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# **Merton Council**

## **Cabinet Agenda**

### **Membership**

#### **Councillors:**

Mark Allison (Chair)  
Agatha Mary Akyigyina OBE  
Tobin Byers  
Natasha Irons  
Rebecca Lanning  
Owen Pritchard  
Marsie Skeete  
Eleanor Stringer  
Martin Whelton  
Brenda Fraser

**Date: Monday 8 November 2021**

**Time: 7.15 pm**

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

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## **Cabinet Agenda**

### **8 November 2021**

- |    |  |              |
|----|--|--------------|
| 1  | Apologies for absence  |              |
| 2  | Declarations of pecuniary interest   |              |
| 3  | Minutes of the previous meeting  | 1 - 6        |
| 4  | References from Scrutiny Panels<br>To receive any reference(s) from Scrutiny Panels if applicable.   | To<br>Follow |
| 5  | Business Plan 2022-26  | To<br>Follow |
| 6  | Council Tax Support Scheme 2022/23   | 7 - 18       |
| 7  | Home to school transport   | 19 - 26      |
| 8  | Secondary schools catering contract award decision   | 27 - 32      |
| 9  | Neighbourhood Fund bid approvals 2021  | 33 - 52      |
| 10 | Financial Monitoring Report - Period 6 September 2021  | To<br>Follow |
| 11 | Exclusion of the public<br>To RESOLVE that the public are excluded from the meeting during consideration of the following report(s) on the grounds that it is (they are) exempt from disclosure for the reasons stated in the report(s). |              |

#### **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 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## CABINET

11 OCTOBER 2021

(7.15 pm - 7.45 pm)

**PRESENT** Councillors Councillor Mark Allison (in the Chair),  
Councillor Agatha Mary Akyigyina, Councillor Natasha Irons,  
Councillor Rebecca Lanning, Councillor Owen Pritchard,  
Councillor Martin Whelton and Councillor Brenda Fraser

**ALSO PRESENT** Councillor Anthony Fairclough

Hannah Doody (Chief Executive), Elizabeth Fitzpatrick (Head of School Improvement), Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), John Morgan (Interim Director, Community & Housing), Louise Round (Managing Director, South London Legal Partnership and Monitoring Officer) and Amy Dumitrescu (Democracy Services Manager)

**ATTENDING** Councillor Tobin Byers and Councillor Eleanor Stringer

**REMOTELY**

Councillor Nick McLean

Ben Stephens (Head of Parking Services), Charles Baker (Waste Strategy and Commissioning Manager), Octavia Lamb (Policy and Research Officer – Labour Group)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Marsie Skeete.  
Councillors Byers and Stringer attended remotely.

### 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 6 September 2021 are agreed as an accurate record.

### 4 BUSINESS PLAN (Agenda Item 4)

The Chair announced that items 4, 8 and 9 would be presented together. For the purposes of the minutes they are minuted separately in agenda order.

The Cabinet Member for Finance presented the report, thanking officers for their work on the report which set out the current position on income and expenditure. It was noted that there would be a number of changes to the report in due course. The Cabinet member gave an overview of the report, noting that the current MTFS showed a gap of £1.175m in 2022/23 increasing to £17m in 2023/24. The current assumption was for a 2% Council Tax increase but there had been no precept assumption at this point. Savings would need to be brought forward and a further paper would be presented to Cabinet in December prior to being considered by Scrutiny panels. The Cabinet Member thanked officers and all councillors on the scrutiny panels who would be considering the Business Plan.

**RESOLVED:**

1. That Cabinet noted the approach to rolling forward the MTFS for 2022-26.
2. 2 That Cabinet confirmed the latest position with regards to savings already in the MTFS
3. That Cabinet agreed the approach to setting a balanced budget using the unmet balance of last year's savings targets as the basis for the setting of targets for 2022-26.
4. That Cabinet agreed the proposed savings targets.
5. That Cabinet agreed the timetable for the Business Plan 2022-26 including the revenue budget 2022/23, the MTFS 2022-26 and the Capital Programme for 2022-26.
6. That Cabinet noted the process for the Service Plan 2022-26 and the progress made so far.

**5 IMPLEMENTATION OF EMISSIONS BASED CHARGING PROPOSALS – REVIEW BY CABINET (Agenda Item 5)**

At the invitation of the Chair, Councillor Anthony Fairclough spoke on the item, expressing his concerns that the report did not address the remaining two policies of the diesel levy and increased charges in Wimbledon and Raynes Park and requesting that further measures to tackle air pollution and the climate emergency be explored.

The Cabinet Member for Adult Social Care and Health thanked Councillor Fairclough for his contributions and presented the report, responding that a clean air pilot zone had been developed in Wimbledon and a strategy on electric vehicle charging was also being developed.

The Cabinet Member for Housing, Regeneration and the Climate Emergency also spoke on the item.

The Director for Environment and Regeneration stated that the Air Quality action plan set out the Council's actions on the issue and noted that the Council was awaiting the Electric Vehicle Infrastructure delivery plan from TfL to enable the council to make further progress on this issue.

The Chair thanked officers for their work and it was

RESOLVED:

A. That Cabinet agreed to no longer proceed with the proposal to implement emissions based parking charges from October 2021.

6 SOUTH LONDON WASTE PARTNERSHIP - INTER AUTHORITY AGREEMENT (Agenda Item 6)

The Cabinet Member for Local Environment and Green Spaces presented the report which outline the procurement process for the contracts, noting that the current contracts were due to expire in August 2022.

The Cabinet Member thanked officers for their work on the report and it was

RESOLVED:

A. Following the procurement process set out below, and subject to approvals through the relevant governance processes in LBs Croydon, Kingston, and Sutton, that Cabinet approved the South London Waste Partnerships (SLWP) recommendations for the RB Kingston (procuring authority on behalf of SLWP) to award Lot 1 to Bio Collectors, Lot 3.1 to Country Style, Lot 3.2 to Olleco, and Lots 5.1 and 5.2 to SUEZ

B. As approved the contracts will be for an initial period of 4 years and 7 months commencing on 1 September 2022, with possible extensions up to 31 March 2030 for a total contract value of £16m for the full term.

C. That Cabinet delegated authority to the Director of Environment and Regeneration in consultation with the Cabinet Member to agree any future contract extension on behalf of LB Merton.

7 AUTOMATIC NUMBER PLATE RECOGNITION (ANPR) CAMERAS AND PUBLIC SPACE CCTV UPGRADE AND MAINTENANCE (Agenda Item 7)

The Cabinet Member for Partnerships, Public Safety and Tackling Crime thanked officers for their work and presented the report which sought to agree a full upgrade of the CCTV equipment.

The Director of Environment and Regeneration spoke on the item to advise that the report sought approval to appoint the contractor for the maintenance of the network and the capital programme held the funds necessary to upgrade the equipment.

RESOLVED:

A. That Cabinet approved the award of a contract for CCTV and ANPR upgrade including maintenance to the successful bidder identified in Appendix 1 for a term of four years with the option to extend for a further 12 or 24 months.

B. That Cabinet delegated authority to exercise the option to extend this contract to the Director of Environment and Regeneration.

8 FINANCIAL REPORT 2021/22 - PERIOD 4 JULY 2021 (Agenda Item 8)

The Cabinet Member for Finance presented the reports for items 8 & 9 covering periods 5&6. The Cabinet Member thanked officers for their work monitoring and handling budgets across the Council and noted the continuing impact of the pandemic on income and expenditure.

The Director of Corporate Services advised that the current proposed pay award had been rejected and therefore the Council were awaiting further updates from Unions as to whether staff would be balloted for strike action.

**RESOLVED:**

A. That Cabinet noted the financial reporting data for month 4, July 2021, relating to revenue budgetary control, showing a forecast net adverse variance at year end on net service expenditure of £5.095m, increasing to £8.027m when corporate and funding items are included.

B. That CMT noted the contents of Section 5 and approve the adjustments to the Capital Programme contained in Appendix 5b

That Cabinet noted the contents of Section 5 and Appendix 5b of the report and approve the adjustments to the Capital Programme in the Table below:

	<b>Budget 2021-22</b>	<b>Budget 2022- 23</b>	<b>Narrative</b>
	<b>£</b>	<b>£</b>	
<b>Corporate Services</b>			
Business Systems - Revenues and Benefits	(400,000)	400,000	Re-profiled in line with projected spend
<b>Children, Schools and Families</b>			
Merton Abbey - Capital Maintenance	5,000		Virements - projected spend capital maintenance
Abbotsbury - Capital Maintenance	33,000		Virements - projected spend capital maintenance
Malmesbury - New School	5,000		Virements - projected spend capital maintenance
Sherwood - Capital Maintenance	57,000		Virements - projected spend capital maintenance
William Morris - Capital Maintenance	(57,000)		Virements - projected spend capital maintenance
Raynes Park - Capital Maintenance	15,390		Virements - projected spend capital maintenance
Rutlish - Capital Maintenance	(16,000)		Virements - projected spend capital maintenance
Ricards Lodge - Capital Maintenance	16,000		Virements - projected spend capital maintenance
Unallocated Capital Maintenance Budget	(58,390)		Virements - projected spend capital maintenance
<b>Environment and Regeneration</b>			
Fleet Vehicles - Replacement of Fleet	(251,000)	251,000	Re-profiled in line with projected spend

vehicles			
<b>Total</b>	<b>(651,000)</b>	<b>651,000</b>	

## 9 FINANCIAL REPORT 2021/22 - PERIOD 5 AUGUST 2021 (Agenda Item 9)

The Cabinet Member for Finance presented the report as minuted within Item 8.

### RESOLVED:

A. That Cabinet noted the financial reporting data for month 5, August 2021, relating to revenue budgetary control, showing a forecast net adverse variance at year end on net service expenditure of £4.825m, increasing to £6.461m when corporate and funding items are included. And Cabinet note the change in reporting treatment for covid related business rate losses as outlined in section 3.

B. That Cabinet approved the transfer of £750k revenue budget from the corporate contingency to E&R relating to the unachieved emissions based charging saving target for the current financial year (saving reference ENV2021-04). This transfer and resulting forecast impact has been reflected within this report.

C. That Cabinet noted the contents of Section 5 and Appendix 5b of the report and approve the adjustments to the Capital Programme in the Table below:

	<b>Budget 2021-22</b>	<b>Budget 2022- 23</b>	<b>Budget 2024-25</b>	<b>Narrative</b>
	<b>£</b>	<b>£</b>	<b>£</b>	
<b>Corporate Services</b>				
Works to Other Buildings - Boiler Replacement	(378,680)	378,680		Re-profiled in line with projected spend
Disaster Recovery	332,960			Funded from Corporate Capital Contingency
Corporate Capital Contingency			(462,960)	Moved to 2021-22 for Disaster Recovery
<b>Children, Schools and Families</b>				
Abbotsbury - Capital Maintenance	13,000			Virements - projected spend capital maintenance
Merton Abbey - Capital Maintenance	50,000			Virements - projected spend capital maintenance
Unallocated Capital Maintenance Budget	(63,000)			£63k virement to specific schemes
Harris Academy Wimbledon	130,000			Virements - projected spend
<b>Environment and Regeneration</b>				
Parks Investment - Paddling Pools Option 2	(226,000)			Progressing Option 1
Highways & Footways - Active Travel Fund	(42,170)			Adjustment to TfL Funding
<b>Total</b>	<b>(183,890)</b>	<b>378,680</b>	<b>(462,960)</b>	

10 EXCLUSION OF THE PUBLIC (Agenda Item 10)

The Cabinet agreed not to refer to the exempt information contained in item 7 during consideration of the items and therefore the meeting remained in public.



## **Committee: Cabinet**

### **Date:**

Wards: All

### **Subject: Council Tax Support Scheme 2022/23**

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Tobin Byers

Contact officer: David Keppler, Head of Revenues and Benefits

#### **Recommendations:**

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1. That the uprating revisions for the 2022/23 council tax support scheme detailed in the report be agreed, in order to maintain low council tax charges for those on lower incomes and other vulnerable residents
  2. That Cabinet recommends to Council that it adopts the proposed revisions to the 2022/23 scheme.
- 

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

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

## **2 DETAILS**

### **2.1. Council Tax Support Scheme 2022/23**

- 2.2. As part of the Spending Review 2010, the Government announced that it intended to localise council tax benefit (CTB) from 1 April 2013 with a 10% reduction in expenditure. These plans were included as part of the terms of reference for the Local Government Resource Review and the then Welfare Reform Bill contained provisions to abolish CTB.
- 2.3. Following a formal consultation exercise full Council agreed on the 21 November 2012 to absorb the funding reduction and adopt the prescribed default scheme in order to maintain low council tax charges for those on lower incomes and other vulnerable residents. CTB was formally abolished with effect from 1 April 2013
- 2.4. Council have subsequently agreed to continue with the same scheme, subject to revisions on an annual basis for 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20, 2020/21 and 2021/22.
- 2.5. Each year the Government "uprate" the housing benefit scheme and the new council tax support scheme for pensioners. This is where state pensions and benefits are increased by a set percentage and the Government also increase the applicable amounts and personal allowances (elements that help identify

how much income a family or individual requires each week before their housing benefit starts to be reduced) and also non dependant deductions (the amount an adult who lives with the claimant is expected to contribute to the rent and/or council tax each week).

- 2.6. The Government have stated that under the new local council tax support scheme pensioners must not be worse off and that existing levels of support for them must remain and this protection will be achieved by keeping in place existing national rules, with eligibility and rates defined in Regulations broadly similar to those that previously existed. This is known as the Prescribed Pensioners scheme.
- 2.7. When full Council adopted the Government's default scheme in November 2012 it was not clear what would happen with regards to the uprating of the default scheme from April 2014 onwards. Advice received from the then Department of Communities and Local Government (DCLG) at the end of September 2013 stated that if a Council did not formally agree a revised scheme for the following financial year which would include any "uprating" then its local scheme for the previous year would automatically become its default scheme and as a consequence the "uprating" would not take place and many residents would face an increased council tax bill.
- 2.8. This means that if Merton wants to continue with its council tax support scheme which is broadly similar to the old council tax benefit scheme it would have to formally consult and agree on the revised "uprating" each year. Merton has subsequently agreed this approach in prior years and is now seeking agreement to the same for 2022/23.
- 2.9. It is estimated that if the uprating was not applied the expenditure of the scheme, if everything else remained constant, would be approximately cost neutral. Increases in payments for non-dependants living in households would not be applied and some residents receiving disability benefits or premiums could face higher council tax bills.
- 2.10. The Government will uprate the housing benefit scheme from the 1 April 2022 and the detail of this process is unlikely to be known until early December 2021. The Government will also uprate the prescribed pensioner scheme for council tax support from 1 April 2022, with the details announced in December 2021. Once the detailed information is known it is proposed to use the data from these to uprate the council tax support scheme.
- 2.11. In 2020/21, the Government introduced increases to disregarded earnings and grants and loans for the self-employed to support people during the COVID-19 pandemic. These resulted in increases to Universal Credit and other DWP benefits which reduced council tax support for our residents. The Council awarded the difference in the form of a hardship reduction as part of the Council Tax Hardship facility, however the Council was unable to amend the disregards set out in the Council Tax Support Scheme.
- 2.12. The rules of the scheme for 2021/22 were amended and agreed by full Council to permit any in year changes if the Government made any in year changes to disregards or elements of the Housing Benefit scheme or Prescribed Pensioners scheme that will benefit residents.

- 2.13. Any in year changes will be approved by the Section 151 officer of the Council. However, the Council's decision making process will be followed for any changes.
- 2.14. The uprating of the council tax support scheme will be effective from the 1 April 2022
- 2.15. A formal consultation exercise regarding the proposed revision of the scheme was undertaken between 9 August 2021 and 3 October 2021. Only 7 responses were received, 6 opted to apply the uprating and 1 opted not to apply the uprating. Of the responses 3 indicated that they were in receipt of council tax support.
- 2.16. The Council has also consulted with our major precepting authority, the Greater London Authority (GLA). The GLA have acknowledged the Council's proposal but as yet have not sent a formal response.

### **3 ALTERNATIVE OPTIONS**

- 3.1. The only alternative option for the Council Tax Support Scheme based on the consultation undertaken would be not to revise it and not uprate the scheme and continue with the existing scheme. This would result in some of the poorest residents facing increased council tax bills from April 2022

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

- 4.1. A consultation exercise has been undertaken and the results of this are detailed in 2.15 and 2.17 above.

### **5 TIMETABLE**

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

Task	Deadline
Consultation with public and precepting authority on proposed change to the scheme	9 August 2021 to 3 October 2021
Report to full Council for agreement to proposed change to the scheme	17 November 2021
Detailed analysis of the housing benefit and prescribed pensioner schemes uprating to establish exact parameters to be applied for the uprating of the council tax support scheme	December 2021– or as soon as the information is available from the DWP
Deadline for agreement of amended scheme	11 March 2022
Testing of IT software for amended scheme	February 2022
Implement revised scheme	1 April 2022

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

- 6.1. Based on levels of council tax support as at October 2021, it is estimated that £14.058 million will be granted in council tax support for 2022/23 assuming a 2% increase in council tax from April 2022. This figure includes the Greater London Authorities share of the scheme (£3 million), the cost for Merton is £11.058 million.
- 6.2. The council tax support expenditure for 2021/22 could further increase if there is an increase in claims when furlough ends. The current economic climate is volatile given the impact of increasing inflation, particularly in energy costs.
- 6.3. The council has recently submitted its Council Tax Base Return (CTB) to Government. This is based as at October 2021 and incorporates the latest information on council tax support and discounts and exemptions. This will be used to calculate the Council Tax Base for 2022/23 and the Medium Term Financial Statement 2022-2026 will be updated as appropriate during the budget process.
- 6.4. The impact of COVID-19 resulted in an increase in the level of council tax support. Whilst the level is still higher than in 2020/21, the level of reduction in Council Tax Base due to the Council Tax Support Scheme has reduced from last year. The adjustment for reduction in taxbase as a result of local council tax support since the scheme was introduced is summarised in the table below:-

	CTB Oct.2013	CTB Oct.2014	CTB Oct.2015	CTB Oct.2016	CTB Oct.2017	CTB Oct.2018	CTB Oct.2019	CTB Oct.2020	CTB Oct.2021
Reduction in Council Tax Base due to Local Council Tax Support Scheme	10,309.31	9,686.64	9,099.90	8,639.20	8,192.10	8,177.10	7,688.10	8,320.70	8,086.00
Change in CT Base		(622.67)	(586.74)	(460.70)	(447.10)	(15.00)	(489.00)	632.60	(234.70)
Yr..on Yr. % Change		-6.04%	-6.06%	-5.06%	-5.18%	-0.18%	-5.98%	8.23%	-2.82%

## 7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Under the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2012, ("the Act") every billing authority in England is required to make a Council Tax Reduction Scheme (CTRS). Merton refers to its CTRS as its Council Tax Support Scheme.
- 7.2. Each financial year every billing authority in England is required to consider whether to revise or replace its CTRS. The Act imposes certain procedural requirements which must be satisfied before a billing authority can make any revisions, including a requirement to consult persons who are likely to have an interest in the operation of their CTRS.
- 7.3. The statutory consultation is intended to ensure public participation in the decision-making process. In determining what revisions the Authority should make to its CTRS, if any, it must have regard to the requirements of the Act,

including the outcome of the consultation and the public sector equality duty referred to below. The outcome of the consultation is considered elsewhere in this report.

- 7.4. If the Authority's CTRS is to be revised as proposed the decision to do so must be made by Full Council no later than 11 March 2022 to enable the revisions to come into force on 1 April 2022.
- 7.5. As with any public law decision of the Authority it may be challenged by way of an application for judicial review.
- 7.6. If the revised scheme is not agreed by 11 March 2022 then the scheme the Council administered for the previous year (2021/22) would become the default scheme for 2022/23.

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

- 8.1. A formal consultation exercise has been undertaken. The results of this are detailed in 2.15 and 2.17 above.
- 8.2. Any changes to the council tax scheme which results in reductions of support will mean some residents facing an increase in their council tax bills. Some of these residents, due to the yearly uprating undertaken by the DWP, would not have previously been faced with increased council tax bills. In the past it has sometimes proved difficult in collecting council tax from residents who are on limited income and or benefits.

In considering the proposed revisions to the Council Tax Support Scheme, upon which the Authority is required to consult, the Cabinet must consider the Council's Public Sector Equality Duty under Section 149 of the Equalities Act 2010 and to have due regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation
- b) Advance equality of opportunity between persons who share a protected characteristic and persons who do not, and
- c) Foster good relations between people who share a protected characteristic and those who do not.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purpose of this report.

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

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

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

11.1 Appendix 1 Equalities Impact Assessment

**12 BACKGROUND PAPERS**

# Equality Analysis



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

What are the proposals being assessed?	Council Tax Support Scheme for 2022/23
Which Department/ Division has the responsibility for this?	Corporate Services / Resources

Stage 1: Overview	
Name and job title of lead officer	David Keppler, Head of Revenues and Benefits
1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)	<p>Agree the Council Tax Support scheme for 2022/23.</p> <p>The national Council Tax Benefit (CTB) scheme ended on 1st April 2013 to be replaced by a locally determined system of Council Tax Support. The funding available for the new scheme will be cash limited and be determined by the Council.</p> <p>The aim of the council tax support scheme is to provide financial assistance to council taxpayers who have low incomes. Persons who are of state pension credit qualifying age (are protected under the scheme in that the calculation of the support they are to receive has been set by Central Government. For working age applicants however the support they receive is to be determined by the local authority.</p>
2. How does this contribute to the council's corporate priorities?	Ensures that residents on low income are supported by the Council with help with their council tax
3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.	<p>Working age local residents currently in receipt of council tax support, working age residents who will apply for council tax support within the year.</p> <p>Pension age residents receive support based on the Government scheme</p>
4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?	The Council collects a council tax precept for the Greater London Authority from all residents. The amount of council tax support granted affects the level of the precept collected for the Greater London Council

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## Stage 2: Collecting evidence/ data

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

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

The Council has continued to base its local council tax support scheme on the Governments previous Council tax benefit scheme. This has ensured that working age residents have not had to contribute more towards council tax since the localisation of the scheme.

This has ensured that the working age, disabled, families and the less well off all continue to receive up to 100% council tax support based on their circumstances and income.

## Stage 3: Assessing impact and analysis

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

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced - Neutral impact for pension age claimants as the Government has stipulated this group must have their claims assessed
Disability	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
Gender Reassignment	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
Marriage and Civil Partnership	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
Pregnancy and Maternity	Y	N			Positive impact for all working age claimants – the level of council tax support will not be reduced
Race	Y	N		N	Positive impact for all working age claimants – the level of council tax



					support will not be reduced
<b>Religion/ belief</b>	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
<b>Sex (Gender)</b>	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
<b>Sexual orientation</b>	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced
<b>Socio-economic status</b>	Y	N		N	Positive impact for all working age claimants – the level of council tax support will not be reduced

**7. If you have identified a negative impact, how do you plan to mitigate it?**

N/A

**Stage 4: Conclusion of the Equality Analysis**

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

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

**Outcome 1** – The EA has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. No changes are required.

**Outcome 2** – The EA has identified adjustments to remove negative impact or to better promote equality. Actions you propose to take to do this should be included in the Action Plan.

**Outcome 3** – The EA has identified some potential for negative impact or some missed opportunities to promote equality and it may not be possible to mitigate this fully. If you propose to continue with proposals you must include the justification for this in Section 10 below, and include actions you propose to take to remove negative impact or to better promote equality in the Action Plan. You must ensure that your proposed action is in line with the PSED to have 'due regard' and you are advised to seek Legal Advice.

**Outcome 4** – The EA shows actual or potential unlawful discrimination. Stop and rethink your proposals.

**Stage 5: Improvement Action Pan**

**9. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact**

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

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? e.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?

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

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**Stage 6: Reporting outcomes**

**10. Summary of the equality analysis**

This section can also be used in your decision making reports (CMT/Cabinet/etc) but you must also attach the assessment to the report, or provide a hyperlink

This Equality Analysis has resulted in an Outcome <u>1</u> Assessment
There is potential negative impact on the SMEs that do not meet the Government criteria. Local equality data needs to be collected at the application stage to give a better picture of the types of businesses applying for the grant or may be ineligible for the grant.

**Stage 7: Sign off by Director/ Head of Service**

<b>Assessment completed by</b>	David Keppler – Head of Revenues and Benefits	<b>Signature:</b> D Keppler	<b>Date:</b> 15 October 21
<b>Improvement action plan signed off by Director/ Head of Service</b>	Roger Kershaw – Assistant Director Resources	<b>Signature:</b> R Kershaw	<b>Date:</b> 20 October 2021

**Committee: Cabinet**

**Date: 8 November 2021**

**Agenda item:**

**Wards:** All Wards

**Subject: Home to School/College Travel Assistance**

**Lead officer:** Jane McSherry - Director of Children, Schools & Families

**Lead member:** Cllr Eleanor Stringer – Joint Deputy Leader and Cabinet Member for Children and Education

**Contact Officer:** Tom Procter, Head of Contracts and School Organisation

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## **Recommendations:**

- A. To agree to commence a consultation as outlined in this paper to consider changes to the council's Home to School/College Travel Assistance policy for providing travel support from September 2022, and particularly the discretionary policy.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. The purpose of this report is to seek the approval of Cabinet to commence a consultation for changes to the council's home to school and home to college travel assistance policy, which is primarily for children with SEND (special educational needs and disabilities).
- 1.2. This consultation was initially proposed as part of the savings proposals approved by Budget Council in March 2020, but was delayed due to Covid.
- 1.3. The report sets out the difference between statutory and discretionary support, the current pressures on the council including from the DfE as part of their intervention with the council with regards to SEND spending, and the options in the consultation.
- 1.4. A report will be provided for Cabinet after this consultation.

## **2 DETAILS**

- 2.1. Local Authorities have a statutory responsibility to make transport arrangements for all eligible children. These are children of compulsory school age (5-16) if their nearest suitable school is beyond 2 miles (if below the age of 8); or beyond 3 miles (if aged between 8 and 16), or all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN or disability (Section 508B of the Education Act 1996)).
- 2.2. Local authorities have discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport (e.g.

children attending a school nursery or post-16 provision) but there is no legal requirement (Section 508C(1) of the Education Act 1996). The only legal requirement is to publish the discretionary policy.

- 2.3. In relation to pupils of sixth form age and students continuing a course started before the age of 19, there is a duty to prepare and publish an annual transport policy statement specifying the arrangements that the authority considers necessary to make to facilitate attendance (section 509AA of the Education Act 1996).
- 2.4. Local authorities also have a limited duty to make transport arrangements where necessary for students aged 19 to 25 with EHCPs in residential education or attending further education colleges and must publish an annual policy statement (sections 508F and 508G of the Education Act 1996).
- 2.5. Since free travel is available on London buses for school children, support is rarely required except for children with mobility issues or SEND.
- 2.6. Merton Council has not formally reviewed its home to school travel assistance policy for a number of years and in this time expenditure has increased considerably year-on-year to over £6.5 million per annum. The only exception has been in 2020/21 due to Covid related school closure periods. This is in line with a more than doubling in the number EHCPs (Education, Health and Care Plans) over the past five years, and the high number of provisions transported to. Therefore in March 2020 Budget Council agreed “to review eligibility for SEND home to school/college travel assistance, in particular for post-16 students, subject to recommendations from the appointed consultant on home to school transport efficiencies”. Due to Covid this has been delayed.
- 2.7. National comparative data from our Section 251 return (Education budget statement) shows that for pre-16 transport expenditure, at £166 per capita in 2020, Merton was the third highest budget per capita in England, which is likely to be partially driven by out-of-borough special school placements. This was an increase from £146 in 2019.

Merton also spends a considerable sum on discretionary transport, with the table below summarising the support provided:

EXPENDITURE BASED ON AN ANNUAL SPEND CALCULATION OF ROUTES COMMISSIONED IN JULY 2021	£	Number
Pre-school SEND	115,000	6 children
Post 16 SEND (taxis and minibus)	963,400	73 students
Post 16 SEND with Travel Budgets	33,000	6 students
	<b>1,110,000</b>	<b>85 in total</b>

- 2.8. The Council is significantly overspending on its High Needs Block DSG (Dedicated Schools Grant). The DfE (Department for Education) has recently invited Merton to participate in the second round of their ‘safety valve’ intervention programme with the aim of agreeing a package of reform to the high needs system that aims to bring the DSG deficit under control. The expectation is that the council looks at all areas of spend on SEND, including those currently met from the general fund, and to make reductions wherever possible.

- 2.9. The council discretionary policy outlines that the local authority expects that the majority of young people with special educational needs or disabilities will travel independently to school, college or other training provisions, apprenticeships and traineeships and that they will use the concessionary fares, discounts and passes available to all young people but that travel assistance will be provided when “there is clear evidence that the young person’s disability is such that they are unable to travel independently or to do so would result in undue stress for the young person.”
- 2.10. Our research has shown that Merton’s policy offers more assistance than other council areas:
- Wandsworth say they restrict organised transport to only severe/complex learning difficulties for post 16
  - Croydon’s default offer is that of a personal travel budget
  - Sutton’s travel offer is of mileage reimbursement, an escort/travel buddy, travel training assessment, seat on a private bus from a pick point and in ‘exceptional circumstances’, transport by taxi or licensed private hire.
  - Kingston’s travel policy makes no mention of buses or taxis
  - Surrey have already introduced charges
  - Other authorities do not provide organised transport to mainstream settings or provide passenger assistants (escorts).
- 2.11. It is therefore proposed to consult on a range of options for pre-school and post-16 children and young people to ensure that our transport policy is cost-efficient but appropriate to the needs of young people. The options we would consult on are:
- 1) The status quo
  - 2) Ways of shifting the focus from organised transport – particularly travel by taxi – to more inclusive and independent forms of travel, such as encouraging independent travel training and promoting personal travel budgets for parents/ carers to enable them to get their children to school
  - 3) Removal of discretionary travel assistance all together, other than in specified exceptional circumstances
  - 4) Restrict the discretionary offer to only children and young people with specified severe learning or severe physical disabilities
  - 5) Introduction of charges (‘parental/student contributions’) for all discretionary transport, with differentials based on household income
  - 6) Promote as the primary travel offer Independent Travel Training or, where this is not appropriate, to the default offer of a Personal Travel Assistance Budget (other than in exceptional circumstances) and only then to organised transport to those with the highest level of need.
- 2.12. Adult Social Care have a separate Travel Assistance policy and a consultation on any changes is not planned until later in 2022. However, the above consultation will also seek to clarify travel support policy for home to college for young people aged 19 and above.
- 2.13. There is also the need to update the age 5-16 policies to ensure they are fully up to date and compliant with the statutory guidance.

### **3 ALTERNATIVE OPTIONS**

- 3.1. It is proposed to consult on a range of options, which the council will be open-minded to. The council could choose not to consult and therefore decide now to continue with the status quo. However, given the cost pressures on the council and the involvement of the DfE to address these cost pressures, this is not recommended.

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

- 4.1. It is proposed that a consultation is undertaken from 17 November 2021 to 5 January 2022, and that Cabinet considers the outcome of the consultation for decision on our proposed revised policy at the Budget Cabinet on 7 February 2022, for implementation for travel assistance from September 2022.

### **5 TIMETABLE**

- 5.1. See above.

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

- 6.1. The forecast expenditure for home to school/college travel assistance (Period 6) is £6.645 million is as follows, excluding staff administration costs, although this does not provide allowance for a number of late applications for travel assistance this year.

	£
In house buses (SLA)	1,750,520
Taxis	4,380,000
Direct payments	462,318
System fees	52,280
<b>Total</b>	<b>6,645,118</b>

- 6.2. Budget Council approved savings of £50,000 in 2020/21 and £150,000 in 2021/22 for the following: "SEND Travel assistance - to review eligibility for SEND home to school/college travel assistance, in particular for post-16 students, subject to recommendations from the appointed consultant on home to school transport efficiencies".

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

- 7.1. Section 508B of the Education Act 1996 provides the duty on local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate attendance at school for eligible children. Schedule 35B of the Act (inserted by Part 6 of the Education and Inspections Act 2006) defines eligible children – those categories of children of compulsory school age (5-16) in an authority's area for whom free travel arrangements will be required. There is a power to make travel arrangements for other children under section 508C of the Act. The authority is required to have regard to the statutory guidance in relation to the discharge of its functions under sections 508B and 508C.



- 7.2. In relation to policy changes paragraphs 51-53 of the statutory guidance says the following:

*Publication of general arrangements and policies*

51. Local authorities must publish general arrangements and policies in respect of home to school travel and transport for children of compulsory school age. This information should be clear, easy to understand and provide full information on the travel and transport arrangements. It should explain both statutory transport provision, and that provided on a discretionary basis. It should also set out clearly how parents can hold local authorities to account through their appeals processes. Local authorities should ideally integrate their Sustainable Modes of School Travel strategies into these policy statements, and publish them together.

*Policy Changes*

52. Local authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all interested parties. Consultations should last for at least 28 working days during term time. This period should be extended to take account of any school holidays that may occur during the period of consultation.

53. Good practice suggests that the introduction of any such changes should be phased-in so that children who start under one set of transport arrangements continue to benefit from them until they either conclude their education at that school or choose to move to another school. Parents make school choices based on, amongst other things, the home to school transport arrangements for a particular school, and any changes might impact adversely on individual family budgets.

- 7.3. In relation to children not of compulsory school age, Section 508C of the Act provides local authorities with discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport. Paragraphs 36 and 37 of the statutory guidance says:

36. Charges can be made, or, as stated in Subsection (5) of 508C local authorities may also pay all or part of the reasonable travel expenses of children who have not had travel arrangements made either under the statutory duty placed on local authorities, or under their discretionary powers to make travel arrangements. Where charges are imposed, good practice suggests that children from low income groups (those not eligible for extended rights, either due to being just outside financial eligibility or live outside of the distance criteria and therefore not in receipt of free travel) should be exempt.

37. It is very much for the individual local authority to decide whether and how to apply this discretion as they are best placed to determine local needs and circumstances. It is recognised that local authorities will need to balance the demands for a broad range of discretionary travel against their budget priorities. While the department offers guidance, the final decision on any discretionary travel arrangements must rest with the individual local authority who should engage with parents and clearly communicate what support they can expect from the local authority.

- 7.4. For students of sixth form age, section 509AA of the 1996 Act requires a local authority to prepare, for each academic year, a transport policy statement that specifies the arrangements for the provision of transport or otherwise that the authority considers it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training at relevant institutions. In considering what arrangements it is necessary to make for students with SEN or disability the local authority is required to have regard (amongst other things) to
- (a) the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made,
  - (b) the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided,
  - [(ba) what they are required to do under section 15ZA(1) in relation to persons of sixth form age,]
  - (c) the [distances, and journey times, between] the homes of persons of sixth form age in their area [and establishments] such as are mentioned in section 509AA(2) at which education or training suitable to their needs is provided, and
  - (d) the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.

The authority must consult stakeholders in developing the policy statement.

- 7.5. Local authorities also have a duty to make such transport arrangements as are necessary for students aged 19 to 25 with EHCPs in residential education or attending further education colleges and must publish an annual policy statement (sections 508F and 508G of the Education Act 1996)

- 7.6. Statutory guidance is given in 'Post-16 transport and travel support to education and training' published in January 2019. This advises that:

In assessing what transport arrangements or financial support may be required, the local authority has flexibility over the decisions it makes but must have regard to the following:

- a. The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made;
- b. The need to ensure that young people have reasonable opportunities to choose between different establishments at which education and training is provided;
- c. The distance from the learner's home to establishments of education and training;
- d. The journey time to access different establishments;
- e. The cost of transport to the establishments in question;
- f. Alternative means of facilitating attendance at establishments;
- g. Preferences based on religion
- h. Non-transport solutions to facilitate learner access

- 7.7. Local authorities are expected to target any support on those young people – and their families – who need it most, particularly those with a low income. The transport policy statement should set out clearly the criteria used to establish a learner’s eligibility to receive transport/financial support. Local authorities may ask learners and their parents for a contribution to transport costs and in exercising their discretion they should:
- ensure that any contribution is affordable for learners and their parents;
  - ensure that there are arrangements in place to support those families on low income; and
  - take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups.
- 7.8. The transport needs of young people with special educational needs and disabilities must be reassessed when a young person moves from compulsory schooling to post-16 education, even if the young person is remaining at the same educational setting. Arrangements cannot be limited to those young people who had been assessed as having particular transport needs prior to the age of 16. The Children and Families Act 2014 places a duty on local authorities to publish a ‘local offer’ setting out their services for children and young people with special educational needs and disabilities, and this must include information on the arrangements for travel to and from post-16 institutions.

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

- 8.1. Because this is a service to children with SEND, the protected characteristics group that will be affected is children with disabilities. At this stage it has not been possible to undertake a full equality analysis as this will need to be undertaken when considering specific proposals that will be taken forward. An Equalities Analysis will be required before a decision is made.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. No specific impact.

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

- 10.1. Decisions on Home to School transport take into account the safety of children i.e. the eligible children the council should make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability.

## **11 BACKGROUND PAPERS**

Home to school travel and transport guidance Statutory guidance for local authorities 2014 <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>

Budget Council paper, 4 March 2020

<https://democracy.merton.gov.uk/ieListDocuments.aspx?CId=142&MId=3344&Ver=4> with Savings information:  
<https://democracy.merton.gov.uk/documents/b12470/Savings%20Information%20Pack%20Wednesday%2004-Mar-2020%2019.15%20Council.pdf?T=9>

**Committee:** Cabinet

**Date:** 8 November 2021

**Agenda item:**

**Wards:** All Wards

**Subject:** Award of Contract for PFI Schools Catering Service 2021

**Lead officer:** Jane McSherry - Director of Children, Schools & families

**Lead member:** Cllr Eleanor Stringer – Joint Deputy Leader and Cabinet Member for Children and Education

**Contact Officer:** Murray Davies, [murray.davies@merton.gov.uk](mailto:murray.davies@merton.gov.uk), 020 8545 3069

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## Recommendations:

Members are asked to approve the recommendation that:

- A. The council award to Bidder A (as detailed in the Confidential Appendix to this report) a contract for provision of the school meals catering service at Merton PFI secondary schools for a period of 3 years from 1 January 2022, with an option to extend for up to two further years at the discretion of the council.
- B. In accordance with Contract Standing Orders (CSO 24.3) that authority be delegated to the Director of Children, Schools and Families to exercise, in consultation with the Cabinet Member for Children and Education, the council's option to grant one or more extensions of the contract term for any period up to two further years beyond the expiry of the initial contract term on 31 December 2025.

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## 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to seek the approval of Cabinet for the award of the contract for the provision of school meals at Merton PFI Secondary Schools to Contractor A following a single stage tender process.
- 1.2. This new contract will be for an initial period of 3 years from 1 January 2022, with an option at the discretion of the council to extend the term for a further period or periods of any duration up to a maximum two years in total.
- 1.3. Members are further advised that the new daily charge for a standard school meal for the 2022 calendar year will be £2.40.

## 2 DETAILS

- 2.1. Following the agreed variation of the council's PFI contract approved by Cabinet on 12 July 2021, the council has assumed responsibility for the provision of 'soft services' for the four PFI secondary schools in the borough – Harris academy Morden, Raynes Park High School, Ricards Lodge High School and Rutlish School. Soft services include cleaning, caretaking, grounds maintenance and the provision of catering for staff and pupils at the schools.

- 2.2. In line with agreements reached in discussion with the four schools, the council has sought bidders for the provision of school meals and related catering services on their behalf.

#### Tender Process

- 2.3. A single stage 'open' procedure, as set out in the Public Contract Regulations 2015 (SI 2015/102) ("PCR 2015"), was used for the purpose of this tender exercise.
- 2.4. In accordance with the requirements of that procedure, potential contractors were requested to bid for the proposed contract following the publication of a Contract Notice in September. The tender opportunity was also advertised to interested bidders via the Contracts Finder website and through the London Tenders Portal - the tender process was conducted electronically using the portal.
- 2.5. Organisations were invited to submit a proposal based on a meal price of £2.40 for the provision of a standard school meal along with detailed method statements explaining how they would deliver the catering service. The information requested to support the price proposal required potential contractors to detail the breakdown of their costs.
- 2.6. The council stipulated that the contract would be awarded to the bidder whose tender was judged to be the most economically advantageous based on price and quality criteria. The relative weighting of criteria as between quality and price was determined in accordance with the previous discussions with schools – affordability of the school meal is a significant consideration for head teachers and, accordingly, 30% of the evaluation was based on pricing considerations and 70% on the assessment of qualitative criteria. It should be noted that the minimum requirements for school meals are mandated by the National School Food Standards - <https://www.gov.uk/government/publications/standards-for-school-food-in-england>
- 2.7. The qualitative criterion was assessed across a range of operational areas to take account of the priorities of schools and the council in relation to the quality of service. The invitation to tender detailed the agreed scoring methodology for potential bidders.
- 2.8. Bidders were required to submit as part of their tender submission a proposal in regard to adding Social Value.
- 2.9. Bidders were also advised of the focus of the council on achieving the commitments under its Climate Emergency Action plan and that they would be expected to detail in their bids how they proposed to assist the council in doing so.
- 2.10. Contractors were also informed that in the event of a tenderer other than the current contractor being awarded this contract, the terms of the Transfer of Undertakings (Protection of Employment) Regulations 2006 were likely to apply ("TUPE Provisions").
- 2.11. Bidders were advised that the contract would be awarded in accordance with the assessment of bids against the criteria and weightings detailed below.

- 2.12. The return date for tenders was 19 October 2021. A number of potential bidders expressed an interest in Merton's contract and, by the date set for delivery of tenders, the council received bid submissions from four organisations.

#### Tender Evaluation

- 2.13. The evaluation of bids received was undertaken in three stages – an initial review of the bids to check completeness and to review grounds for exclusion, a detailed consideration and scoring of written quality and prices submissions followed by a final interview which was used to verify the written proposals received.
- 2.14. The evaluation process was supported and overseen by an officer from the council's Commercial Services team, acting in a quality assurance role to ensure EU procedures were complied with in full, and that the approach of the team to testing and scoring against the evaluation criteria was rational and consistent for all elements of the tender.
- 2.15. Bids were checked for completeness and assessed against the mandatory and discretionary grounds for exclusion and on their turnover and experience of delivering a school meals service. All four bidders passed these threshold requirements.
- 2.16. In the second stage of the evaluation process, the evaluation team assessed each tender and marks were awarded to each bidder. Following a moderation exercise, to arrive at a consensus score for each bidder, final scores based on written submissions were confirmed. The bidders' proposal were further verified through an interview during which bidders were asked to clarify and support their bid proposals.
- 2.17. Following the conclusion of this process, the evaluation team determined that Bidder A scored best against the published criteria so it is recommended the council awards the contract to this company.

### **3 ALTERNATIVE OPTIONS**

- 3.1. The making of arrangements for school meals is a legal requirement and, as part of the council's obligations under the PFI contract arrangements, it is responsible for the provision of catering services for these four sites.
- 3.2. While the provision could be delegated to schools, a centrally managed contract avoids the necessity for a school to spend extensive amounts of time making arrangements to procure and monitor their own services. It also helps to ensure that school meals are to a consistent quality and healthy standard across the borough. It is the specific request of the 3 maintained schools to be part of a jointly procured arrangements, and Harris Academy Morden has currently reserved judgement, so contractors have been asked to provide proposals with and without that school.

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

- 4.1. School head teachers have been fully consulted in relation to the provision of the catering and other soft service as part of the process for varying the

council's PFI contract and their specific requirements have been incorporated into the tender documentation.

- 4.2. A school bursar participated in the evaluation process and, in addition, a nominated head teacher representative was invited to participate in the evaluation of tenders and sat on the interview panel at the last stage of the tender process.
- 4.3. The Corporate Procurement Team has been consulted at all stages throughout the process to ensure probity existed at all times and to ensure we are able to fulfil our obligations at a later date in the event of a Freedom of Information Enquiry.

## **5 TIMETABLE**

- 5.1. The new contract is required to commence on 1 January 2022 or the council would need to extend its temporary contract with Sodexo Limited.
- 5.2. The award of this contract is subject to observing a 'standstill' period. Accordingly, the contract can be formally awarded to the successful tenderer from 26 November 2021

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

- 6.1. The value of the existing contract in 2018/19 financial year was just over £968,350 based on meals provided to both pupils and staff. During 2019/20 and throughout the current financial year, the take up of meals was affected by pupils not attending school due to COVID 19 restrictions. Consequently, the current expenditure under the school meals contract is difficult to estimate accurately. However, for the purposes of tendering, the council estimated that the value of the new contract over a full is likely to be of the order of £4.9 million assuming that school attendance returns to normal.
- 6.2. The cost of the service to the council is determined by the numbers of free school meals provided as against the meal price, which is tendered as a fixed price of £2.40 per meal, and the fixed concessionary fee payable to the council as set out in the Confidential Appendix to this report.
- 6.3. The council is not responsible for payment of the costs of school meals provided to staff or visitors.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The Council has the power to enter into this contract by virtue of section 1 of the Localism Act, section 111 of the Local Government 1972 Act and section 1 of the Local Government (Contracts) Act 1992.
- 7.2. The service being procured falls under the Light Touch Regime in the Public Contract Regulations 2015 and as such does not need to comply with the full rigors of the procurement regulations, but the Council still needs to follow the requirements to advertise the contract, issue an award notice and procure in accordance with the published tender documents (Regs 74-77 PCR).
- 7.3. The procurement must however be in accordance with the Council's own Contract Standing Orders. CSO 15 require that light touch procurements



comply with the Contract Standing Orders. CSO 19.5 require a ten day standstill to be in place and CSO 19.2 require the contracts once awarded be entered onto the Council's Existing Contracts Register in line with the Local Government Transparency Code 2015 as well as Contracts Finder in accordance with CCS Guidance.

- 7.4. Contract terms have been prepared in consultation with the council's Legal Services team.
- 7.5. Subject to the contract with the PFI contractor and any subsequent arrangements with any of the PFI contractor's sub-contractors, and on the basis that the contract is awarded to Bidder A does not result in the Council taking on or ceasing to provide any service delivery or service management function, any provision of the TUPE Provisions that might apply in the event of an award of the contract to a Bidder will not have any TUPE Provisions liability for the Council (as no workers would be transferred to or from the Council's employ).
- 7.6. If, as an alternative outlined in section 3 above, the service is taken on by a school or school maintained by the Council, the TUPE Provisions would apply to transfer the employment of staff allocated to the contract / relevant part of the contract to the Council and in time the Council could be liable for redundancy costs if there were to be redundancies affecting the staffing of the service provision.

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

- 8.1. The tender documentation submitted by all selected tenderers was assessed against the threshold requirement to ensure bidders comply with current equalities legislation. This will ensure that contracts are awarded to organisations that have an equalities and diversity policy and practices which can impact positively on the delivery of the service.
- 8.2. As part of the tendering process the council developed within its specification a formal requirement for providers to reflect the need to cater for an increasingly diverse child population in delivering the school meals service. Bidders' submissions were assessed as to the extent their proposals address these issues.
- 8.3. The council revised the standard meal price down to £2.40 from £2.67 to ensure school meals could be affordable for families that do not meet the threshold for free school meal eligibility.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. There are no substantive crime and disorder implications arising from the recommendations contained within this report.

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

- 10.1. All organisations that are awarded contracts must have a health and safety policy and procedures for effective health and safety and risk management.

Particular attention was given to assessing food hygiene procedures as part of the tender assessment.

- 10.2. The contract award is subject to the successful bidder agreeing to provide, if required, a guarantee undertaking from any parent company in order to mitigate any risks associated with a failure of performance by the council's chosen contractor.
- 10.3. During the recent pandemic, in line with HM Treasury and Department for Education guidance, the Council arranged to pay the incumbent contractor on behalf of schools an agreed sum to cover its continued operating costs during the period of the lockdown. Schools remained open for pupils who are deemed vulnerable or are the children of key workers throughout this period. The Council's expenditure was recharged in full to the schools participating in the central contract.
- 10.4. Similar arrangements would apply if such events affect the new contract and specific provisions to cover this eventuality have been included in the terms and conditions of contract issued to potential bidders.
- 10.5. The EU procurement regulations allow a company to challenge a contract decision from a public body, especially on matters of procedure. To mitigate this risk a separate quality assurance role was established for an officer from Commercial Services to monitor the tender procedures.

## **11 BACKGROUND PAPERS**

Contract Standing Orders

Exempt Annex to Report

## Committee: Cabinet

Date: 8 November 2021

Wards: all

## Subject: Merton's Neighbourhood Fund project selection 2021

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency

Contact officer: Tim Catley, S.106/External Funding Officer, Future Merton

### Recommendations:

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1. To allocate CIL Neighbourhood Fund money to individual projects received through the 2021 Neighbourhood Fund consultation in line with Merton Council's approved Neighbourhood Fund criteria as set out in Appendix A
  2. That delegated authority be granted to the Director of Environment and Regeneration in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency and Transport to make any amendments to funding bid amounts received through the recent Neighbourhood Fund consultation, in line with Cabinet's agreed Neighbourhood Fund criteria
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## 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report recommends to Cabinet to allocate Merton's Neighbourhood Fund to specific projects as set out in Appendix A.
- 1.2. This is the third year of allocations to Merton's Neighbourhood Fund, which combines with the Ward Allocation Scheme to allocate 15% of the Merton Community Infrastructure Levy to projects in Merton. In 2017 Merton's Cabinet agreed the criteria against which Neighbourhood Fund projects are assessed.
- 1.3. 32 project bids requesting a total of £1.78 million were received from community groups, residents, businesses, charities and council services following 9 weeks of public consultation. We would like to thank everybody who spread the word about the consultation and who participated by submitting a bid.
- 1.4. This report recommends allocating funding totalling £1,275,433 covering 22 of these projects and 2 top-ups of previously successful bids. Allocations are based on Merton's Neighbourhood Fund criteria agreed by Cabinet in 2017. The details of all the projects received are set out in Appendix A to this report.
- 1.5. Members are also asked to grant authority to the Director of Environment and Regeneration in consultation with the Cabinet Member for Housing Regeneration, and the Climate Emergency to make any amendments to

funding bid amounts received through the recent Neighbourhood Fund consultation, in line with Cabinet's agreed Neighbourhood Fund criteria.

## **2 DETAILS**

- 2.1. Since 2014 the Council has been collecting Community Infrastructure Levy for Merton and on behalf of the Mayor of London. As at 30<sup>th</sup> September 2021 Merton has received £5.6 million to be spent on neighbourhood projects via the Neighbourhood Fund and the Ward Allocation Scheme. To date (i.e. not including the proposed allocations in this report) £4.01 million of this funding has been approved/spent.
- 2.2. Under the CIL Regulations, the Neighbourhood CIL must be spent on local projects to support the demands development places on the area. Government guidance states that local authorities should engage local communities and agree with them how to best spend Neighbourhood CIL, and that governance should be proportionate to the level of receipts.
- 2.3. On 18 September 2017 Cabinet agreed detailed governance arrangements and criteria through which it can assess proposals for the allocation of funding under its "Neighbourhood Fund" scheme. The approved criteria for the Neighbourhood Fund are as follows:

### **Assessment criteria**

- a. Spending Neighbourhood CIL would need to accord with the CIL Regulations and government guidance on CIL.
  - b. The proposal must comprise an appropriate use of use of the funds; consistent with government rules and Merton's community plan and/or business plan priorities including bridging the gap.
  - c. Scheme should not have any unacceptable revenue or capital implications on the council or any other body.
  - d. Estimated cost of scheme should be over £20,000.
  - e. Scheme should be deliverable and capable of being started within the year ahead.
  - f. Proposal should have endorsement by at least one ward member.
  - g. Proposal should clearly demonstrate how it meets neighbourhood priorities. We will be looking for projects that clearly fall within one or more of the priorities favoured by the neighbourhood where the proposal would be located (or neighbourhood that would benefit most from the proposal) as demonstrated by the results of the Neighbourhood CIL public consultation (Nov 2016-Jan 2017).
- 2.4. Cabinet decided at its meeting on 19<sup>th</sup> January 2019 to allocate a portion of Neighbourhood CIL receipts to a separate scheme called the "Ward Allocation Scheme", allowing each ward £15k to spend on specific small scale public space projects. The Ward Allocation Scheme is operating separately to the Neighbourhood Fund scheme with the Neighbourhood Fund scheme being the subject of this report.
  - 2.5. Officers carried out a review of the operation of both schemes over the spring 2021 and Cabinet at its meeting dated 22 June 2021 resolved for officers to undertake a further review in 2022 following the conclusion of

four years of the Neighbourhood Fund and the conclusion of the Ward Allocation Scheme. They resolve that this review should look at priorities for Neighbourhood CIL spending and governance arising from the assessment of the Your Merton survey and to include an assessment of the implementation of the Ward Allocation Scheme for its full three year duration.

## **Bids**

- 2.6. Bids for the Neighbourhood Fund were sought across nine weeks between 9 July and 10 September 2021. In the spring 2021 review, cross party councillors expressed a wish that the Neighbourhood Fund should be more accessible to residents and others who may not be used to bidding for funding, to make it clear that anyone can bid and should do so if they have an idea for funding even if they don't have all the information requested in the bid form. Therefore this year the bidding page on the council's website was amended in response to the findings of councillor feedback.
- 2.7. 32 different project bids were submitted during this period from a wide variety of residents, community groups, business representatives, internal services and others. Each submission was assessed against the assessment criteria that were agreed by Cabinet in September 2017.
- 2.8. This report recommends allocating funding totalling £1,275,433 covering 22 of these projects and 2 top-ups of previous bids.
- 2.9. **Appendix A** includes the full list of all bids received, with bids recommended for funding under the assessment criteria including new bids and amendments to previous approvals shown with amounts recommended for allocation shown in the column titled "Funding recommended £". Reasons for the recommendations are set out in the column titled "Summary Assessment".

## **Assessment of bids**

### ***Community Plan priorities***

- 2.10. A key aspect of the criteria approved by Cabinet is a requirement for bids to demonstrate how they would contribute to the Community Plan priorities including bridging the gap. Bids were assessed against Merton Community Plan 2020-26 with a particular focus on the overarching goal of building social capital to help bridge the gap in life outcomes for the most deprived wards in the east and south of the borough compared to other wards.
- 2.11. In accordance with the resolution of September 2017 Cabinet, Community Plan priorities are strongly represented by the projects put forward to Neighbourhood CIL funding, with over £523k of funding recommended to projects that would directly meet the priority, namely:

• Pollards Hill Bus Shelter Refurbishment	£150,000
• Attic's Creative Community Engagement Programme	£42,549
• The Small Quarter: Community growing and culture space	£38,914
• The Mitcham Colour Way	£3,500
• The New Horizon's Centre - Better spaces - better place	£68,500
• Sherwood Park Cafe and Mini Golf	£60,000
• Uptown Youth Services	£30,000
• Immersive Learning Centre	£80,489
• Museum of Wimbledon Refurbishment Project	£50,000
<b>TOTAL Bridging the gap</b>	<b>£523,952</b>

### ***Other Selection Criteria***

2.12. Appendix A sets out how each of the bids that have been put forward for funding are considered to meet the assessment criteria and the reasons for not supporting bids, including with respect of other assessment criteria:

2.13. Supporting the demands that development places on the borough (criteria "a")

All bids have been closely assessed under this criterion and the recommended bids all meet this priority. To meet this requirement projects must be considered to address a demand of development over the 15-year local plan period from 2011.

2.14. Deliverability/financial implications (criteria "c" and "d")

A number of proposals have not been recommended for funding at this stage because they are not sufficiently formed or supported proposals and/or due to their financial implications. Reasons include:

- those that comprise lists of project aspirations/needs or projects that may be suitable for funding in the future but are currently insufficiently formed.
- those that may be more appropriate for alternative funding, such as for Strategic CIL, ARG funding, or could be funding by existing funding

allocations such as street trees, alley-gates and Morden Town Centre Neighbourhood CIL funding pots.

- due to their impact upon future financial resources, requiring unspecified or ongoing funding support for project preparation, design, consultation, delivery and maintenance.
- Projects where funding is requested for feasibility and would not necessarily result in a project delivered on the ground.

2.15. Neighbourhood priorities (criteria “g”)

All bids that have been put forward for funding meet the neighbourhood priorities identified for the neighbourhoods that they would benefit. A number of bids that have been recommended – Uptown Youth, Attic’s Creative Community Engagement Programme, Community Centre Energy Saving Lighting, Merton Garden Streets 2022, Energy Matters, Community Champions, the Wheel, Museum of Wimbledon – will benefit more than one of Merton’s neighbourhoods. This would enhance social capital by bringing communities together from across Merton and support the improvement of community facilities, town centres, streetscapes and open spaces as more people are engaged in making our neighbourhoods better for residents, workers and visitors.

***Top-ups of previous bids***

- 2.16. The further top-up of £20k for Bramcote parade is required to meet the final costs incurred to complete the scheme after various site-specific amendments in terms of materials and labour. Being a conservation area the restoration work required specific materials and standards to match the original construction. This was following and is in addition to the initial budget top-up of £40k approved by Cabinet in September 2020 required due to a review of actual costs for previous parade improvements in Colliers Wood and Wimbledon Town Centre which showed the cost for works coming in significantly greater than estimated at bidding stage.
- 2.17. The £27.5k top up for Parade programme and town centre management is required due to the need to fund the officer responsible for the management of the parade programme for the second half of the forthcoming financial year 2022-23 including managing the completion of the Haydon’s Road North Parade Improvements.

**Supporting the recovery from Covid19 and combatting Climate Change**

- 2.18. Recent consultation carried out by the council has shown the importance of the Covid19 Recovery and combatting Climate Change for residents and the community as a whole. Given this importance officers consider it important to refer to bids that would help support the Covid19 Recovery and efforts to combat Climate Change (as set out below). However, it should be noted that this is not part of the bid assessment under the bid assessment criteria approved by Cabinet in September 2017.

- 2.19. It is clear from findings of the recent Your Merton Survey that residents want more to be done to their local neighbourhoods given the greater amount of time they are spending at home since Covid19 struck. The Neighbourhood Fund can be used to support the improvements to the public realm and community facilities to boost the sport and recreation, cultural and high street offer in Merton to make our neighbourhoods vibrant, green, attractive and overall better equipped to meet these changing demands.
- 2.20. Covid19 has hugely disrupted the ability of local community organisations to operate effectively and viably and threaten the viability of locally supported traffic management measures. Reliable funding streams that supported these organisations and traffic measures pre-pandemic have been cut off and organisations have been operating with restricted capacity given working from home directives and staff absences. Given the importance of these organisations to respond to demands of Covid including the disproportionate impact upon the most marginalised and deprived communities and isolated individuals in Merton, the Climate Emergency and traffic safety, the Neighbourhood Fund offers to stimulate activity and recovery and reinvention to address the new and complex challenges faced.
- 2.21. Following the council's declaration of a Climate Emergency on 10 July 2019 the council has been building and forming new partnerships to support and drive community collectives to deliver on its Climate Strategy and Action Plan objectives. Funding projects, programmes and community activities is a substantial challenge given the pace of change in this area around the world and the restrictive terms and conditions of government and other external grants.
- 2.22. The Neighbourhood Fund presents a relatively flexible funding option to support smaller grass-roots projects and programmes developed by Merton's Climate Action Groups, and other climate aligned neighbourhood activities.
- 2.23. Bids that have been recommended for approval that stand out as supporting the Covid recovery – including helping our community in terms of Covid demands in terms of facilities and services and in providing funding support in-lieu of other funding streams/cash-flow shortages arising due to Covid19 – or helping to address Climate Change are as follows:

#### Covid19 Recovery

- |  |         |
|--|---------|
| • Attic's Creative Community Engagement Programme        | £42,549 |
| • The Small Quarter: Community growing and culture space | £38,914 |
| • The Mitcham Colour Way                                 | £3,500  |
| • Sherwood Park Cafe and Mini Golf                       | £60,000 |



• Uptown Youth Services	£30,000
• Improving Colliers Wood Rec Playground	£67,000
• Martin Way - Greener, Brighter & Revitalised	£27,335
• Merton Garden Streets 2022	£31,288
• There's More to Morden	£35,000
• Community Champions 2022	£64,000
• 20 mph banners	£35,000
<b>TOTAL Covid19 Recovery</b>	<b>£434,586</b>

#### Climate Change

• Polka Green Retrofit – decarbonisation measures to Polka Theatre old building	£20,177
• The Small Quarter: Community growing and culture space	£38,914
• Community Centre Energy Saving Lighting	£35,000
• Martin Way - Greener, Brighter & Revitalised	£27,335
• Merton Garden Streets 2022	£31,288
• Energy Matters: Building the next generation of energy champions	£88,822
• Community Champions 2022	£64,000
• The Wheel - A Circular Economy for Merton	£75,000
<b>TOTAL Climate</b>	<b>£380,536</b>

#### ***Delegated Authority to amend bid amounts***

- 2.24. Delegated authority as set out in Recommendation B is requested to address the scenario where amendments are required to authorised amounts for bids approved by Cabinet; for example where funding might need to be adjusted where costs following completion of detailed design work and consultation have changed or where match funding amounts are confirmed. Any decision will be made in line with Cabinet's agreed Neighbourhood Fund criteria.

- 3.1. Decision makers may choose to not allocate Neighbourhood CIL funding or allocate funding towards other bids that have not been recommended. However, the allocation of monies to the recommended bids are for deliverable projects that would meet Merton’s Community Plan priorities and help support the demands development place on the borough benefiting local communities and attracting further investment into the borough. For this reason, allocation to alternative bids or not allocating any Neighbourhood funding is not recommended. Allocations towards measures that have not been recommended because they do not support the demands development places on the area would be unlawful under the CIL Regulations 2010 (as amended).

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

- 4.1. Bids for the Neighbourhood Fund were sought between 9 July and 10 September 2021.
- 4.2. The opening of the bidding round was advertised on the Council’s website, via a press release and social media and via peer-to-peer publicity. We would like to thank everybody who spread the word about the consultation and who participated by submitting a bid.
- 4.3. A dedicated email address/telephone number was promoted to and well subscribed by bidders to help them through the bidding process.

#### **5 TIMETABLE**

- 5.1. Budget allocations will be carried out following confirmation of approved bids with payments made from November 2021 and through early 2022 subject to grant agreement negotiations, conditions and payment terms.

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

- 6.1. Community Infrastructure Levy, 15% of which is used for the Neighbourhood Fund, is payable when CIL-liable developments start to be built, not when planning permission is granted.
- 6.2. As at 8 October 2021 £1.27 million of Neighbourhood CIL was available [includes Q2 income figures sent to you on 13/10 Zoe] for new bids following commitments/expenditure totalling £4.3 million under the Neighbourhood Fund approved since 2018 including £350k put aside for the Ward Allocation Scheme.
- 6.3. The Table below summarises the 2020 bids and proposed allocations for top-ups to existing bids and project coordination support splitting them between revenue and capital schemes. The formal approval of these schemes will be progressed as part of the “Financial Report 2020/21 – Period 5, August 2021”:

<b>Capital Schemes</b>	<b>Budget 2021-22 £</b>	<b>Budget 2022-23 £</b>	<b><u>Revenue Schemes</u></b>	<b>Budget 2021-22 £</b>	<b>Budget 2022-23 £</b>

Pollards Hill Bus Shelter Refurbishment		150,000	The Small Quarter: Community growing and culture space		38,914
Polka Green Retrofit (Grant)	20,180		The Mitcham Colour Way		3,500
Merton Priory/Anima Una - Building a creative space for young people (Grant)	50,000		Attic's Creative Community Engagement Programme		42,549
The New Horizon's Centre - Better spaces - better place (Grant)		68,500	Sherwood Park Cafe and Mini Golf		60,000
Improving Colliers Wood Rec Playground		67,000	Uptown Youth Services		30,000
Community Centre Energy Saving Lighting		35,000	Martin Way - Greener, Brighter & Revitalised		27,335
Immersive Learning Centre		80,490	Merton Garden Streets 2022		31,288
Abbey Recreation Ground and Merton Park Green Walk Improvements		40,000	Museum of Wimbledon Refurbishment Project (Grant)		50,000
Bramcote Parade topup	20,000		Energy Matters: Building the next generation of energy champions		88,823
South Wimbledon Business Area Wayfinding		135,360	There's More to Morden		35,000
			20mph banners		35,000
			Community Champions 2022: Building social capital in Merton's journey towards net zero	57,600	6,400
			The Wheel - A Circular Economy for Merton		75,000
			Parade Programme Management top-up		27,500
<b>Total Capital Schemes</b>	<b>90,180</b>	<b>576,350</b>	<b>Total Revenue Schemes</b>	<b>57,600</b>	<b>551,309</b>

**Total All Projects**

**1,275,439**

- 6.4. The balance of Neighbourhood CIL not applied to bids approved by Cabinet will be rolled forward to support bids approved in future bidding rounds.
- 6.5. Forecasts based on planning permissions that attract Merton's CIL mean that the council expects to receive circa £300,000 into the Neighbourhood Fund per annum, excluding strategically significant developments.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. Under the CIL Regulations the Neighbourhood CIL, must be spent on development by funding the provision, improvement, replacement, operation or maintenance of infrastructure (s.216(1) *Planning Act 2008* and *Regulation 59, CIL Regulations 2010*).

- 7.2. Government guidance states that local authorities should engage local communities and agree with them how to best spend Neighbourhood CIL, and that administration should be proportionate to the level of receipts.
- 7.3. The Council is empowered to arrange for the discharge of any of its functions by officers (under section 101 of the Local Government Act 1972). The delegation requested in this report is therefore permissible under that legislation.

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

- 8.1. None for the purposes of this report. Projects will be selected against the criteria that Cabinet approved in September 2017 such as consideration of Merton's Community Plan, which include matters addressing equalities and community cohesion.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purposes of this report. Projects will be selected against the criteria that Cabinet approved in September 2017 such as consideration of Merton's Community Plan, which include matters relating to minimising crime and disorder.

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

- 10.1. None for the purposes of this report.

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

- Appendix A: Neighbourhood Fund bids for 2021

## **12 BACKGROUND PAPERS**

- Cabinet meeting 18 September 2017: Minutes and Agenda Item 4 – Neighbourhood Fund  
<https://mertonintranet.moderngov.co.uk/ieListDocuments.aspx?CId=146&MId=2773&Ver=4>
- Cabinet meeting 22 June 2021: Minutes and Agenda Item 8 – Neighbourhood Community Infrastructure Levy Review  
<https://democracy.merton.gov.uk/ieListDocuments.aspx?MId=3972>

## **Appendix A – Neighbourhood Fund bids for 2021**

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Bid #	Bid name	Funding Sought £	Description	Summary Assessment	Funding recommended £
1	Pollards Hill Bus Shelter Refurbishment	£150,000	Renewal of 1950s bus shelter to create indoor and outdoor community/cafe space. £150k is sought on the basis of the final £100k would be funded by external grants.	Recommend £150k allocation contingent on securing alternative funding for remaining costs and approval of a viable business case including ongoing revenue costs. Also shortlisted for SCIL funding, as contingency in case this Neighbourhood Fund bid is unsuccessful. Assessment notes: proposal would deliver regeneration for Pollards Hill estate, including revitalising landscaping, refurbishment of community building and community space. Feasibility yet to be completed, so the final decision on a delivery option is yet to be made. The contingent allocation proposed is considered suitable mitigation.	£150,000
2	Polka Green Retrofit	£40,355	Retrofitting renewables and energy efficiency measures in the old part of the building at the Polka Theatre in Wimbledon.	Recommend maximum allocation of 50% sought. Assessment notes: decarbonisation, alternative grants have difficult terms. The council has invested over £500k in the Polka development (this excludes the allocation recommended by this report); funding sought would cover all of remaining costs to be incurred whereas previous grants covered less than 10% of development costs.	£20,177.50
3	Morden Court / approach to Rail Pedestrian Overpass Improvement Plan	£25,000	To improve the access and aesthetics of the area as you enter Morden Court off London Road, Morden up to the pedestrian rail overpass.	Would require project development and programming. Look at feasibility for possible funding of measures using Morden Town Centre Neighbourhood CIL allocation. Assessment notes: public realm would benefit from improvements at this pedestrian access point to Morden TC. Project requires development/feasibility assessment, uncertain delivery capacity within 2 year Neighbourhood Fund timeframe.	£0
4	Attic's Creative Community Engagement Programme	£42,549	Delivers a large scale programme of participatory workshops focusing on increased social capital, wellbeing & mental health with both young & older people in Mitcham & further afield with Merton residents. Workshops: use drama and creative activities to support school age students, young people, EAL, refugees, women, older people, dementia sufferers, housing estate residents, with skills to build confidence, resilience and help them integrate, facilitate further educational and employment pathways and combat isolation. Also employability skills.	Full allocation recommended. Assessment notes: excellent offer, established organisation. 6 out of 12 activities are new since Covid struck. Pre-Covid Attic relied on grants, donations and reserves to fund core services & activities, including £32k pa council grant and they had a £100k pre-Covid annual turnover. Funding considered to be needed for activities to add resilience to balance book post-Covid, particularly while turn-over is below pre-Covid levels, as grants and donations are sporadic.	£42,549

5	The Small Quarter: Community growing and culture space	£38,914	Creation of a space in Mitcham (260 Croydon Rd CR4 4JA) for community activity/performances including a community garden overseen by a volunteer group of local growers and supported by bidder, which will produce fruit and vegetables for Merton's Community Fridge project and local food banks. Funding sought for phase 1 -Infrastructure, to establish the Small Quarter as carbon neutral with power and water facilities, build seating, create community garden including investing in facilities, operational setup, fundraising and running costs and activities.	Full allocation recommended with clawback if asset sold within 5 years and release of funding for seating pending planning permission if needed. Grant agreement provisions to allow for officer scrutiny of proposed spend including rainwater harvesting. Assessment notes: Stimulus for regeneration. If sustainable it would be an excellent grass-roots cultural/community hub showcasing and enabling eco/climate friendly practices. Creates volunteer opportunities supporting employability. Uncertain sustainability of future phases (seeking funding for these). Bidder and landowner is a CIC "aligned" social enterprise so could sell land to a private interest with proceeds invested in their activities out of borough. 33% of profits can be retained by private investors. Three quotes not obtained for water & power (justified for power, partly justified for water). No alternative funding sources sought for phase 1.	£38,914
6	Merton Priory/Anima Una - Building a creative space for young people	£111,285	Provision of a dedicated arts space at Merton Priory Chapter House for young people to express themselves and be heard through speech, drama and the creative arts	Part allocation of £50k recommended, pending final advice of officers. Assessment notes: stated outcome is finishing the performance space project for strategically important site offering drama opportunities for young people. Delivery delays and cost increases (this is a top-up of £46.6k award in 2018, which officers are concerned is duplicated in this bid). Delays in agreeing utilities works with adjoining landowner Sainsbury's.	£50,000
7	Pitt Crescent resolution of congestion and parking	£52,075	Establishing for Maple Court (in the same way as the other units already have) a suitable new parking forecourt to remove some 14 vehicles from Pitt Crescent (Wimbledon Park Ward) thereby relieving congestion and obstacles for vehicles, cyclists and pedestrians.	Project not feasible as creating the parking provision would result in an incursion on public highway that is unsafe for users and contrary to policy.	£0
8	The Mitcham Colour Way	£3,500	Creation/painting of a wall/pavement mural at Field Gate Lane, Mitcham CR4 3AL. The project will help boost the feeling of community & connectedness in the area. The bidder will also use the design & creation of the mural as a chance to engage with local young people on the developing design, incorporating their feedback & ideas, opportunity to teach creative skills	Full allocation recommended. Assessment notes: Uplifting/enriching public realm, engaging/empowering local young people. The bidder has a track record locally in delivering community projects and would complete the Artist Trail. Funding couldn't be secured by grant agreement as the bidder is not incorporated, however the amount is small and good value for murals and the bidder has proven track record locally.	£3,500



9	New Tennis Courts Wimbledon Park	£84,000	Repair/open up Courts 11-20 for park tennis again and a MUGA (the CIL funding is for the tennis the MUGA will be funded by the LTA grant released by the CIL investment) and will finally allow a better supply and capacity for residents, local schools and families, triggering match funding opportunities from LTA and Merton reserve.	Duplicate bid. Strategic CIL funding has been recommended to cover the same costs.	£0
10	Better spaces - better place	£68,500	Funding for the following at the New Horizon Centre (Pollards Hill): - Refurbish the community café and toilets; - Install a raingarden; - equip the Tuition Room for students to learn functional skills ; - equip staff team to better keep safe clients with mental health, addiction or behavioural conditions and diagnose/refer to specialists.	Full allocation recommended contingent on bidder providing a priority list in-case of cost increases. Assessment notes: investment in community hub in urgent need of refurbishment. Costs likely to increase for works. Fundraising/donations planned for other costs, but no alternative funds sought to cover bid costs.	£68,500
11	MusicOnWheels Mitcham	£20,000	The bidder would bring their MusicOnWheels double-decker bus to the wards of Cricket Green, Pollards Hill, and Figge's Marsh, and in each location provide 72 local children who would be likely to struggle to access musical education, with a free musical access course.	Not recommended for approval due to insecure investment. The council could consider a more sustainable bid next year. Assessment notes: there are significant doubts about the ability of this private limited company to deliver the programme. Merton Music Foundation provide free music in schools.	£0
12	Sherwood Park Cafe and Mini Golf	£60,000	To provide a cafe in the park which supports the elderly and young families within the area which will provide support and reduce isolation, and pop-up mini golf	Recommend full allocation subject to overcoming of Green Spaces Team officer objection, approval of business plan including ongoing costs and affordable cafe offer and any planning permission requirements. Assessment notes: would extend the leisure offer of this community hub and would vitalise the neighbourhood. Green Spaces Team officer objects, uncertain business plan/ongoing sustainability, planning permission outstanding.	£60,000
13	Building accessibility for financial future!	£45,000	CroydonPlus (credit union) provide financial advice and access to products, that they promote as affordable and accessible to Merton residents that would not normally have access to financial services and at risk of exploitation.	Not recommended for approval as need for funding not demonstrated. No councillor endorsements.	£0

14	School Streetscapes Merton II	£79,391	Engage with 5 schools/their communities in Mitcham, CWood & Nth Mitcham, including continue working with 2 schools from the existing programme (Neighbourhood Fund 2020 award) and 3 new schools. Design & paint a crossing mural in 1 school to increase visibility to road users and a pavement mural in 1 school promoting a safer walking route, hold 3 active travel events (e.g family cycling training), produce a toolkit for a School Streetscapes model.	Refusal recommended as the bidder is yet to deliver their first two murals under School Streetscapes 1, due to failure to secure approval from the Highways Authority over locations/design. Murals are the key motivator for engagement with the schools, so until this is resolved further funding should be withheld. Note - no fundraising activity for alternative funding has been referenced. There is duplication with other school travel safety programmes.	£0
15	Uptown Youth Services	£30,000	Gap funding for continuing core services for 2021/22 academic year. Core services centred on a youth club with youth workers and facilities supporting young people in need of support (BAME focus) with homework/music/drama/pathway mentoring & placements	Recommend full allocation. Assessment notes: strong established pathway/resilience building work in this youth club, bid with enhanced offer. Funding gap demonstrated. Justifies award to recurrent bid.	£30,000
16	Improving Colliers Wood Rec Playground	£67,000	Provide more playground equipment suitable for older children (aged 9+) in play area shared with Singlegate Primary and a safe gateway to connect two play areas. Also includes resurfacing, ground works, signage, bench relocation.	Recommended for full allocation with programming contingent on project management recruitment and delivery timescales to be determined in the round within the Green Spaces Team's overall programme. Assessment notes: secured officer in-principle approval incl. costings, would support Green Flag status and respond to Your Merton findings.	£67,000
17	Martin Way - Greener, Brighter & Revitalised	£53,185	This bid is for phase 1 for Public realm improvements / urban greening - new garden beds, tree planting, roundabout repairing/planting, new planters, security gates/lighting, removal of street clutter/tidying up of highways. Further bids for phase 2 - major investment in the parades and shop fronts. Cllr McLean pledging his £5k split of WAS as agreed by Cannon Hill Ward Cllrs.	Recommend part allocation for delivery from 2022-23 onwards subject to feasibility/best value checks including alternative funding availability (incl. Street Trees & Allegate Funds). Further tranches of funding to be investigated for future years bids for elements of proposal not covered by part allocation. Assessment notes: public realm benefits. Limited capacity to project manage within service areas is causing programming backlogs.	£27,335
18	Community Centre Energy Saving Lighting	£35,000	Improving the lighting at 3 community centre sites across the borough - New Horizons Centre, South Wimbledon Community Centre and South Mitcham Community Centre. Much of the lighting on these sites is very old and by upgrading it to modern, low energy LED lighting we will both improve the sites' facilities and greatly lower their energy use and carbon emissions.	Recommend full allocation. Assessment notes: supporting sustainability of community centres, progressing decarbonisation of council owned buildings.	£35,000

19	Merton Garden Streets 2022	£31,288	Second annual Climate Action Group appeal to Merton residents and business to turn their streets green by planting under street trees, depaving, planting front gardens, putting living roofs on bin/bike sheds and creative window boxes/hanging baskets. Bid to fund more resources so that we can reach even more Merton residents in the 2022 appeal.	Recommend full allocation. Social capital, community, streetscape and climate benefits.	£31,288
20	Urban ReLeaf - phase 2	£18,000	The second part of a project, to achieve greening/biodiversity/climate change adaptive of fallow/under-utilised public and private land, which is the focus of this funding bid is for personnel time and will involve engagement with the property owner(s) and local community, gathering of permissions for planting, determination of planting plan and planning and funding for phase 3.	Not recommended for allocation due to uncertain outcomes. Assessment notes: generally working towards a possible Climate Action Group identified outcome, which if realised would have climate benefits but funding is for activity to ascertain whether the outcome can be realised.	£0
21	Energy Matters: Building the next generation of energy champions	£88,823	<ol style="list-style-type: none"> <li>1. Trained and Accredited Energy Educators from the borough in five pilot schools with proposal for creation of Energy Educators in remaining schools</li> <li>2. Energy Matters education module for primary school children delivered by Energy Educators in the pilot schools.</li> <li>3. Evaluation of Energy Matters Education Module published and module updated for replication to remaining schools in borough through follow-up project/phases</li> <li>4. Energy saving advice and low cost energy saving devices e.g. LED light bulbs, radiator reflectors, draught excluders received by parents in targeted schools through energy advice cafes and home visits where appropriate.</li> </ol>	Recommend full allocation. Assessment notes: would empower the younger generation in Merton with knowledge to drive domestic/behavioural decarbonisation outcomes. Government backed organisations/government trialed programmes.	£88,823
22	There's More to Morden	£35,000	<ol style="list-style-type: none"> <li>1. Development and display of physical and virtual storyboard displayed in Morden Town Centre using themed window displays, heritage imagery, orientation panels and an augmented reality app to highlight local history in Morden/Merton Park.</li> <li>2. Mini heritage trails - online plus guided walk series from Morden Town Centre to residential areas</li> <li>3. 3 x local exhibitions in Mostyn Gardens, Kendor Gardens and Morden Hall Park</li> </ol>	Recommend full allocation with a condition to consider using any spare Morden Town Centre Neighbourhood CIL budget that may arise following project development for the Town Centre. Supporting a deeper appreciation of Morden's/Merton Park's heritage in a way that would be resilient/complimentary to Morden Town Centre Regeneration.	£35,000

23	Immersive Learning Centre	£80,489	The Immersive learning will be a fun and enriching (virtual learning) experience for Mitcham pupils across key stages 1 and 2. Virtual environments have the capability to develop young pupils core skills and imagination by providing endless opportunities for exploration and interaction. By broadening the typical learning environment beyond the classroom, immersive technology (virtual media player/projections/multisensory devices in a dedicated	Recommend full allocation subject to securing approval from the council's Childrens Schools and Families Directorate. Transformative and moden education facility for Mitcham primary school children, incl. SEN benefits. Established delivery vehicle.	£80,489
24	South Wimbledon Business Area BID (SWBA BID) Wayfinding Strategy	£160,820	Proposal to remove the existing dilapidated and inconsistent signage across the BID area and replace it with a consolidated, cohesive, understandable signage for the businesses operating in the BID area and all members of the community that work or travel within or across the SWBA.	Recommend part allocation with balance to be covered by "ARG" Economic Development funding. Supports the businesses within the South Wimbledon Business Area, which is a strategic industrial area, with unifying wayfinding strategy. The project would have strong wider economic benefits that would advantage residents/encourage residential investment.	£135,358
25	Community Champions 2022: Building social capital in Merton's journey towards net zero	£64,000	Supporting the implementation of our Community Champions programme for one year. It would allow it to continue to expand its reach to a wider range of Merton residents and influence sustainable behaviour change. Sustainable Merton's Community Champions programme is the foundation on which many of their projects are built. Therefore, this funding would be spread across several initiatives and provide a mechanism for leveraging further funding from other sources to build on these initiatives.	Recommend full allocation, with significant proportion to be withheld pending receipt of end of year report demonstrating achievement of outcomes promoted in bid. Assessment notes: would continue sustainability awareness raising programme, including increasing numbers of volunteers and reach. Important role in facilitating and enabling a range of sustainable activities and investment in the same. Justifies award to recurrent bid	£64,000
26	The Wheel - A Circular Economy for Merton	£75,000	Connecting existing Merton-based community waste-reduction related projects through a virtual hub. Supported with a stimulation fund to support up to 20 projects financially to build their capacity and capability. During yr 1 the virtual hub will be set up and will look to set up physical hubs at meanwhile or permanent sites for storage, shared workspaces, training workshos and exhibitions targeted to be in place by 2023.	Recommend full allocation. Enables sharing of ideas and resources towards improved sustainability practices in terms of waste reduction and stimulates further initiatives/projects.	£75,000
27	Flytip fix - Mitcham TC lanes	none given	Idea to install cameras in continual dumping areas around Fair Green, the corner of Raleigh Gardens and Love Lane, the Love Lane alley and the very worst is Langdale Parade Alley. So much dumping happens daily, would the solution be to remove the gates scrape the area, tarmac and put bollards in. Perhaps a long row of huge bins (with recycling And general waste)	Fly tipping is a national and borough wide problem being addressed through our fly tipping strategy and plan. Additional resources are being applied this year and beyond. This problem is acknowledged and will be considered by Waste Services for Strategic CIL bid for CCTV in 2022. The Waste Team Manager advises CCTV could be a feasible solution and because it would require funding for annual licence it would be a Strategic CIL bid instead of a Neighbourhood Fund bid. Existing flytip clearance funding will be looked at to address areas of concern in short term.	£0

28	Hillside ideas (Cllr Holden)	none given	<ul style="list-style-type: none"> <li>Public buildings more sustainable – e.g. solar panels/wind turbine on Wimbledon library</li> <li>Wimbledon Guild – outside area for socialising. Café and/or some green space</li> <li>Replace the benches on Darlaston Road, by the church (old/fallen into disrepair), and on Leopold Road by the junction with Lake Road</li> <li>Intersection of Lake Road / Woodside/St Mary's Road - new pocket park on scruffy patch of land</li> </ul>	Not recommended for allocation. Ideas would require development before they can be considered for bids. Investment in de-carbonising Wimbledon Library could be a future invest to save bid for Merton Capital funding.	£0
29	Museum of Wimbledon Refurbishment Project	£50,000	The bidder is refurbishing the small free local museum which has served the community since 1915. They are creating entirely new displays which are designed to appeal to all Merton's communities, and a new space for activities involving all those communities. They want £50k for conservation of displays and a stimulus fund from which to offer activities/running when then reopen and form the basis of further fundraising. The refurbishment is fully funded.	Recommend full allocation, subject to grant agreement securing bridging the gap offer and free entry. Assessment notes: cross-party councillor support for this project to revitalise the celebration of Wimbledon as a place. Bridging the gap offer taking museum to Cricket Green and Perseid Schools (building on existing art offer in the the building) and other opportunities to be investigated. Further fundraising is to occur in the run-up to reopening however bidder has stated that they need the Neighbourhood Fund amount to underwrite the new programme before further funding can be achieved.	£50,000
30	Mitcham's Wellbeing Garden	£100,000	To transform Vestry Hall's back yard into Mitcham's Wellbeing Garden. To set up a Pop up Cafe Pod in the garden.	Not recommended for allocation. Assessment notes: nice to have for customers. Concern regarding viability of the proposed cafe given the new cafe in the Canons. Project would require development, costing is uncertain, there's planning permission uncertainty and it would require ongoing maintenance. No fundraising activity referenced in the bid.	£0
31	Abbey Recreation Ground and Merton Park Green Walk Improvements	£40,000	Plant daffodils between the path and fence that run parallel with Morden Rd (Abbey Rec). Planting by entrance to Abbey Rec. Fencing between Abbey Rec and nature trail. 2 info boards and signage material. Wicker fencing and new benches around new pond (IdVerde grant for pond construction). Polinator planting on nature trail, nest, bat boxes, bug hotels etc.	Recommended for full allocation with programming contingent on project management recruitment and delivery timescales to be determined in the round within the Green Spaces Team overall programme. Assessment notes: the bid is supported in-principle so as to deliver project to continue Green Flag status of these open spaces and respond to Your Merton findings. Project management officer capacity gap.	£40,000

32	20mph banners	£35,000	It is considered necessary to further raise speed awareness throughout the borough particularly along the main routes such as town centres, Local and London distributor roads by erecting 20mph speed banners together with some speed activated signs along some key locations. It is envisaged that better awareness would encourage an expedited change in behaviour amongst all road users. Funding sought in-lieu of LIP funding withdrawn by TfL due to financial pressures arising because of Covid19.	Recommended for funding pending the implementation of the vehicle activation signs and allocation of Strategic CIL for those. Makes the Council's roads more safe for all users.	£35,000
40	Bramcote parade building façade improvements topup	£20,000	Additional costs to complete this current Neighbourhood Fund project.	Top-up to pay final invoice for works. Extra costs due to expanded scope/selection of materials appropriate for the facades not included in original estimate.	£20,000
41	Parade Programme Management top-up 2022-23 q3&4	£27,500	Additional funding (in addition to existing Neighbourhood Fund allocation which covers up to Q2 2022-23) required to cover resource costs.	Top-up to secure continuity of programme delivery and town centre management including completion of existing allocations (Haydon's Road North).	£27,500
		<b>£1,831,674</b>		<b>Total recommended</b>	<b>£1,275,433</b>
				<b>Total NCIL available</b>	<b>£1,275,433</b>
				<b>Number of bids supported for Nfund allocation</b>	<b>22</b>