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Merton Council

Council Annual meeting

Membership

The Mayor: Councillor Sally Kenny

The Deputy Mayor: Councillor John Dehaney

Councillors: Agatha Mary Akyigyina OBE, Stephen Alambritis MBE, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, 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, Nick Draper, Anthony Fairclough, Edward Foley, Brenda Fraser, Jenifer Gould, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Janice Howard, Natasha Irons, 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 21 April 2021**

Time: **7.15 pm**

Venue: **This will be a virtual meeting and therefore not held 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
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Council Annual meeting

21 April 2021

- | | | |
|---|---|---------|
| 1 | Apologies for absence | |
| 2 | Declarations of Pecuniary Interest | |
| 3 | Election of Mayor for 2021/22 and the Mayor's appointment of the Deputy Mayor for 2021/22 (both with effect from 19 May 2021) | |
| 4 | Vote of thanks to the retiring Mayor | |
| 5 | Minutes of the previous meeting | 1 - 20 |
| 6 | Appointment of Chairs and Vice Chairs of the Overview and Scrutiny Commission and its Panels and the Councillors' Code of Conduct | 21 - 26 |
| 7 | Constitution of Committees and other Bodies | |
| 8 | Calendar of Meetings | |
| 9 | Chief Officer Recruitment | 27 - 28 |

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

3 MARCH 2021

(7.15 pm - 10.24 pm)

PRESENT

The Mayor, Councillor Sally Kenny,
The Deputy Mayor, Councillor John Dehaney,

Councillor Agatha Mary Akyigyina OBE, Stephen Alambritis MBE, Mark Allison, Stan Anderson, 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, Nick Draper, Anthony Fairclough, Edward Foley, Brenda Fraser, Jenifer Gould, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Janice Howard, 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 absence were received from Councillors Attawar and Irons.

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 3 February 2021 are agreed as an accurate record subject to the correction of the name of the late Mayor's Consort.

4 BUSINESS PLAN 2021-2025 (Agenda Item 4)

The Mayor outlined the procedure for the Budget Council meeting. She also reminded the Council that all budget related decisions, including proposed amendments, were required to be recorded within the minutes with a list of the names of those who voted for or against the decision or who abstained from voting. To accommodate that, a roll call vote would be taken for the substantive budget motion and any amendments to it.

At the invitation of the Mayor, the Director of Corporate Services presented the Business Plan 2021-2025. The Director then responded to questions from

Councillors Ward, Crowe, Makin, Simpson, Bailey, Dehaney, Southgate, Butler, Benbow, Chung, Kohler and Braund.

The Leader of the Council presented the Business Plan 2021-2025 and formally moved the recommendations in the report whilst making his budget speech to Council, a copy of which is appended to the minutes as Appendix A. Councillor Stringer formally seconded the recommendations, and reserved her right to speak. The Mayor then invited the opposition Group Leaders in turn to respond to the Budget proposal and the Business Plan. The Leader of the Conservative Group, Councillor McLean addressed the meeting and his speech is attached to the minutes, as Appendix B. The Leader of the Liberal Democrat Group, Councillor Fairclough, addressed the meeting, and his speech is attached to the minutes, as Appendix C. The Leader of the Merton Park Ward Independent Residents Group, Councillor Southgate, addressed the meeting and his speech is attached to the minutes, as Appendix D.

The following members of the Cabinet addressed the meeting: Councillors Byers and Skeete.

The Mayor then invited members to move proposed amendments to the Business Plan. Councillor Adam Bush formally moved the Conservative amendment which was formally seconded by Councillor Gretton. Councillor Fairclough formally moved the Liberal Democrat amendments 1 to 5, in turn, which were formally seconded by Councillor Bailey, in turn.

The Mayor then opened up the general debate on the proposed amendments and on the proposed substantive Business Plan. The following members spoke in the debate: Councillors Alambritis, Gretton, Lanning, Moulton, Pearce, McGrath, Brunt, Omar Bush, Fraser, Holden, Gould, Draper, Janice Howard, Henry, Southgate, McCabe, Dean, Cowper, Ormrod, Bokhari, Quilliam, Andrew Howard, Curtin, Adam Bush, Mundy, Williams, Whelton, Barlow, Akyigyina, Holmes, Pritchard, Kohler and Stringer.

At the conclusion of the debate, the Mayor called for a roll-call vote on the Conservative amendment to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Bailey, Barlow, Benbow, Bokhari, Adam Bush, Omar Bush, Crowe, Dean, Fairclough, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kohler, Latif, McGrath, McLean, Moulton, Ormrod, Simpson and Williams (23)

Votes against: Councillors Akyigyina, Alambritis, Allison, Anderson, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Fraser, Henry, Kirby, Lanning, Macauley, Makin, McCabe, Mundy, Pearce, Pritchard, Quilliam, Skeete, Stanford, Stringer, Ward, Whelton and the Deputy Mayor, Councillor Dehaney (31)

Not voting: Councillors Foley, Southgate, Wilkinson and the Mayor, Councillor Kenny (4)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 1 to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Akyigyina, Alambritis, Allison, Anderson, Bailey, Barlow, Benbow, Bokhari, Braund, Brunt, Adam Bush, Omar Bush, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Crowe, Curtin, Dean, Draper, Fairclough, Foley, Fraser, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kirby, Kohler, Lanning, Latif, Macauley, Makin, McCabe, McGrath, McLean, Moulton, Mundy, Ormrod, Pearce, Pritchard, Quilliam, Simpson, Skeete, Southgate, Stanford, Stringer, Ward, Whelton, Wilkinson, Williams and the Deputy Mayor, Councillor Dehaney (56)

Not voting: The Mayor, Councillor Kenny (1)

The Mayor declared the amendment to be carried.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 2 to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Bailey, Barlow, Benbow, Bokhari, Adam Bush, Omar Bush, Crowe, Dean, Fairclough, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kohler, Latif, McGrath, McLean, Moulton, Ormrod, Simpson, Skeete and Williams (24)

Votes against: Councillors Akyigyina, Alambritis, Allison, Anderson, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Fraser, Kirby, Lanning, Macauley, Makin, Mundy, Pearce, Pritchard, Stanford, Stringer, Ward, Whelton and the Deputy Mayor, Councillor Dehaney (27)

Not voting: Councillors Foley, Southgate, Wilkinson and the Mayor, Councillor Kenny (4)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 3 to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Bailey, Barlow, Benbow, Bokhari, Adam Bush, Omar Bush, Crowe, Dean, Fairclough, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kohler, Latif, McGrath, McLean, Moulton, Ormrod, Simpson and Williams (23)

Votes against: Councillors Akyigyina, Alambritis, Allison, Anderson, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Fraser, Kirby, Lanning, Macauley, Makin, McCabe, Mundy, Pearce, Quilliam, Skeete, Stanford, Stringer, Ward, Whelton and the Deputy Mayor, Councillor Dehaney (29)

Not voting: Councillors Foley, Southgate, Wilkinson and the Mayor, Councillor Kenny (4)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 4 to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Bailey, Barlow, Benbow, Bokhari, Adam Bush, Omar Bush, Crowe, Dean, Fairclough, Foley, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kohler, Latif, McGrath, McLean, Moulton, Ormrod, Simpson, Southgate, Wilkinson and Williams (26)

Votes against: Councillors Akyigyina, Alambritis, Allison, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Fraser, Kirby, Lanning, Macauley, Makin, McCabe, Mundy, Pearce, Pritchard, Quilliam, Skeete, Stanford, Stringer, Ward, Whelton and the Deputy Mayor, Councillor Dehaney (29)

Not voting: The Mayor, Councillor Kenny (1)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 5 to the Business Plan 2021-2025. Voting was as follows:

Votes in favour: Councillors Bailey, Barlow, Benbow, Bokhari, Adam Bush, Omar Bush, Crowe, Dean, Fairclough, Foley, Gould, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Kohler, Latif, McGrath, McLean, Moulton, Ormrod, Simpson, Southgate, Wilkinson and Williams (26)

Votes against: Councillors Akyigyina, Alambritis, Allison, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Fraser, Henry, Kirby, Lanning, Macauley, Makin, McCabe, Mundy, Pearce, Quilliam, Skeete, Stanford, Stringer, Ward, Whelton and the Deputy Mayor, Councillor Dehaney (29)

Not voting: The Mayor, Councillor Kenny (1)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the substantive motion for the Business Plan 2021-2025 as amended. Voting was as follows:

Votes in favour: Councillors Akyigyina, Alambritis, Allison, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Curtin, Draper, Foley, Fraser, Kirby, Lanning, Macauley, Makin, McCabe, Mundy, Pearce, Pritchard, Quilliam, Skeete, Southgate, Stanford, Stringer, Ward, Whelton, Wilkinson and the Deputy Mayor, Councillor Dehaney (32)

Votes against: Councillors Barlow, Benbow, Adam Bush, Omar Bush, Crowe, Dean, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Latif, McLean, Moulton, Ormrod, Simpson and Williams (17)

Not voting: Councillors Bailey, Bokhari, Fairclough, Gould, Kohler, McGrath and the Mayor, Councillor Kenny (7)

RESOLVED:

1. That the Council agrees the Business Plan 2021-2025 including:

A) the General Fund Budget;

B) the Council Tax Strategy for 2021/22 equating to a Band D Council Tax of £1,340.72, which is an increase of below 5%, inclusive of 3% Adult Social Care flexibility;

C) the Medium Term Financial Strategy (MTFS) for 2021-25;

D) the Capital Investment Programme (as detailed in Annex 1 to the Capital Strategy);

E) the Capital Strategy (Section 1, A)

F) the Treasury Management Strategy (Section 1, A), including the detailed recommendations in that Section, incorporating the Prudential Indicators as set out in this report; and agrees the formal resolutions as set out in Appendix 1 to the Council report; and

G) welcoming the provision in the MTFS for increased contract costs/LLW for contracts due to be re-let in 2022/23 onwards, requests Cabinet make real movement towards paying the London Living Wage to care workers employed by outside contractors as and when each contract comes up for retendering and/or renegotiation.

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Thank you Madam Mayor.

This is my first budget speech as Leader of the Council and it comes at one of the most challenging times in the history of the borough.

This time last year we met in the council chamber to debate a budget that looked to the future.

It was the last time we were all together in the chamber.

Since then, everything that we were used to has changed. Over 120,000 people in the UK have died with Covid-19, including more than 400 people here in Merton.

There is no higher priority for me than keeping our residents safe.

And the challenges of Covid have come to the fore over the past month.

The government have informed us of two entirely separate cases where Merton residents had been tested a month before and found to have the South African variant.

Thankfully those involved are now okay, but in order to ensure that the variant had not spread, this council agreed with the government that we would test everyone in the neighbourhoods affected, Pollards Hill and Wimbledon Park.

Those cases were entirely unrelated, but they have tested this council's capacity and we have shown that we were ready.

Merton genuinely is a great place, and a great community, and because we have complied with the rules infection rates have fallen by more than three quarters.

And I want to use this opportunity in public, to say I have been really impressed by the way the council has led our efforts, mobilising a huge team of our own staff, community groups like Commonsides, and volunteers, to set up testing centres in both wards, with the help of the health service and local charities.

Because of our sensitivity and knowledge of the area, 10,000 people were offered tests in Pollards Hill, and we are on track to test 5,000 people in Wimbledon Park by the end of this week.

Our priority is to keep our residents safe.

We will do whatever it takes.

But I also have to say, the events of this year have thrown up wider issues that are at the heart of my administration's priorities.

It has become clear that the people most affected by Covid-19 are the poor, the disadvantaged, the vulnerable – including ethnic minorities.

And those communities feel let down.

If you are poor, or from an ethnic minority, you are more likely to have lost your job.

You are more likely to have lost income.

Your children are more likely to have fallen behind at school because you don't have a laptop or access to data, and to have lost free school meals when they were cut.

And of course you are more likely to get ill, or to suffer a bereavement.

And yes, we've done well here in Merton in getting vaccines to those in need, but across the country if you are poor or from an ethnic minority you are less likely to have been vaccinated.

So what we have learned this year is clear.

The gap is widening.

And if we do not act to help those who are disadvantaged, they will continue to suffer.

This health emergency has shown, we in the administration have concluded, that now is not the time to close our nearest accident and emergency.

Closing that service will only widen inequalities and I urge the government to reconsider its plans to downgrade St Helier and move services to a very affluent area in Belmont, Surrey.

But this health emergency has also shown the importance of properly funding local authorities if our communities are to recover from this pandemic.

Merton is a great place, a great community.

And thankfully, I have taken over a good council.

I pay tribute to Stephen Alambritis. Together we helped give Merton a real identity as businesslike, pragmatic, moderate, flexible.

The kind of council that will work in partnership with others, collaborate, share.

We've been transformed from a council where schools were failing, to one where every secondary school is good or outstanding.

And we're regularly in the top five in the country for the progress our children make.

We built a new library, a new leisure centre.

We found money to protect adult social care and children's services.

This year, when the government cut free school meals we ensured we funded food for local children.

And not those awful boxes of half a tomato and some slices of cheese that we saw on the news – real vouchers that will actually help families.

We delivered 10 balanced budgets, during the worst period of austerity this council has ever seen.

And not only did they have our values running through them,
They've led to record satisfaction levels in resident surveys, year after year.
Well ahead of the rest of the country.

And yes,
while the government forced the rest of the country to end rebates on council tax for the low paid,

here in Merton we've kept low council tax for those on low pay.

And this budget continues in that tradition.

Because ultimately, while there is a lot we all want to do, three things are going to dominate the council's agenda for some time.

Covid, how we pay for it, and how we recover from it.

When the pandemic started the government said do "whatever it takes" and they would make sure we were funded.

Well, unfortunately, that hasn't materialised.

We did "whatever it takes", but they have not funded us for it.

So we are being forced to make further cuts tonight.

AND they have told us we can only have the spending power even they say we need if we raise council tax by another 5%.

These are the Government's covid cuts and the Government's covid tax rises.

But we are businesslike, and we need to get on with the business of running this council.

Yes, we have to deliver covid cuts and increase covid taxes, but we will use our values to do so in a fair way.

I'm grateful to our amazing staff and officers for helping put this budget together, led by Caroline Holland, an incredible Director who has kept the show on the road when other councils have struggled.

And I am grateful to have an outstanding cabinet, who have shown they can make difficult decisions and take a lead.

My Deputies, Ellie working to keep children safe and ensure they get a good education, and Owen ensuring we are in a position to rebuild once this is all over.

My cabinet member for finance, Tobin – I had ten budgets but his first has been ten times harder than any of mine.

Tonight is his night, and he has done a great job leading this budget through scrutiny.

Marsie ensuring we consider the equalities implications of the budget,
Caroline protecting Culture, Leisure and Skills,
Rebecca protecting social care,
Martin looking after housing and regeneration and tackling the climate emergency,
Agatha protecting public safety,
and of course my two colleagues who have been safeguarding our environment and green spaces, Natasha and, during her maternity leave, Mike.

We have made a fantastic team, working together to protect our services at a difficult time.

And yes, that means we have to make these covid cuts and raise these covid taxes.

But I want to assure our residents that here in Merton we are already looking at recovery.

Everybody knows Merton is a great community and a great place for families.

The community has come together when we have needed it during the pandemic.

And now we want to take advantage of our great community to help us grow back again.

And there are so many good things going on in Merton.

Mutual Aid, the Dons Local Action Group, MVSC, all our fantastic charities.

Since becoming Leader I've seen so many examples of people coming together to help.

One of the first things I did as leader was launch Merton Together – a campaign with partners and charities to support our residents.

Merton is a great place for families, but it's at its greatest when it's Merton Together.

And if we are to come out the other side of this awful pandemic, it will be because we have done so together.

A strong council, with strong values. Helping those who need it.

Merton Together.

This is a good budget.

A fair budget.

I thank all councillors for their role in bringing it together, and I commend it to our residents.

Thank you.

**Councillor Nick McLean
Leader of the Opposition
Budget Speech – 03 March 2021**

Thank you, Madam Mayor,

May I begin by thanking Director Holland and her team for their efforts in what has been a difficult and protracted budget process.

A pandemic that most people expected would last a few months – has now lasted 12.

And in those 12 months - sadly over 400 of our fellow residents have succumbed to this dreadful virus and I would like to extend our deepest condolences to those that have lost loved ones.

Our borough's resilience has been tested and the response has been filled with compassion, determination, and professionalism.

Compassion from residents in coming to the aid of the most vulnerable as they shielded.

A determination to ensure that no-one was forgotten.

And a professionalism from frontline workers as they continued with their duties in the most trying of circumstances.

We would like to make a special mention of thanks to the hard work of Merton Council staff during the pandemic, especially frontline staff working with the most vulnerable.

But we must also focus on the many Merton residents who will be facing an uncertain financial future.

and the local businesses that are struggling to survive and who will be so vital to our economic recovery.

And that is why it was so disappointing to see Labour members of the Commission vote against a Conservative reference to Cabinet for further support for local businesses to aid Merton's economic recovery.

An opportunity to show that we are all in this together – an opportunity to protect jobs.

Well tonight members have the chance to demonstrate they care about our the recovery of our high streets and the financial pressure Merton residents face.

Our amendment seeks to establish a £500,000 high street recovery and improvement fund and to remove the emission base parking charge.

A fund to seed our local economic-recovery and the removal on an ill-judged tax on motorist.

A parking charge policy that will fail in its stated primary objective of improving air quality.

A policy designed to make driving more expensive and that will hinder our recovery?

People drive because it is the only practical way of getting around for many as they go about their daily lives.

This policy is part of the anti-car agenda. Some like Labour do not try to hide it, others prefer to talk from both sides of the same mouth.

Madam Mayor - I suspect we will hear Labour Cllrs speak tonight and claim that the financial position of the Council is all the fault of the Government.

I accept that the DSG settlement needs to be addressed – but the Labour Administration cannot just run from its decisions.

They have been the Administration for 11 years and they made political decisions that have had a direct effect on the financial position of the Council.

Labour decisions taken at time of calm, which now means that our residents are facing a 4.99% increase in the council tax and adult care precept,

With a further 9.5% increase in the GLA precept from a Labour Mayor.

Labour decisions taken in previous years resulting in Labour tax rises at the very time when Merton residents can least afford them.

A misguided belief that Merton Labour's political priorities should simply be funded by central government.

Complaints at the Government that are just pure deflection – a ruse to hide the decisions that they have made over the last decade.

We will hear a playlist of their golden oldie excuses – austerity, Brexit, or mis-representing comments made at the start of the pandemic – comments relating to direct Covid costs only.

Comments made without knowledge of how long the crisis would last.

There will be no mention of the extra grants that have been promised and delivered since – in particular the 75% compensation of lost income.

Or that further grants are expected in the new financial year.

And lets welcome the Chancellors combination of business rate reductions, investment incentives and other measures, including the high street restart grant, that were announce today to help business and the economy rebound powerfully.

What we will hear will be puerile sound bites – and economic illiteracy.

We have a Leader of the Council who was Cabinet member for Finance for 10 years and at a recent OSC meeting did not even know the Council's financial position at the end of the last financial year!

This basic information that the Cabinet Member for Finance should know - definitely not very business like.

Tonight, with their 68 minutes of debate time, Labour will demonstrate that those who speak the most, often say the least.

Madam Mayor – we must now look to the future and the roadmap to recovery.

The COVID-19 pandemic has brought sharply into focus how vital our homes, our neighbourhoods, and our local green spaces are to our physical and mental well-being.

We must encourage developers to not just build greener, more beautiful homes but also to create greener, more beautiful neighbourhoods.

And that is why the failure of the Merantun Development company is so depressing.

Here was an opportunity for this Labour administration to demonstrate that they can lead in the delivery of housing – and they failed.

They failed because.

- the administration took too long to obtain planning.
- the fees accumulated were too great – nearly 10% of the gross development value – against a commercial norm of 5% - a difference of £1m.

Three years, £2.1m of council taxpayer money and not a single house built.

Once again dither and delay has allowed this Labour Administration to be overtaken by events and at a cost to the Merton taxpayer.

How can residents have any confidence that this Labour-led Council can deliver a regenerated Morden?

Or a regenerated Mitcham, or a vastly improved Wimbledon Town Centre?

To deliver on the aspirations of Merton residents.

The answer is they cannot - how can they?

Madam Mayor it was also delay that was the Conservative Group's greatest concern for the future of St Helier Hospital.

As stated in our consultation submissions we preferred the site for the state-of-the-art acute emergency hospital to be at St Helier.

But the health professionals made a different choice – and we had always said that we would accept their decision.

Our overriding belief was that if the £500m investment did not progress this time – then events – just like with other regeneration projects in Merton – may overtake any possibility of the investment ever happening.

This issue has been ongoing for two decades and we acknowledge the intense emotion that it generates. But no more delay.

Now is the time to come together and acknowledge the massive benefits to clinical outcome that the £500m investment will bring to Merton's local healthcare provision.

State-of-the art care – the right care, in the right place, at the right time.

And Madam Mayor it is also our desire to ensure that the right care, is in the right place at the right time that we seek to defer the closures of the day care centres – we agree with the need for a review – but this must be undertaken without the threat of closure.

Madam Mayor – our focus must now be on the recovery and the strong leadership needed to deliver it.

Strong leadership and vision.

But instead, we have a Council Leader who barely has the support of half the Labour group.

And most damning of all a deeply divided Cabinet. Unable to deliver the reforms the borough needs.

This is not the leadership Merton residents deserve at this precarious time.

A Wizard of Oz leader – draw back the curtain and all you find is the MP for Mitcham & Morden - someone who is not even a member of this Council - weak leadership and no vision.

Merton needs a road map to recovery, instead this Labour Administration provides a roadmap to nowhere.

Thank you, Madame Mayor

And I'd also like to thank officers for their work on the budget.

Despite the Covid funding the Government has given, it's clear that local authorities - which have endured central government funding cuts of nearly 50% since 2010 - still need to bridge hefty budget gaps.

So it's yet another year of cuts and Council tax increases.

The 2019 LGA survey of council finances found that 1 in 3 councils feared they would run out of money to provide even their statutory duties by 2022/23. This rose to almost two thirds of councils by 2024/2025 or later.

That was pre-Covid.

So Croydon is unlikely to be the only casualty.

But even within that framework, the administration makes its own choices. And its own luck.

The new leader tells us this is 'Merton together'.

But we don't get a sense of that from this budget.

I don't know about 'businesslike' but it's certainly business-as-usual.

The Conservative amendment talks about 'embracing an ambitious vision'.

But a vision isn't just a vague brain-dump of ideas stuck on the front of the budget.

Madame Mayor – Merton needs to be bold and creative. The budget should set out ways to help capture the best of the public's response to the pandemic, and focus on the future we want to see.

2020 saw people come together to support their neighbours.

From Merton Mutual Aid, the Dons Trust, to the many individual acts of kindness and charity.

The local voluntary sector has never worked more closely or cohesively to support residents.

We saw residents and businesses donate to help cover free school meals during holidays.

Madame Mayor as a Council we must do what we can to create the best environment to help our communities come together to meet the challenges we face, head on.

And it's easy to praise residents' choices but -

If you're not paid enough;

If your housing is insecure, or badly maintained;

If you don't get the support you need as a carer, a young person, an older person or if you have a disability,

Then you are not free to live how you choose.

The mental health implications of the Covid pandemic are being increasingly understood.

ONS data indicates a doubling of adults experiencing some form of depression from 9.7 per cent before the pandemic to 19.2 per cent in June 2020. And mental health inequalities have got wider.

So our amendments are about tweaking the budget to focus on increasing freedom.

Our amendment 1 supports those care workers on the frontline. Long fought for.

Our amendment 2 looks to better resource Merton's climate emergency response, and to mitigate some – but not all – of the worst in the Council's parking charges increases.

Our amendment 3 reflects people's generosity in 2020, and is a trial of a new school breakfast club scheme that would support a number of families.

Our amendments 4 and 5 are to give some clarity and focus on issues affecting young people, older people and people with disabilities.

Let's retain the good from the pandemic, keep in mind those often forgotten and build a brighter future for our young people.

Thank you, Madame Mayor

MPWIR BUDGET SPEECH

In the short time available to me I will draw on what we learned through scrutiny of the budget this year. We added a third round of scrutiny, but that was not so much to find late savings as to take account of last-minute information from government. Still, none of us have experienced a year long pandemic before.

So, the final outcome is not as bad as we feared back in December. We have not had to make any staff redundant, neither have we been forced into hasty cuts to services. Compensation still outstanding for lost income from sales, fees and charges will go some way towards replenishing the reserves used to close the budget gap for 2021/22 (£5.4m) and for 2022/23 (£7.2m).

The Department for Education effectively admits that the deficit on the Dedicated Schools Grant (£27m and rising) is unsustainable, without offering a solution. Any movement on this would transform our financial position.

So, there are reasons for cautious optimism. Unlike some neighbouring boroughs in South London there is no threat of a Section 114 notice and we are not going bust. We can afford to breathe a little more easily.

Against that we know we face a changed landscape as we emerge from the pandemic, and in many ways it will be a landscape changed for the worse. Inequalities between east and west of the borough have been exacerbated by the pandemic, with higher infection rates in the east.

It is the most vulnerable members of our community who have suffered the most. Think of pupils struggling with home schooling without adequate IT kit, parents with front line jobs who cannot work from home trying to juggle childcare responsibilities, those shielding and the elderly who live alone and have been in lockdown for much of the past year, those with disabilities and mental health issues.

The pandemic will leave a long-term legacy that we do not begin to understand, but it will stretch our social services. As we review how we provide those services over the next two years, it's not simply a matter of finding smarter ways of continuing what we do now. We will need to expand our services to rebuild cohesive communities, and cohesion rather than cost saving must be the goal.

This is the right time to take stock as we embark on rebuilding after the pandemic.

So the recently announced "Your Merton" consultation is timely, but let's make sure it leads somewhere. We haven't had a straightforward statement of our aspirations for Merton since the July principles (penned by the two Marks), and that was 10 years ago, largely in response to the age of austerity. So, I encourage the administration to use this consultation as a basis for setting out its ambitions for Merton and how it proposes to achieve them.

Cllr Peter Southgate
Leader, MPWIR

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Council

Date: 21 April 2021

Agenda item:

Subject: Appointment of Chairs and Vice Chairs of the Overview and Scrutiny Commission and its Panels and the Councillors' Code of Conduct

Lead officer: Louise Round, Managing Director, South London Legal Partnership:
louise.round@merton.gov.uk

Recommendations:

- A. To note the differing views of the political groups regarding the appointment of chairs and vice chairs of the Overview and Scrutiny Commission and its Panels set out in this report
- B. To consider whether to amend paragraph 9 of the Overview and Scrutiny Procedure Rules by deleting the following wording: "The appointment of Chairs and Vice Chairs will comply with the rules of proportionality and" as shown below:

" The Council will appoint the Chair and Vice Chair of the Overview and Scrutiny Commission and any of its scrutiny panels at its Annual Council meeting. In each case the Chair and Vice Chair for each body will not be from the same political party. In the event of a vacancy during the council year, the Council will appoint a new Chair at the first meeting following the resignation of the Chair. All panel chairs are to be members of the Overview and Scrutiny Commission."

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. In July 2020 the Standards and General Purposes Committee established a cross party working group to oversee a review of the Council's constitution. The working group has met on a number of occasions and has considered several aspects of the current constitution with a view to agreeing some recommended changes. These discussions have to some extent recognised the fact that over the years practice on the ground has diverged from the written word of the constitution. A full proposed revised version of the Constitution will be considered by the Standards and General Purposes Committee early in the next municipal year, possibly at a special meeting of that Committee, with a view to its being adopted at the July Council meeting.
- 1.2. One aspect on which it has not yet been possible to reach agreement is the question of the selection of the chairs and vice chairs of the Overview and Scrutiny Commission and its three panels. At the last meeting of the Standards and General Purposes Committee on 11 March, an amendment was proposed suggesting that the current requirement for some form of proportionality should be removed. This amendment was not formally put to the vote and instead the Committee delegated authority to the Council's Monitoring Officer to submit a report with recommendations to a meeting of full council, having reconvened a meeting of the constitution review working

group in an effort to seek agreement on the issue. The working group met on 30 March to consider a number of options.

2 DETAILS

2.1. Paragraph 9 of the Overview and Scrutiny Procedure Rules deals with the appointment of the chairs and vice chairs in the following way:

“The Council will appoint the Chair and Vice Chair of the Overview and Scrutiny Commission and any of its scrutiny panels at its Annual Council meeting. The appointment of Chairs and Vice Chairs will comply with the rules of proportionality and in each case the Chair and Vice Chair for each body will not be from the same political party. In the event of a vacancy during the council year, the Council will appoint a new Chair at the first meeting following the resignation of the Chair. All panel chairs are to be members of the Overview and Scrutiny Commission.”

2.2. It will be noted that the appointment is required to be in compliance with the rules of proportionality which is presumably a reference to the requirements for political balance contained in section 15 of the Local Government and Housing Act 1989. Although those provisions relate to the membership of committees, they do not apply to the appointment of chairs and vice chairs. This requirement may have originated from an earlier review of the scrutiny function which recognised the need for scrutiny to be non party political function.

2.3. In practice it is quite difficult to implement precise proportionality across the 8 seats available. However, it would be fair to say that the current allocation is some way from being “proportionate”. The table below shows the percentages of seats in the Council as a whole by reference to political group and the current allocation of chair and vice chair positions.

Political group	Number of Seats	% of seats held by the political groups on the Council as a whole	% of positions available across Commission and Panels
Labour	4 (3 Chairs + V-C of Commission)	57%	50%
Conservative	3 (V-Cs of all 3 panels)	28%	37.5%
MPWIR	1 Chair of the Commission)	5%	12.5
Liberal	0	10%	0

Democrat			
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3 ALTERNATIVE OPTIONS

- 3.1. Although there is no legal requirement to allocate chair and vice chair positions proportionately, it does seem unsatisfactory for there to be a reference in the procedure rules which is not reflected in practice. The group considered a number of options and the debate in essence was between leaving complete flexibility as to the appointment and amending the constitution to be more prescriptive about how the allocation should work.
- 3.2. One way of creating complete flexibility would be to delete the following words from paragraph 9: *“The appointment of Chairs and Vice Chairs will comply with the rules of proportionality and”*. This was the option proposed at the Standards and General Purposes Committee. If this approach were adopted, there would still be a requirement for the chair and vice chair to come from different groups so as to preserve the cross party nature of the allocations. The appointment would be made by a majority vote at annual council. This proposed approach was supported by the administration’s representative on the working group and by the Conservative group’s representative.
- 3.3. The option of writing into the constitution a minimum entitlement was preferred by the representative appointed by the Liberal Democrat Group who considered that, in the interests of plurality and scrutiny being seen to be representative of the widest possible range of voters across Merton, there should be a requirement that each group represented on the Council be allocated at least one chair or vice chair position with remaining positions awarded, as closely as mathematically possible, via proportionality. This was not a view supported by the other members of the working group; although they recognised that this might well be an outcome in any one year, they favoured leaving the position open for decision by full Council on an annual basis.
- 3.4. The representative of the Merton Park Ward Independent Residents Group did not consider it appropriate to express a view on the preferred way of dealing with the issue, bearing in mind his current and long held position as Chair of the Commission. He did state having a chair of scrutiny who is not necessarily a member of one of the national political parties represented on the Council does provide an element of independence to the scrutiny function, although this view was not supported by the Liberal Democrat representative. The broader issue of party allegiance was also flagged up by one of Council’s Independent Persons who referred to the Government’s statutory guidance on scrutiny which emphasises the need for scrutiny

chairs to be selected on the basis of their expertise, experience and skill rather than by reference to their particular party affiliation.

- 3.5. In light of the balance of views in the working group, Full Council is now being asked to consider whether to delete the reference to proportionality contained in the Overview and Scrutiny Procedure Rules. This will leave the allocation up to the decision of the annual council meeting, with the proviso that the chair and vice chair of the Commission and its 3 panels must be from different political groups which prevents an outcome where one group takes all the positions although provides no guarantees that one or more parties will not be entirely excluded.

Other Issues

- 3.6. In addition to the question of entitlement to positions, there was a discussion about the mechanism for deciding on the individuals to be appointed with a suggestion that this should be done by secret ballot at the annual council meeting. This could apply after the party filling that position had been decided (by informal discussion amongst the parties). A minimum of two members from the party filling that role would then be nominated and the final choice made by a secret ballot of all members. The argument being put was that this would allow for a genuinely free vote without any councillor feeling constrained to vote in a specific way and to ensure the election of chairs and vice chairs who had the confidence of members across the political spectrum. One of the Council's Independent Persons emphasised that the guidance on scrutiny arrangements, referred to above, recommends that selection by secret ballot be considered by councils.
- 3.7. The working group were divided on this point and the majority did not think such a suggestion should be adopted for the forthcoming municipal year although some thought it was something which could be explored again closer to 2022 elections in preparation for the newly constituted Council. They also thought the question of apportionment of chair and vice chair seats could be revisited at that point, with a view to reaching agreement between the political groups then represented on the Council.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. The discussions with the working group constitute the relevant consultation for these purposes

5 TIMETABLE

- 5.1. If agreed, the amendment to the Overview and Scrutiny Procedure Rules will take immediate effect for the purpose of appointing the chairs and vice chairs for the 21/22 municipal year.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. The legal implications are set out in the body of the report.

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

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Committee: Full Council

Date: 23rd April 2021

Wards: All

Subject: Chief Officer Recruitment

Lead officer: Ged Curran, Chief Executive

Lead member: Councillor Mark Allison, Leader of the Council and Chair of the Appointments Committee

Contact officer: Liz Hammond, Head of HR

Recommendations:

- A To note and approve the recruitment salary package of £96,840 to £101,193 per annum for the post of Assistant Director, Education and Early Help as required by the Council's pay policy statement.
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1. Purpose of report and executive summary

- 1.1 The Council's pay policy statement requires that remuneration packages over £100k have approval of full council. This report seeks authority to recruit to an important post at a level above that amount.

2. Details

- 2.1 The post of Assistant Director, Education and Early Help has very recently become vacant since the successful internal appointment to the post of Director of Children, Schools & Families.
- 2.2 The new Director of Children, Schools & Families intends to recruit to this role on a permanent basis as soon as possible, while an interim will cover the post in the meantime.
- 2.3 The role is graded Management grade 5, for which the current salary ranges from spinal column point (scp) 16 with an annual salary of £96,840 to scp 17 with an annual salary of £101,193.
- 2.4 As the upper salary point is in excess of £100k, approval is sought to enable the flexibility to offer the upper salary point if an exceptional candidate is found during the recruitment process.
- 2.5 The required approval is in line with the requirements of the Council's pay policy statement.

3. Alternative options

- 3.1 To continue with the current interim arrangement.

4. Consultation undertaken or proposed

- 4.1 The appointment of the Assistant Director, Education and Early Help is an officer appointment.

5. Timetable

- 5.1 Recruitment to the post of Assistant Director, Education and Early Help will commence once approval to the salary package is received.

6. Financial, Resource and Property Implications

- 6.1 There is provision in the Children, Schools & Families budget to recruit to the Assistant Director, Education and Early Help role at the salary set out in this report.
- 6.2 The executive search agent's fee is to be agreed, once the supplier has been decided. Additional costs will be for advertising, technical assessor fee and psychometric assessment costs, which will be dependent on the number of shortlisted candidates and assessments will be used. These costs will be paid from CSF budgets.

7. Legal and statutory implications

- 7.1 The Council's pay policy statement requires that recruitment packages over £100k have approval of full council.

8. Human rights, equalities and community cohesion implications

- 8.1 The contents of this report are designed to ensure that the Council's processes are human rights and equalities compliant.

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.

9. Crime and Disorder Implications

- 9.1 None

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