund further development of the Chapter House as a venue for youth theatre and other projects. Paving and lighting has and will be improved.</p>	<p><b>JT, JH and ND to discuss this further and decide on next steps</b></p> <p><b>JT and SG to liaise re. Future Merton update on Strategy actions.</b></p> <p><b>DW and AC to liaise on this project</b></p>
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GSt – Paul McGarry has informed her that the necessary permissions for water / toilet connections have now been passed – this should make it easier to take forward other projects, including educational work.

NH – referred to issues around budget cuts and raised the issue of Lea Valley funding and the Wandle precept.

ND – there may be some budget reductions but this can only be done with the agreement of the Lea Valley representatives and changes will be negotiable.

NSqu – asked Forum members about the relationship between heritage and natural history. He referred to the importance of an oak tree at the junction of Church Lane and Langley Road, Merton Park – this pre-dates construction of the John Innes Estate. It is important to chart the impact of human activity on the environment – for example the use of woodland and pastures on Wimbledon Common. The work of Natural History societies is often cross-borough.

ND – This is an important topic to consider. GSt – we should also remember the historic importance of Mitcham Common and the local lavender industry.

TB – The Wandle Valley Forum has secured funding for a further three years to offer community grants of up to £1K each for 1- 2 year projects across its four boroughs.

The Cricket Green conservation area is 50 years old. MCGC&H are looking to engage with over 4000 households in the area on how this part of Merton should develop – they will be considering proposals for planning and green space.

NL – Future Merton and CAMRA are working together to safeguard local pubs, especially in the light of recent developments where former pubs have been converted into residential properties at an alarming rate – this constitutes a loss of public space and community hubs.

TSc queried the possibility of including ex-pubs in this project.

NL – A CAMRA list is being considered for feasibility.

ND – what if it is too costly to maintain a local pub – does it then close?

TB – any change of use should require planning consent.

JD – is concerned about local authority cuts in this respect. Meaningful enforcement is already tricky but could get worse – the communities should have a role in enforcing protection and safeguarding historic properties in their own area

JT – can face a number of problems with enforcement – this needs open communication channels.

ND – there are problems of financial loss and effect - there needs to be a combination of local lobbying and protection to support legal and safe development.

DW – Dorset Hall in Merton Park now has property guardians to afford greater protection from vandalism. DW also thanked SG and the John Innes Society

**Forum members will be able to find more information on the WVF website in due course.**

for providing historic images of the area for use at the recent 30th anniversary celebrations of the Merton Park Residents Association.

## **5. Merton Heritage Forum**

AH – The Heritage Forum was founded in 2012 and was initially facilitated jointly by the Future Merton ( Environment & Regeneration department ) and Libraries & Heritage ( Community & Housing). Over the past 4 – 5 years main responsibility has passed to the latter and a key driver has been to devise the Merton Heritage Strategy, monitoring actions, objectives and the delivery plan. The current strategy expires in 2020 and SG is working on a follow-up.

AH is conscious that the Heritage Forum is very council and officer-led – Forum members have been asked for input but this has not always been reflected in meetings and agendas. Capacity to support the forum has been depleted as the pressures on council resources have increased.

The Heritage Strategy provided opportunities for a different model of forum with greater community input but in practice the group has not expanded and increased in diversity to any great extent. It is now time to look for a different format, rather than council administered meetings – AH invited Forum members to suggest alternative methods for putting forward ideas and maintaining communication re. local heritage.

ND – The council is now facing even greater challenges as the financial package from central Government will be far less than in previous years. The Forum in its current format is now unsustainable – members need to judge how to take things forward - the council is no less engaged or passionate about heritage but there are problems with capacity, particularly as much of the work is falling to one officer. ND suggested non-council control of the Forum and greater external input into achieving heritage objectives.

NH – referred to the division of CADAP in 2012 and the importance of getting public views on council projects and planning initiatives. If the Forum has no direct council input and is member led, that element of consultation and expertise from members/ officers re. the treatment of heritage assets may be lost.

AH and ND pointed out that the Forum was never intended to take on the role of CADAP and that aspect of planning discussion had ceased some years ago, when the Heritage Forum became a separate entity from the Design & Review Group – this also coincided with the withdrawal of E & R responsibility for the Forum.

JH – was concerned about no council input or exchange – there is a need for people to get together via another means. Is this a cost saving, or a case of not staging the forum in council premises?

ND replied that he wants the voice for Merton's heritage to be led by Merton people. The Heritage Forum was designed to raise awareness of and support the protection of heritage assets.

JH – pointed out that a gathering of heritage providers and the exchange of views could really take place in any format and location.

TB – the purpose of this assembly is to 1. Champion heritage in Merton, 2. To hold the council to account and to provide the public / heritage providers with access to council representatives and information on the management of heritage assets. 3. Information exchange. Forum members need to decide what is needed.

JH – Asked if the Heritage Discovery Day would still be retained as this is a valuable opportunity for heritage providers to come together, network and promote their services to the wider public. SG and AH confirmed that there are no plans to alter the Discovery Day, which is now a key event on the local heritage calendar.

AH – The Forum in its current form offers some level of accountability but is purely advisory – it does not replace elected committees and council processes. There is value in information sharing but this could be done more economically – there is a need to look for a method that is less intensive from an officer perspective. There needs to be wider participation and value in discussion but less of an administrative burden. For example a half-yearly information exchange session could help in this respect.

There was agreement that an alternative to the Heritage Forum needs to be visible to the public and open to public participation.

JH said in light of suggestions to cease the current meetings and find an alternative means for discussing / addressing heritage issues, he would like to thank ND for his service as Chairman of the forum.

It was resolved that the Heritage Forum would be dissolved as a constituted group but is likely to continue as a community led forum of stakeholders. This community approach will not only ensure that the forum is more relevant to the interests of stakeholders but also maintains the ability for groups to network and share best practice. Interested community representatives who would be willing to organise future meetings are encouraged to discuss with ND, AH and SG. It was confirmed that this is the last Heritage Forum in its current structure.

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## Committee: Council

Date: 5 February 2020

## Subject: Petitions

Lead officer: Louise Round, Managing Director South London Legal Partnership

Lead member: Leader of the Council, Councillor Stephen Alambritis.

Contact officer: Democratic Services, [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

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### Recommendation:

1. That Council receive petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.
  2. That Council notes the responses provided to the petitions submitted at the meeting held on 18 September 2019.
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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 18 September 2019, the petition listed below was submitted and the response is set out below. Any petitions received by Council are referred to respective departments with responsible officers asked to advise the presenting member in each case of the way in which the petition is to be progressed.
- 2.2. A petition was submitted by Councillor Edward Gretton on the Wimbledon Park paddling pool.

### Officer Response

- 2.3 *"The Council sincerely regrets that it was unable to open the splash pad (the Elisabeth Pool) during the 2019 summer season due to technical issues. This facility has reached the end of its life and cannot be repaired further. Full replacement requiring capital investment is needed. Subject to capital funds being available the Council remains committed to replacing this popular facility for future summer seasons as soon as possible but this would not be before the summer season 2020 at the earliest. Council finances remain constrained and this capital scheme is one of several seeking funding as part of the 2020/21 capital programme."*
- 2.6 Members are invited to present petitions at this meeting, and a response will be provided to the next ordinary Council meeting in February 2020.

## 3 ALTERNATIVE OPTIONS

- 3.1. None for the purposes 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.