



**CORPORATE SERVICES DEPARTMENT**  
Caroline Holland - Director

To all Members of the Council

**Democratic Services  
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***Date: 24 June 2021***

Dear Councillor

### **Notification of Cabinet Decisions**

The decisions of the Cabinet meeting held on Tuesday 22 June 2021 are attached.

The call-in deadline is Tuesday 29<sup>th</sup> June 2021 at noon

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

Democracy Services



## Decisions of the Cabinet held on Tuesday 22 June 2021

### Call-in deadline – Date Not Specified

4	Merton's Local Plan and Policies Map - submission to the Secretary of State	<p>RESOLVED:</p> <p>That Cabinet recommended that council resolve to:</p> <p>A. submit Merton's Local Plan and Policies Map to the Secretary of State for independent examination. This would be preceded by a statutory six-week consultation period between July and September 2021.</p> <p>B. That Cabinet agreed the timetable for production set out in section 5 of this report, which will amend Merton's Local Development Scheme.</p> <p>C. That Cabinet delegated authority to the Director of Environment and Regeneration, Chris Lee, in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency Councillor Martin Whelton for changes to the documents between 23<sup>rd</sup> June 2021 and the receipt of the Planning Inspector's final report.</p>
5	Adoption of Merton's borough character study and small sites toolkit as two supplementary planning documents to Merton's Local Plan	<p>RESOLVED:</p> <p>A. That Cabinet adopted Merton's Borough Character Study and Small Sites Toolkit as two supplementary planning documents to Merton's Local Plan.</p>
6	Plan Wimbledon Neighbourhood Area and Forum application	<p>RESOLVED:</p> <p>A. That Cabinet noted the consultation responses to the publication of the PlanWimbledon neighbourhood area and forum applications.</p> <p>B. That Cabinet refused PlanWimbledon's application as a neighbourhood forum.</p> <p>C. That Cabinet declined to determine PlanWimbledon's Neighbourhood Area application because, following the refusal of the neighbourhood forum application, there would be no organisation that is capable of being designated as a neighbourhood forum in relation to it.</p> <p>D. That Cabinet encouraged and supported further dialogue between PlanWimbledon</p>

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		and the business community towards resolving the issues identified in this report.
7	Adoption of Merton's draft Air Quality Supplementary Planning Document (SPD)	<p>RESOLVED:</p> <p>That Cabinet adopted the Air Quality guidance as a supplementary planning document to Merton's Local Plan.</p>
8	Neighbourhood Community Infrastructure Levy Review	<p>RESOLVED:</p> <p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1. Noted the contents of the Neighbourhood Community Infrastructure Levy (CIL) Review report at Appendix 1.</li> <li>2. Endorsed the approach to enhanced engagement with ward councillors in order to identify and deliver specific Ward Allocation Scheme investments before the 2022 local elections.</li> <li>3. Endorsed that a wholesale review of the implementation of Neighbourhood CIL (to include the Ward Allocation Scheme and the Neighbourhood Fund) be carried out following the completion of the 3 years duration of the Ward Allocation Scheme in May 2022 and informed by the results of the Your Merton survey due in late 2021.</li> </ol>
9	Expansion of Merton Medical Education Services and future of Lavender Nursery	<p>RESOLVED:</p> <p>A. That Cabinet noted the significant number of objections in the consultation to expand Merton Medical Education Services by moving into Lavender (London Road) Nursery and that, for the reasons outlined in this paper, the Lavender (London Road) Nursery building remains the only affordable option to house Merton Medical Education Services and provide sufficient provision for the borough's growing number of children with medical needs.</p> <p>B. That Cabinet agreed to engage stakeholders on two options to implement from January 2022: The first, to continue with the council's proposal as per the January</p>

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		2021 consultation proposal. The second, to proceed with an augmented option that will provide a continuation of the Lavender Nursery full-time day care provision in other Children, Schools and Families building(s) in Lavender Ward in addition to re-providing the sessional places for children aged 2, thus maintaining the service in alternative premises within reasonable proximity to the current site.
10	Expansion of Melrose School into Whatley Avenue SW20	RESOLVED:  That Cabinet agreed to publish statutory proposals to expand Melrose School by 80 additional places through the use of an additional site - Whatley Avenue SW20 and to extend the official designation of Melrose School from “Children with Social, Emotional and Mental Health” to “Children with additional complex and varied needs including Autism Spectrum Disorder (ASD), Speech, Language and Communication Needs (SLCN) and Social, Emotional and Mental Health (SEMH)”
11	Joining the Lift the Ban Coalition	RESOLVED:  That Cabinet agreed that Merton Council should join the Lift the Ban Coalition to give the right to work in any occupation for everyone waiting for more than 6 months for a decision on their asylum claim.
12	Capital Letters	RESOLVED:  (a) That Cabinet approved the decision to become a member of Capital Letters (London) Ltd. (b) That Cabinet noted that the main reason for joining Capital Letters is to increase housing supply for vulnerable homeless households, given the acute shortage of social housing nominations.
13	Award of Contract for the supply of Temporary Agency Workers for	RESOLVED:

## Decisions of the Cabinet held on Tuesday 22 June 2021

### Call-in deadline – Date Not Specified

	the London Borough of Merton	<p>A That Cabinet agreed to award the new contract for the supply of temporary agency workers for a period of 2 years with a 2 year potential extension, starting from 13<sup>th</sup> December 2021 at an estimated value of £13m per annum.</p> <p>B That Cabinet agreed to implement a vendor neutral solution, as currently in place, when the current Contract for the supply of temporary agency workers on 13<sup>th</sup> December 2021</p> <p>C In accordance with Contract Standing Orders (CSO 24.3) that authority be delegated to the Director of Corporate Services to exercise, in consultation with the Cabinet Member for Finance, the council's option to grant the extension of the contract term for any period up to two further years beyond the expiry of the initial contract term on 13 December 2023.</p>
14	Appointment of Committees and Proposed Changes to the Constitution	<p>RESOLVED that Cabinet:</p> <p>A. agreed to appoint two Cabinet members and two substitute members to the South West London Joint Waste Management Committee;</p> <p>B. agreed to appoint two Cabinet members, to the Wandle Valley Regional Park Trust;</p> <p>C. agreed to appoint the Leader of the Council to the South London Partnership Joint Committee;</p> <p>D. agreed to delegate to the Chief Executive the authority to fill vacancies on the bodies detailed at recommendations A and F on the nomination of the group with a vacant position;</p> <p>E. agreed a revised Part 3C of the Constitution – Responsibility for Executive Functions set out in Appendix A;</p> <p>F. agreed the scheme of delegation attached as Appendix C in so far as it relates to functions which are the responsibility of the executive; and</p> <p>G. agreed a revised Part 4D of the Constitution - Cabinet Procedure Rules as set out in Appendix B;</p> <p>H. Authorised the Managing Director, SLLP, to make any minor or consequential amendments to appendices A-C as in her opinion reasonably necessary.</p>

## Merton Council - call-in request form

### 1. Decision to be called in: (required)

### 2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

### 3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

**4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)**

Required by part 4E Section 16(c)(a)(ii) of the constitution:

**5. Documents requested**

**6. Witnesses requested**

**7. Signed (not required if sent by email): .....**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor's email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
- **OR** as a signed paper copy to the Head of Democracy and Electoral Services, 1<sup>st</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy and Electoral Services on 020 8545 3409