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Merton Council

Council Annual 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 16 September 2020

Time: 7.15 pm

Venue: This will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020.

This is a public meeting and can be viewed by following this link

<https://www.youtube.com/user/MertonCouncil>

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

Council Annual meeting

16 September 2020

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|---|---|--------|
| 1 | Apologies for absence | |
| 2 | Declarations of Pecuniary Interest | |
| 3 | Election of Mayor for 2020/21 and the Mayor's appointment of the Deputy Mayor for 2020/21 | |
| 4 | Vote of thanks to the retiring Mayor | |
| 5 | Minutes of the previous meeting | 1 - 4 |
| 6 | Constitution of committees and other bodies | 5 - 36 |

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. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 5

COUNCIL
8 JULY 2020

(7.15 pm - 9.00 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, 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

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for lateness were received from Councillor James Holmes.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 4 March 2020 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 of the Council and advised that an online auction of items which would have been auctioned at the Mayor's Ball, had it been allowed to take place, would be taking place shortly.

The Leader announced that Councillor Tobin Byers had stepped down from his role on the Cabinet and paid tribute to and placed on record his thanks for his work as Cabinet Member.

There were no announcements from the Chief Executive.

5 MOTION TO SUSPEND COUNCIL PROCEDURE RULE 2.3 TO VARY THE ORDER OF BUSINESS AS SET OUT BELOW (Agenda Item 5)

The motion was formally moved by Councillor Alambritis and formally seconded by Councillor Allison

There being no dissent to the motion it was

RESOLVED:

To vary the order of business so that the agenda will only consist of the following:

- 1) Public questions for noting
- 2) Member questions on the Covid response for noting and any supplementary questions asked in the meeting
- 3) Covid report and amendments to that report limited to one per Group
- 4) South London Waste Plan report
- 5) Proportionality and committee places report and amendments

6 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the written public questions were circulated with the agenda prior to the meeting.

RESOLVED that the questions and answers contained in the agenda be noted.

7 COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 7)

The responses to the written member questions were circulated with the agenda 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 within the allocated 15 minutes. A copy of the supplementary questions and responses will be published separately.

8 THE COUNCIL'S RESPONSE TO COVID-19 (Agenda Item 8)

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

Councillors McLean and Fairclough responded to the report.

The Liberal Democrat amendment as set out in agenda item 11 was formally moved by Councillor Fairclough and formally seconded by Councillor McGrath.

The Conservative amendment as set out in agenda item 12 was formally moved by Councillor Gretton and formally seconded by Councillor Ormrod.

Councillors Macauley, Bokhari, Kohler, Gretton, Ormrod and Whelton spoke on this item.

There being no dissent, the Liberal Democrat amendment was carried.

The Conservative amendment was put to a vote and fell – votes in favour: 24, votes against: 33, abstentions: 1*.

The substantive motion (as amended) was then put to a vote and was carried - votes in favour: 59, votes against 0, abstentions: 1.

RESOLVED:

That the Council:

1. notes the steps taken by the council in response to the Covid-19 Pandemic and challenges ahead;
2. commits in principle, to the idea that those working for Merton's contractors in the care sector should be paid at least the London Living Wage, and recognises that this will likely only be affordable with increased investment in social care from the Government;
3. recognises that the London Living Wage was looked at in 2017 when the homecare framework was procured, at which time the additional cost to the Council was £2.6m per annum, which excludes residential care;
4. works with existing contractors to get the data needed to understand the impact on the Council's finances of requiring the London Living Wage for contractors' workers in any new procurement exercise; and
5. requests the leader of the Council to write to Merton's MPs to request the Government provides sufficient funding to support this in addition to the funding necessary to ensure the care sector is sustainable, and continues to take other opportunities to lobby for it.

*Note – Due to technical issues during the roll call, two Members could not be heard.

9 SOUTH LONDON WASTE PLAN (Agenda Item 9)

The report was moved by Councillor Whelton and formally seconded by Councillor Allison.

Councillor Holden also spoke on this item.

There being no dissent to the recommendations it was

RESOLVED:

- A. That, having considered the recommendations from the Borough Plan Advisory Committee and Cabinet, Council consider the contents of this report and resolve to submit the draft South London Waste Plan to the Secretary of State, understanding that this will be preceded by a statutory six-week pre-submission publication period.
- B. That approval of any amendments arising during or subsequent to the Examination-in-Public be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Housing and Transport.

10 REVIEW OF PROPORTIONALITY AND CHANGES TO MEMBERSHIP OF COMMITTEES (Agenda Item 10)

The report was moved by Councillor Quilliam and seconded by Councillor Allison

The Liberal Democrat amendment as set out in agenda item 13 was moved by Councillor Kohler and formally seconded by Councillor McGrath.

The Conservative amendment as set out in agenda item 14 was moved by Councillor Williams and formally seconded by Councillor Holden.

The Liberal Democrat amendment was put to a vote and fell – votes in favour: 6, votes against: 36, abstentions: 17*.

The Conservative amendment was put to a vote and fell – votes in favour: 22, votes against: 37, abstentions: 1**.

There being no dissent to the recommendations it was

RESOLVED:

That the Council:

1. Approves the allocation of seats to political groups as set out at Appendix A to the Council report.
2. Approves the appointment of nominations to those seats as set out in Appendix B and paragraph 2.2 of the Council report.
3. Notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.

*Note: Due to technical issues two Members could not be heard. One Member therefore declared their vote via the Zoom chat function.

**Note: Due to technical issues one Member could not be heard and therefore declared their vote via the Zoom chat function.

Committee: Annual Council

Date: 16 September 2020

Wards: All

Subject: Constitution of Committees and Other Bodies

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

Contact Officer: Louise Fleming, Democracy Services Manager
democratic.services@merton.gov.uk

Recommendations:

That the Council:

- A.
 - i) approves the constitution of committees, sub-committees and scrutiny bodies set out in Appendix A and;
 - ii) agrees the allocation of seats, chair and vice-chair positions and the appointment of members to those seats;
- B.
 - i) approves the constitution of consultative forums and other bodies set out in Appendix B and
 - ii) agrees the appointment of members to those seats;
- C. agrees the allocation of seats and appointment to the outside organisations as detailed in Appendix C.
- D. agrees the terms of reference of consultative and other bodies appointed by the Council, detailed in Appendix D.
- E. notes the changes to the appointments to the Cabinet including their respective portfolios (Appendix E);
- F. agrees that the Council's Constitution be amended to incorporate any changes resulting from the approval of recommendations A to E.

1. Purpose of report and executive summary

- 1.1 This report recommends that The Council establish committees, sub-committees, and scrutiny panels, together with other consultative bodies for the year 2020/21, allocates the seats on those bodies to political groups represented on the Council in accordance with the statutory proportionality rules and agrees to the appointment of the groups' nominees.
- 1.2 The report recommends that the Council agrees the allocation of seats on outside organisations and agrees to the appointment of the political groups' nominees.

2. Alternative options

- 2.1 The Council must appoint at least one Overview and Scrutiny Committee, a Licensing Committee and a Health and Wellbeing Board. All other committees are constituted at the discretion of the Council.
- 2.2 The Council must allocate seats on the committees and sub-committees set out in Appendix A in accordance with statutory proportionality rules (with the exception of the Health and Wellbeing Board). All other seats may be allocated to groups at the Council's discretion.
- 2.3 The Council must establish a Standing Advisory Council on Religious Education and appoint members to it. The establishment of all other bodies set out in Appendix B is within the Council's discretion.
- 2.4 Participation in the outside organisations and allocation of seats set out in Appendix C is within the Council's discretion except where indicated as being within the executive leader's discretion.

3. Consultation undertaken or proposed

- 3.1 Political groups have been invited to make their appointments to the seats allocated to them. The Council must agree to appoint members nominated by the political groups to the seats allocated to those groups. The complete list of nominations will be circulated at the earliest opportunity.

Timetable

- 3.2 The constitution of the committees set out here is for the year 2019/20 and takes immediate effect. Unless otherwise indicated all of these bodies will be established until the next annual meeting of the Council. The Council may review the committees it has established at any time. The Council must review the allocation of seats to political groups when there is a change in the political balance of the Council.

4. Legal and statutory implications

- 4.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. Merton's Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.
- 4.2 The Local Government Act 1972 contains provisions on the discharge of functions, meetings and proceedings of local authorities and access to information.
- 4.3 The Housing and Local Government Act 1989 contains provisions concerning the political balance on committees, the duty to allocate seats to political groups, and the duty to give effect to allocations.

- 4.4 The Licensing Act 2003 requires the Council to appoint a Licensing Committee.
- 4.5 The statutory requirement to have voting co-opted members on scrutiny has been met. There are two parent governors and a representative from both the Roman Catholic (currently vacant) and Church of England Diocese on the Overview and Scrutiny Commission and Children and Young People Panel.
- 4.5 The Council has a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council.
- 4.6 Once the review has been completed there is a second statutory duty to make a determination as to political representation. This 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 go to the political group with a majority on full Council.
 - c) Subject to the above two principles, 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 their proportion on full Council.
 - d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion to their proportion on the full Council.
- 5. Appendices – the following documents are to be published with this report and form part of the report**
- 5.1 Appendix A – Committees and sub-committees to be constituted and allocation of seats to political groups (To follow)
- 5.2 Appendix B – Consultative and other bodies to be constituted and allocation of seats to political groups (To follow)
- 5.3 Appendix C – Allocation of seats on outside organisations (To follow)
- 5.4 Appendix D – Terms of reference of Consultative and other bodies established by the Council
- 5.5 Appendix E – Executive Leader's appointments to the Cabinet and their respective portfolios

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Terms of Reference of Consultative and other Bodies

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Corporate Parenting Group

Terms of Reference

Vision

The Corporate Parenting Board (CPB) will continually strive to secure better outcomes for children in, and leaving our care.

Operating Principles

The CPB is a consultative committee of the Council and is accountable to the Council.

The CPB will provide the strategic direction and overarching strategic priorities for improving outcomes for children in the care of the borough, and young adults leaving the council's care.

The CPB will be supported by the Children in Care Council (CiCC) which will ensure the delivery of the commitments we have made to children in care and care leavers in our pledges to them, and the implementation of the priorities in our Looked After Children and Care Leaver Strategies.

We will work together constructively, and in the spirit of putting the children in our care at the heart of our thinking and decision-making at all times.

Strategic Context

Merton Council has a strategic responsibility for children in care as documented in legislation and national and local guidance. The Children Act 1989 placed a duty on Health, Housing, Education and Social Care as a minimum, to work together to improve outcomes for children in care. The Children Act 2004 placed a statutory duty on Local Authorities to promote the educational achievement of children in care. The Children and Social Work Act 2017 established seven corporate parenting principles which the Council must have regard to.

Building on the good partnership arrangements that are in place in the London Borough of Merton, the CPB brings together representatives of relevant agencies in order to develop a common understanding of agencies' shared responsibilities and to ensure strategic planning across partner organisations takes account of the needs of children and young people who are in our care and young adults leaving our care.

Aims:

1. To take a multi-agency approach to promoting the needs and interests of children and young people in care and care leavers in Merton, and supporting them to achieve their potential
2. To oversee the continuing development and implementation of the strategies for children in, and leaving, our care
3. To ensure the council is held accountable for its pledges to children in care and care leavers
4. To lead a multi-agency approach to corporate parenting

Objectives

1. Encouraging and enabling children in our care, and leaving our care to influence the development of the services provided to them
2. Pro-actively celebrating success and achievement of the children in our care.

3. Striving to improve outcomes and helping children and young adults achieve their potential through sharing good practice, experience and approaches.
4. Identifying opportunities for collaboration and partnership across agencies in the interests of a coherent approach to issues relating to the children in our care and care leavers
5. To ensure that all agencies are enabled to fulfil their corporate parenting role and responsibilities.
6. Forging productive links with other local, regional and national groups with a focus on children in our care.
7. Making recommendations to the Director of Children's Services (DCS), Merton's Children's Trust, the Merton Safeguarding Partnership' our Health & Wellbeing Board and other relevant Partnership Boards as appropriate.
8. Oversee the development, review and implementation of the Looked After Children and Care Leavers' Strategies, and our pledges to children in our care and care leavers.

Children and Young Peoples Voice

The CPB actively seeks the involvement of children and young people.

The views of children and young people in care will be routinely provided through the children in care council.

At every meeting of the Corporate Parenting Board, there will be an opportunity to hear from the children in our care, care leavers and/or the parents or carers of children in our care, through the Children in Care Council or any other appropriate mechanism for participation.

Membership

Chief Executive (Chair)

Cabinet Member for Children's Services

Opposition Group Member on Children and Young People Scrutiny Panel

Director of Children's Services

AD Children's Social Care

Head of Service, QAPD

Children in Care Council, Sponsoring Manager

IRO Manager

Head of Service, PLACCL

Head of Service, Safeguarding and Care Planning

Head of Service, School Improvement

Virtual Head Teacher

Named Nurse for Looked After Children

Consultant in Public Health (Children's)

Assistant Director, Adult Social Care

Head of Service, Housing

Meetings

The Corporate Parenting Board will meet quarterly in the early evening, to enable both Members and children and young people to attend. The first segment of the meeting will be dedicated to receiving input from children and young people, based on a chosen theme, and on discussing the implications of that input. The remainder of the meeting will focus on support and challenge of our corporate parenting objectives.

Joint Consultative Committee with Ethnic Minority Organisations

Membership: 5 Merton Councillors and representatives of Community Organisations

Constituted by: Council

Powers and Duties determined by: Council

Authority: Equality Act 2010 and Article 10 of the Constitution

Functions

- a) To advise and make recommendations upon strategic policy issues relating to:
 - (i) Issues of local concern to the ethnic minority communities
 - (ii) Provision of Council services and resources, with reference to the needs of local ethnic minority communities
 - (iii) The elimination of discriminatory practices and racial prejudice in the delivery of Council services
 - (iv) The promotion of equal opportunities and good relations between different groups
 - (v) Applications for financial grant from Merton Council, Central Government, EC and other external funding organisations in aid of projects affecting local ethnic minority people.

- b) To contribute to and monitor the Council's Equality and Diversity Statement and Policy and the Race Equality commitments of the Corporate Equality Scheme

SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

TERMS OF REFERENCE

- 1.1 The South West London and Surrey Joint Health Overview and Scrutiny Committee is established by the Local Authorities of **London Borough of Croydon, London Borough of Merton, London Borough of Richmond upon Thames, Surrey County Council, London Borough of Sutton, London Borough of Wandsworth**, and the **Royal Borough of Kingston upon Thames (constituent areas)** in accordance with s.245 of the NHS Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 1.2 It will be a standing Joint Overview and Scrutiny Committee or a sub-committee thereof which will undertake scrutiny activity in response to a particular reconfiguration proposal or strategic issue affecting some, or all of the constituent areas.
- 1.3 The length of time a specific matter / proposal will be scrutinised for will be determined by the Joint Committee or Sub Committee.
- 1.4 The purpose of the Standing Joint Committee is to act as a full committee or commission sub-committees to consider the following matters and carry out detailed scrutiny work as below:
 - (a) To engage with Providers and Commissioners on strategic sector wide *proposals* in respect of the *configuration* of health services affecting some or all of the area of Croydon, Merton, Richmond upon Thames, Surrey County Council, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (constituent area).
 - (b) Scrutinise and respond to the consultation process (including stakeholder engagement) and final decision in respect of any reconfiguration proposals affecting some, or all of the constituent areas.
 - (c) Scrutinise in particular, the adequacy of any consultation process in respect of any reconfiguration proposals (including content or time allowed) and provide reasons for any view reached.
 - (d) Consider whether the proposal is in the best interests of the health service across the affected area.
 - (e) Consider as part of its scrutiny work, the potential impact of proposed options on residents of the reconfiguration area, whether proposals will deliver sustainable service change and the impact on any existing or potential health inequalities.

(f) Assess the degree to which any proposals scrutinised will deliver sustainable service improvement and deliver improved patient outcomes.

(g) Agree whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of any proposal for reconfiguration to the Secretary of State for Health.

(h) As appropriate, review the formal response of the NHS to the Committees consultation response.

- 1.5. The Joint Committee will consist of 2 Councillors nominated by each of the constituent areas and appointed in accordance with local procedure rules. Each Council can appoint named substitutes in line with their local practices.
- 1.6 Appointments to the Joint Committee will be made annually by each constituent area with in-year changes in membership confirmed by the relevant authority as soon as they know.
- 1.7 A Chairman and Vice Chairman of the Joint Committee will be elected by the Committee at its first meeting for a period of one year and annually thereafter.
- 1.8 The life of the Joint Committee will be for a maximum of four years from its formation in May 2018.
- 1.9 For each specific piece of scrutiny work undertaken relating to consultations on reconfiguration or substantial variation proposals affecting all or some of the constituent areas, the Joint Committee will either choose to act as a full Committee or can agree to commission a sub-committee to undertake the detailed work and define its terms of reference and timescales. This will provide for flexibility and best use of resource by the Joint Committee.
- 1.10 In determining how a matter will be scrutinised, the Joint Committee can choose to retain decision making power or delegate it to a sub-committee.
- 1.11 The overall size of each sub-committee will be determined by the main Committee and must include a minimum of 1 representative per affected constituent area.
- 1.12 Where a proposal for reconfiguration or substantial variation covers some but not all of the constituent areas, in establishing a sub-committee, formal membership will only include those affected constituent areas. Non affected constituent areas will be able to nominate members who can act as 'observers' but will be non-voting.
- 1.13 The Committee and any sub-Committees will form and hold public meetings, unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000, in accordance with a

timetable agreed upon by all constituent areas and subject to the statutory public meeting notice period.

SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

RULES OF PROCEDURE

1. Membership of Committee and Sub-Committees

- 1.1 The London Boroughs of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth and the Royal Borough of Kingston upon Thames and Surrey County Council will each nominate, 2 members to the JHOSC, appointed in accordance with local procedure rules.
- 1.2 Appointments will be reconfirmed annually by each relevant authority.
- 1.3 Individual authorities may change appointees in accordance with the rules for the original nomination.
- 1.4 Individual authorities will be strongly encouraged to nominate substitutes in accordance with local practice.
- 1.5 In commissioning Sub-Committees, membership will be confirmed by the JHOSC and can be drawn from the main Committee or to enable use of local expertise and skill, from non-Executive members of an affected constituent area.
- 1.6 The membership of a sub-committee will include at least one member from each affected constituent areas. An affected constituent area is a council area where the proposals will impact on residents. Non affected areas can appoint 'observer' members to sub-committees but they will be non-voting.
- 1.7 The JHOSC, may as appropriate review its membership to include authorities outside the South West London area whom are equally affected by a proposal for reconfiguration or substantial variation who can be appointed to serve as members of relevant sub-committees.

2. Chairman

- 2.1 The JHOSC will elect the Chairman and Vice Chairman at the first formal meeting. A vote will be taken (by show of hands) and the results will be collated by the supporting Officer.
- 2.2 The appointments of Chairman and Vice Chairman will be reconfirmed annually.
- 2.3 If the JHOSC wishes to, or is required to change the appointed Chairman or Vice Chairman, an agenda item should be requested supported by four of the seven constituent areas following which the appointments will be put to a vote.
- 2.4 Where a sub-committee is commissioned, at its first meeting a Chairman and Vice-Chairman will be appointed for the life of the sub-committee.

3. Substitutions

- 3.1 Named substitutes may attend Committee meetings and sub-committee meetings in lieu of nominated members. Continuity of attendance is strongly encouraged.
- 3.2 It will be the responsibility of individual committee members and their local authorities to arrange substitutions and to ensure the supporting officer is informed of any changes prior to the meeting.
- 3.3 Where a named substitute is attending the meeting, it will be the responsibility of the nominated member to brief them in advance of the meeting.

4. Quorum

- 4.1 The quorum of a meeting of the JHOSC will be the presence of one member from any five of the seven participating constituent areas.
- 4.2 The quorum of a meeting of a Sub Committee of the JHOSC will be three quarters of the total membership of the sub-committee to include a minimum of two members.

5. Voting

- 5.1 Members of the JHOSC and its sub Committees should endeavour to reach a consensus of views and produce a single final report, agreed by consensus and reflecting the views of all the local authority committees involved.
- 5.2 In the event that a vote is required, each member present will have one vote. In the event of there being an equality of votes the Chairman of the JHOSC or its sub-committee will have the casting vote.

6. JHOSC Role, Powers and Function

- 6.1 The JHOSC will have the same statutory scrutiny powers as an individual health overview and scrutiny committee that is:
 - accessing information requested
 - requiring members, officers or partners to attend and answer questions
 - Referral to the Secretary of State for Health if the Committee is of the opinion that the consultation has been inadequate or the proposals are not 'in the interests' of the NHS
- 6.2 The JHOSC can choose to retain the powers of referral to the Secretary of State for Health for a particular scrutiny matter or delegate them to an established sub-committee.

7. Support

- 7.1 The lead governance and administrative support for the JHOSC will be provided by constituent areas on an annual rotating basis.
- 7.2 The lead scrutiny support for sub-committees will be provided by constituent areas on a per issue basis to be agreed by the sub-committee.
- 7.3 Meetings of the JHOSC and its sub-committees will be rotated between participating areas.
- 7.4 The host constituent area for each meeting of the JHOSC will be responsible for arranging appropriate meeting rooms and ensuring that refreshments are available.
- 7.5 Each constituent area will identify a key point of contact for all arrangements and Statutory Scrutiny Officers will be kept abreast of arrangements for the JHOSC.

8. Meetings

- 8.1 Meetings of the JHOSC and its sub-committees will be held in public unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000 and will take place at venues in one of the seven constituent areas.
- 8.2 Meetings will not last longer than 3 hours from commencement, unless agreed by majority vote at the meeting.

9. Agenda

- 9.1 The agenda will be drafted by the officers supporting the JHOSC or its sub-committees and agreed by the appropriate Chairman. The officer will send, by email, the agenda to all members of the JHOSC, the Statutory Scrutiny Officers and their support officers.
- 9.2 It will then be the responsibility of each borough to:
 - publish official notice of the meeting
 - put the agenda on public deposit
 - make the agenda available on their Council website; and
 - make copies of the agenda papers available locally to other Members and officers of that Authority and stakeholder groups as they feel appropriate.

10. Local Overview and Scrutiny Committees

- 10.1 The JHOSC or its sub-committees will invite participating constituent areas health overview and scrutiny committees and other partners to make known their views on the review being conducted.
- 10.2 The JHOSC or its sub-committees will consider those views in making its conclusions and comments on the proposals outlined or reviews.

10.3 Individual Overview and Scrutiny Committees will make representations to any NHS Body where a consensus at the JHOSC cannot be reached.

11. Representations

11.1 The JHOSC or its sub-committees will identify and invite witnesses to address the committee and may wish to undertake consultation with a range of stakeholders.

11.2 As far as practically possible the committee or sub-committee will consider any written representations from individual members of the public and interest groups that represent geographical areas in South West London and Surrey that are contained within one of the participating local authority areas.

11.3 The main Committee and any established sub-committees will consider up to 3 verbal representations per agenda item from individual members of the public and interest groups that represent geographical areas in South West London and Surrey that are contained within one of the participating local authority areas. Individuals must register to speak before 12pm on the day before the meeting takes place and will be given three minutes to make their representations to the committee.

11.4 The Chairman or any committee or sub-committee will have the discretion to accept more or late speakers where s/he feels it is appropriate.

LONDON BOROUGH OF MERTON PENSIONS BOARD

TERMS OF REFERENCE

The Local Pension Board (hereafter referred to as 'the Board') is established in accordance with Section 5 of the Public Service Pensions Act 2013 and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended). The Board is not a committee constituted under Section 101 of the Local Government Act 1972.

Functions of the Local Pension Board

The purpose of the Board is to assist the Council in its role as a scheme manager of the Scheme. Such assistance is to:

1. (a) To secure compliance with:
 - i.) Regulations made under the Public Service Pensions Act 2013 that apply to the matters referred to in sections 5 and 6 of that Act.
 - ii.) Any other legislation relating to the governance and administration of the Scheme and any connected scheme
 - iii.) Any requirements imposed by the Pensions Regulator in relation to the Scheme. These areas include but are not restricted to:
 - *Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations.*
 - *Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, relevant legislation and in particular the Code*
 - *Assist with the development of and continually review such documentation as is required by the Regulations including Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.*
 - *Assist with the development of and continually review scheme member and employer communications as required by the Regulations and relevant legislation.*
 - *Review the implementation of revised policies and procedures following changes to the Scheme.*
 - *Review the compliance of particular cases, projects or process on request of the Committee.*
 - *Any other area within the statement of purpose (i.e. assisting the Administering Authority) the Board deems appropriate.*
- (b) To ensure the effective and efficient and effective governance and administration of the Scheme. Including but not restricted to:
 - *Assist with the development of improved customer services.*
 - *Assist with the development of improved management, administration and governance structures and policies.*

- *Assist in the development and monitoring of process improvements on request of Committee.*
- *Assist in the development of asset voting and engagement processes and compliance with the UK Stewardship Code.*
- *Any other area within the statement of purpose (i.e. ensuring effective and efficient governance of the scheme) the Board deems appropriate.*

In support of its functions the Board may make recommendations to the General Purpose Committee and a response made to the Board on the outcome within a reasonable period of time.

Membership

The Board shall consist of 4 voting members made of:

2 Member Representatives,

2 Employer Representatives; and

1 Further representative without voting rights to be appointed at the discretion of the Council

A chair to be appointed by the employer and member representatives of the Board on a rotating basis with the term of office shared between an employer and a member representative on an equal basis. In the event of a tied vote, the Chair will have the casting vote.

The Director of Corporate Services will determine an appropriate selection and appointment process for Board Members

Termination of Membership

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought. The ability of members to seek re-appointment for further term will be considered to ensure continuity.

Voting Rights

Voting rights only apply to members of a Board who are either an employer or a member representative. In the even to of a tied vote, the Chair will have the casting vote.

Terms of Office

The term of office for Board members shall be co-terminus with Council's term of office. i.e. to the date of the next Council election. Extensions may be made by the Council with the agreement of the Board.

Conflicts of interest

The Administering Authority must be satisfied that any person appointed to the Board and from time to time that any member of the Board does not have a conflict of interest, as defined under Section 5(5) of the Public Service Pensions Act 2013.

All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

Knowledge and understanding (including Training)

Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.

Meetings

The Board shall at a minimum meet twice each year and will be set in conjunction with Democratic Services.

Substitutes will not be allowed where members are unable to attend meetings.

Meetings will be services by Democratic Services and subject to the same publication rules as with a Scrutiny Committee.

Attendance requirements

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought

Quorum

The quorum for any meeting shall be 2 members comprising at least one employer and one member representative.

A meeting that becomes inquorate may continue but any decisions will be non-binding.

Reporting

1. The Board in the first instance report its requests, recommendations or concerns to PFAC.
2. On receipt of a report PFAC should, within a reasonable period, consider and respond to the Board.
3. The appropriate internal route for escalation is to the Section 151 Officer.

4. The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.
5. Board members are also subject to the requirements to report breaches of law under the Act and the Code [and the whistleblowing provisions set out in the Council's whistle blowing policy].
6. The Board will produce an annual report of its work, findings and recommendations.

Payment of Board Members

An allowance will be paid to the non London Borough of Merton employees. The Council will set an allowance for these members based upon a sum of £100 per meeting, multiplied by the total number of meetings expected in each year.

Code of Conduct

Members of the Board will be subject to the same Code of Conduct as members of the Council's Scrutiny Committee

Pension Fund Investment Advisory Panel

Membership: Voting - 3 Councillors. Non-voting - Chief Finance Officer (or delegate), Treasury Services Manager, Staff Side Representative, Pensioner Representative)

Constituted by: Council

Powers and Duties determined by: Council

Authority: (Section 102(4) Local Government Act 1972)

Functions

- a) To establish, in consultation with relevant advisors, appropriate investment policy for the Pension Fund, and to advise General Purposes Committee accordingly
- b) To advise officers on the exercise of their delegated powers concerning the management and investment strategy of the Pension Fund and to report to and advise the Standards and General Purposes Committee as appropriate.
- c) To monitor the performance of the Pension Fund relative to its objectives, benchmarks and targets, and to prompt remedial action as necessary
- d) To review the draft Annual Report and Accounts for the Pension Fund, and provide comments to the Standards and General Purposes Committee and Audit Committee in respect of the investment matters reported therein.

Members' School Standards Panel

Membership: 3 members one of whom shall be Chair

Constituted by: Council

Powers and Duties determined by: Council

Authority: Article 10 of the Constitution

Functions

The Panel will meet half termly

OFSTED Inspection Reports

- (i) Receive all OFSTED Inspection reports and discuss the outcomes with up to 2 schools per School Standards Panel. The Head teacher and chair of the governing body of the 2 schools will be invited to attend the meeting and members of the panel will visit each school prior to the meeting.
- (ii) Discuss with the Head and chair of the governing body the action plan developed in response to the inspection report.

Support and Monitoring Framework

- (iii) Receive a termly oral report from the Assistant Director of Education of the outcomes of the half-termly school review meetings, including confidential lists of the performance levels of all schools.
- (iv) Receive feedback the AD Education concerning schools undergoing Support and Challenge meetings.

National initiatives and their impact on Merton schools

- (v) Receive reports and updates on national and regional changes to policy and practice in order to understand the impact on Merton schools and responses that may be needed
- (vi) Receive reports on changes to assessment and curriculum across all phases and the responses needed to ensure that implementation leads to improved standards across Merton schools

Standing Advisory Council On Religious Education

Membership:

See section 3 below

Constituted by: Council

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

Authority: Section 390 of the Education Act 1996

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

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

1. Role and functions

- a) To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit.
- b) These matters might include methods of teaching and choice of materials to deliver the Agreed Syllabus.
- c) To evaluate how well the Agreed Syllabus supports the provision of Religious Education provision in schools.
- d) To receive, and determine whether an application from a Head Teacher to vary the requirement for worship of a broadly or mainly Christian character, is appropriate for the whole school or for groups of pupils.
- e) To publish an annual report on the work of SACRE and to circulate this to Headteachers, to QCDA and to the appropriate Council Committee and senior officers in Children Schools and Families Department.
- f) To set up a Statutory Conference at any time if, in the opinion of SACRE, it becomes necessary to review the Authority's agreed syllabus and to do so at least every five years.
- g) To advise, if requested, on matters arising from the Authority's Complaints Procedures under Section 23 of the Education Reform Act 1988.

2. Officers

- a) The Director of Merton's Children, Schools and Families Department, or such other senior officer/s as s/he may designate, shall attend and participate in discussions in the SACRE as professional adviser/s and make appropriate arrangements to support the administration of the SACRE and its meetings.

3. Membership

- a) In accordance with the provisions of the Education Reform Act 1988 (Section 11(4)): The SACRE is to comprise four groups representing:

Committee A

Such religions and belief groups as, in the opinion of the Council, will appropriately reflect the principal religious and belief traditions in the Borough of Merton.

Committee B

The Church of England.

Committee C

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

Committee D

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

South London Partnership - Terms of Reference

1. Role and Purpose of the Joint Committee:

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness
- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.

**The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee*

2. Terms of Reference

1. To act as a strategic body, setting and reviewing objectives for strategic growth, regeneration and investment across South London including:
 - Providing a coherent single position on the City Deal and Growth Deal issues
 - Coordinating the contribution of all Councils to the Strategic Economic Plan
 - Agreeing allocation of spending as required
 - Agreeing major priorities
 - Considering and determining any issues made by the Advisory Officer Board to the Joint Committee
2. To formulate and agree appropriate agreements with Government, ensuring their delivery
3. To influence and align government investment in South London in order to boost economic growth locally.
4. To jointly review as appropriate consultations on plans, strategies and programmes affecting South London, encouraging alignment with the London Enterprise Partnership Plan.
5. To agree, review and amend options at any time for City Deal and Growth Deal Governance which is fit for purpose.
6. To agree and approve any additional governance structures as related to the Joint Committee. (e.g. setting up sub committees etc)

Membership

It is proposed that each Council appoint its Leader to sit on the Joint Committee.

Each Council could also appoint a named substitute (to be an Executive Member for those operating Executive Governance arrangements) to attend in the Leader's absence.

Continuity of attendance would be encouraged.

Support Arrangements

In its work the Joint Committee would be supported by an advisory Board comprising each Council's Chief Executive working alongside and giving direction to the existing officer groups on Growth and Transport, respectively.

Local officers can be brought in to support the advisory arrangements based on the expertise and technical knowledge required at a particular point in time.

Each Council could, as required, through its Leader and Chief Executive, put in place any local processes for other Elected Members to input in an advisory capacity into the work of the Joint Committee.

Procedure Rules

In order that meetings of the Joint Committee are conducted properly and that the business is carried out openly and transparently a new set of Procedure Rules for its operation will be prepared.

These will cover all procedural matters, Access to Information regulations and voting rights.

The following key principles are proposed for consideration and inclusion in the document:

1. The Chairman of the Joint Committee will be appointed on an annual basis.
2. No business of the Joint Committee will be transacted unless a minimum of 4 of the 5 appointed members are present (Quorum) The Joint Committee's decision making will operate on the basis of mutual co-operation and consent.
2. Any authority can withdraw on the basis of a six month notice period

Support for governance matters and meeting support will be provided in turn by constituent Member authorities. Richmond has offered to take this on initially and if it passes on annually then each authority takes its turn in a reasonable time period and we might avoid complicated charging processes.

4. The development and approval of a Memorandum of Understanding with the London Enterprise Partnership Board.

The role of the Officer Advisory Board would not form part of the formal governance arrangements of the Joint Committee but would have its role, operation and purpose defined in a separate document.

South West London Joint Waste Management Committee

Membership: 2 – (Substitutes allowed)

Constituted by: Cabinet

Powers and Duties determined by: Cabinet

Authority: Cabinet

Functions:

To advise the Cabinet on the South London Joint Waste Committee whose primary function is to make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise the Participating Councils on the delivery and separation of waste. The Participating Councils are the London Boroughs of Merton, Croydon and Sutton and the Royal Borough of Kingston. The specific functions of the Committee are set out in Schedule 1 of the Constitution of the Committee operating under the name of the South London Waste Partnership.

Each Council has two seats on the Committee with only one vote per borough.

Councillor Stephen Alambritis

Leader of the Council and Cabinet Member for Adult Social Care and Health

- Community care services including relations with local Primary Care Trust,
- Clinical Commissioning Group (CCG) and health organisations and protecting local hospital services.
- Social services for adults, services for adults with learning disabilities and mental health services.
- Older people's services including support for carers, day care for the elderly and meals on wheels, working alongside the National Health Service.
- Leading on personalisation and choice issues.
- Public Health and Health and Wellbeing Board.
- Healthy living schemes and joint responsibility for sustainable transport
- Lead Member for Air Quality

Councillor Mark Allison

Deputy Leader and Cabinet Member for Finance and the Environment

- Leading on the budget, including the development of revenue, capital and debt management strategies
- Responsible for corporate finance, IT and audit, human resources, civic and legal services, and risk management
- Lead on asset management, driving improvements in council performance and leading performance review meetings
- Leading on the change management agenda with responsibility for driving through value for money and efficiency within the council
- Overseeing the Council Commissioning strategy with regard to waste and street cleansing and optimising the financial and strategic benefits
- Ensuring contracts uphold best possible outcomes in effective management of waste and street cleansing
- Monitoring progress of council wide strategic approach to customer services and community support and access.
- Responsible for effective communication with residents
- Monitoring the implications of Brexit on Merton Council
- Increasing recycling rates and overseeing the council's waste strategy and street cleaning services

Cabinet Member for Women and Equalities

Councillor Laxmi Attawar

- Ensuring all equalities strands (sex, race, disability, sexual orientation, gender reassignment, pregnancy/maternity, religion/belief, age, marriage and civil partnerships) are embedded throughout council performance and the impact on these groups of austerity is minimised
- Overall responsibility for council policy on gender equality
- Oversight of the Council's Equality Strategy – development and implementation

- Assessing the needs of the borough's EU citizens as the UK exits the EU
- Assessing and improving equality of access to council services and customer services
- Overseeing Equality Assessments (EAs)
- Overseeing community engagement, including Community Plan, increased participation in local decision making and increasing social capital
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Support and development of the LGBT+ forum
- Support and development of the Faith and Belief Forum

Cabinet Member for Commerce, Leisure and Culture
Councillor Caroline Cooper-Marbiah

- Leading on libraries including maximising use of library buildings
- Overseeing leisure operations and development
- Liaising with businesses and cultural organisations to embed culture in regeneration plans
- Business opportunities in heritage and tourism
- Leading on trading standards and commercial environmental health
- Leading on parks and use of the borough's greenspaces
- Leading on greenspaces and encouraging sustainable activity by local community groups in allotments, parks and open spaces, including, where appropriate, the transfer of assets to community trusts
- Working with organisations in the borough's thriving arts and cultural Communities

Cabinet Member for Voluntary Sector, Partnerships and Community Safety
Councillor Edith Macauley

- Overseeing the council's community partnerships, including specific focus on the voluntary sector
- Leading on the management of grants to community groups
- Looking at decisions of Grants Committee and chair of the Merton Compact Board
- Chair of the Joint Consultative Committee with Ethnic Minorities
- Reducing the threat of crime and anti-social behaviour in Merton and working closely with Police and Community Safety partnerships
- Leading on a knife crime strategy for the borough
- Point of contact with Borough Command Unit and Deputy Mayor for Crime and Safety
- Overseeing CCTV operations, including fly-tipping detection and deterrence
- Joint responsibility for Merton's Violence Against Women and Girls (VAWG) strategy
- Oversight of the Council's Preventing Violent Extremism strategy
- Support and development of Merton's Armed Forces Community Covenant

- Overseeing voluntary sector organisations applying to become Refugee
- Community Sponsors

**Cabinet Member for Children’s Services, Schools and Adult Education
Councillor Eleanor Stringer**

- Responsible for the safety and care of children during the Coronavirus outbreak, both in and out of school
- Overall responsibility for tackling child poverty, and minimising the effects of austerity on children
- Covering the full statutory role as lead member for Children
- Overarching management of education, and on the planning, development and expansion of the schools estate
- Raising standards at each key stage in schools
- Championing fair access and leading on work bridging the gap in Merton’s schools provision
- Development of the Children’s Trust
- Leading on improvement in youth services. Responsible for youth justice, and engaging young people
- Corporate parenting and ensuring our looked after children succeed
- Strong safeguarding through Local Safeguarding Children’s Board partnership.
- Joint responsibility for Merton’s Violence Against Women and Girls (VAWG) strategy
- Responsibility for Smart Centre (PRU) and exclusions.
- Governor training and support
- Leading across the 14-19 agenda including skills, and improving the scope of the adult education service
- Improving transitions for those previously excluded from education into mainstream education, work and training.

**Cabinet Member for Regeneration, Housing and Transport
Councillor Martin Whelton**

- Leading on regeneration and neighbourhood renewal initiatives.
- Responsible for housing strategy, developing relations with Housing Associations and promoting the needs of tenants and leaseholders. Ensuring delivery of promises by Clarion Housing.
- HMOs and landlord licencing
- Strategic infrastructure development in the borough, including boosting trade in town centres, supporting small businesses, markets and
- Business Improvement Districts
- Overseeing major projects in Wimbledon. Building a vision in conjunction with local residents for the future of our neighbourhoods.
- Transport planning including Crossrail 2, and liaison with Transport for London. Leading on traffic and highways, development and building control, spatial policy.
- Lead member for parking services and for developing the council’s parking

- management strategy.
- Joint responsibility for sustainable transport