



**CORPORATE SERVICES DEPARTMENT**  
Caroline Holland - Director

To all Members of the Council

**Democratic Services**  
**London Borough of Merton**  
**Merton Civic Centre**  
**Morden, Surrey SM4 5DX**

**Tel:** 020 8545 3357  
**Email:** democratic.services@merton.gov.uk

***Date: 23 March 2022***

Dear Councillor

### **Notification of Cabinet Decisions**

The decisions of the Cabinet meeting held on Monday 21 March 2022 are attached.

The call-in deadline is Monday 28 March 2022 at noon

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

Yours sincerely

Democracy Services



## Decisions of the Cabinet held on Monday 21 March 2022

### Call-in deadline – Monday 28 March 2022

4	Merton Hate Crime Strategy 2022-26	<p>RESOLVED:</p> <p>A. That Cabinet reviewed and signed off Merton’s Hate Crime Strategy 2022-26.</p> <p>B. That Cabinet noted the content of the report in terms of work being undertaken on the hate crime agenda and consider how this work can be supported going forwards.</p>
5	Update following the council motion on 21st April 2021 in relation to the safety of women and girls in Merton	<p>RESOLVED:</p> <p>A. That Cabinet noted the work undertaken and to be undertaken to help improve the safety of women and girls in Merton</p> <p>B. That Cabinet reviewed and agreed the recommendation that Merton Council sign up to the Mayor’s Night Safety Charter</p>
6	Compulsory Purchase Orders for estate regeneration: Eastfields Phase 1, High Path Phase 2 and 3 and Ravensbury Phase 2, 3 and 4	<p>RESOLVED:</p> <p>A      That Cabinet resolved to make three Compulsory Purchase Orders (the <b>2022 CPOs</b>) for the acquisition of land, interests and rights (other than those already in the ownership of Clarion Housing Group) over the Order Land shown shaded pink and blue on the Plans attached as Appendix 1 and described more fully in section 3 of each of the draft Statements of Reasons attached as Appendix 2.</p> <p>B      That Cabinet agreed that the 2022 CPOs shall be, entitled:</p> <p style="padding-left: 40px;">I.      “The London Borough of Merton (High Path No1) Compulsory Purchase Order 2022”;</p> <p style="padding-left: 40px;">II.     "The London Borough of Merton (Eastfields No1) Compulsory Purchase Order 2022"; and</p> <p style="padding-left: 40px;">III.    "The London Borough of Merton (Ravensbury No1) Compulsory Purchase Order 2022".</p>

# Decisions of the Cabinet held on Monday 21 March 2022

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|  |  | <p>C That Cabinet agreed that there is a compelling case in the public interest to justify the making of the 2022 CPOs to include specific interests that must be acquired to facilitate the redevelopment of the High Path Estate, the Eastfields Estate and Ravensbury Estate (the <b>Estates</b>) as part of the Merton Estates Regeneration Programme, for the reasons detailed in this Report and the draft Statements of Reasons.</p> <p>D That Cabinet delegated to the Director of Environment and Regeneration the power to effect the making, confirming and implementation of the 2022 CPOs and to take all necessary steps to give effect to the 2022 CPOs in respect of the Order Land, but not limited to, the following procedural steps:</p> <ul style="list-style-type: none"><li>I. making such amendments and additions to the draft Statements of Reasons as deemed necessary to properly reflect the Council's position regarding the proposed 2022 CPOs so as to properly present the Council's case;</li><li>II. making such amendments and additions to the Plans attached at Appendix 1 as deemed necessary to properly enable construction of phases 2 and 3 of High Path, phase 1 of Eastfields and phases 2 to 4 of Ravensbury;</li><li>III. making the 2022 CPOs, the publication and service of any press, site and individual notices and other correspondence for such making;</li><li>IV. monitoring of negotiated agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the 2022 CPOs, including where appropriate seeking exclusion of land or new rights from the 2022 CPOs;</li><li>V. seeking confirmation of the 2022 CPOs by the Secretary of State (or, if</li></ul> |
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# Decisions of the Cabinet held on Monday 21 March 2022

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		<p>permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981), including the preparation and presentation of the Council's case at any Public Inquiry which may be necessary;</p> <p>VI. publication and service of notices of confirmation of the 2022 CPOs and thereafter to execute and serve any General Vesting Declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;</p> <p>VII. acquiring title to and / or taking possession of the Order Land;</p> <p>VIII. transferring the title of the acquired land to Clarion Housing Group;</p> <p>IX. paying all costs associated with making the 2022 CPO, including the compensation payable to owners , noting that those costs will be reimbursed to the Council by Clarion;</p> <p>X. referral and conduct of disputes, relating to compulsory purchase compensation, at the Upper Tribunal (Lands Chamber); and</p> <p>XI. dealing with any matter relating to the implementation of the CPO Indemnity Agreement dated 7 February 2019 (and any subsequent amendments) including all financial checks with Clarion Housing Group and approval of the budget in relation thereto, and to agree amendments as necessary with Clarion Housing Group.</p> <p>E That Cabinet agreed that the public interest in enabling the development of the Eastfields, High Path and Ravensbury Estates to proceed outweighs the interference with relevant rights under the European Convention on Human Rights as discussed at section 22 of this report.</p>
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## Decisions of the Cabinet held on Monday 21 March 2022

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		<p><b>Cabinet also noted:</b></p> <p>F It has been considered that compulsory acquisition would be necessary so that Merton Estates Regeneration Programme, can be delivered and achieve the following:</p> <ul style="list-style-type: none"> <li>• Comprehensive regeneration of two housing estates (Eastfield and High Path) and partial regeneration of another (Ravensbury) (together the <b>Estates</b>);</li> <li>• a significant contribution towards the Council's target for new homes over the coming years;</li> <li>• the replacement of poor quality and outdated housing stock with modern, high quality accommodation;</li> <li>• creation of new and distinct character neighbourhoods with public spaces, amenities and commercial and retail opportunities; and</li> <li>• economic and employment benefits for the Council.</li> </ul>
7	Repurposing the High Street - Final Recommendations	<p>RESOLVED:</p> <p>A. That Cabinet considered the report and noted the recommendations (attached in Appendix A) arising from the scrutiny review of the Re-purposing the High Street.</p> <p>B. That Cabinet agreed to consider implementation of an action plan to be drawn up by officers working with relevant local partner organisations and Cabinet Member(s) to be designated by Cabinet.</p>
8	Provision and maintenance of a Community Equipment Service	<p>RESOLVED:</p> <p>A. That Cabinet approved the award of a collaboration agreement for the provision and maintenance of a Community Equipment Service via an integrated Procurement Hub to London Borough of Croydon on a rolling basis, with the Council able to withdraw from the</p>

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		<p>agreement by giving not less than six (6) months' written notice of its intention to do so to expire on 31st March in any Financial Year.</p> <p>B. That Adult Social Care carry out an annual review of service quality as well as undertaking a full value for money exercise every 3 years to ensure that the service continues to offer Best Value.</p> <p>C. That the Director of Community and Housing was given delegated authority, in consultation with the Cabinet Member for Adult Social Care and Health, to agree to the continuation of the collaboration agreement following the completion of each annual review and triennial value for money exercise</p>
9	Home to school transport	<p>RESOLVED:</p> <p>a) That Cabinet noted the responses and officers' analysis from the consultation on home to school travel that ran from 23 November 2021 to 5 January 2022 and agreed to the following changes to home to school travel arrangements:</p> <p>b) That Cabinet agreed to increase investment in travel training by £50,000 per year to support opportunities for the independence and well-being of the young person to travel to school/college independently rather than using supported travel from the age 11 where it is appropriate</p> <p>c) That Cabinet agreed for officers to improve the offer of travel budgets (PTABs), by implementing a more transparent policy, making it easier for families to receive financial recompense and increasing their promotion. This will both improve the take up of this option by parents and the ease of its use, while also being more efficient for the Council</p> <p>d) In addition to continuing to meet our statutory requirements for home to school travel for statutory school age children, to continue to support families with children of pre-school age and post 16 students with the most significant needs where it is essential to get their child to school, especially for those with severe and profound learning difficulties</p> <p>e) Not to introduce charging for receiving travel assistance.</p> <p>f) Travel support for post-16 students to in the future be predominantly through independent forms of travel assistance, such as travel training and travel budgets, where this is possible. Organised transport only for those unable to use independent forms of travel or where their educational placement agreed in their EHCP is too far away to be reached independently.</p>

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		<p>g) Officers to continue work to ensure best value for money in providing travel assistance to children, including ensuring the most cost-effective means to procure the taxi market, efficient utilisation of the in-house buses and procured taxis, and more formal reviews with schools to ensure we meet the needs of children as effectively as possible including identifying children who could be supported towards more independent travel.</p> <p>h) For officers in Community and Housing Department, working with Children, Schools and Families, to update their policies in relation to post-19 home to college travel on the basis of the same strategy as above</p> <p>i) To delegate the Director of Children, Schools and Families, in consultation with the Deputy Leader and Cabinet Member for Children and Education, and the Director of Community and Housing in relation to the travel assistance policy for post-19 students, amendments to policy documents in line with the above for supported travel from September 2022</p>
10	Extension of School Cleaning Contract	<p>RESOLVED:</p> <p>A. That Cabinet agreed that the Council extend its existing contract with Julius Rutherford &amp; Co Limited for provision of the school cleaning service at Merton primary, secondary and special schools and other education buildings up to 31 July 2022</p>
11	Financial Monitoring Report - Period 10 January 2022	<p>RESOLVED:</p> <p>A. That Cabinet noted the financial reporting data for month 10, January 2022, relating to revenue budgetary control, showing a forecast net adverse variance at year end on net service expenditure of £5.967m, increasing to £6.592m when corporate and funding items are included, a decrease of £684k compared to last month</p> <p>B. That CMT note the contents of Section 5 and approve the adjustments to the Capital Programme contained in Appendix 5b</p> <p>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:</p>

# Decisions of the Cabinet held on Monday 21 March 2022

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14	CHAS 2013	RESOLVED: That the recommendations within the report were agreed.																								
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2.																										

## Merton Council - call-in request form

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

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

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

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

### 3. Desired outcome

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

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

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

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

**5. Documents requested**

**6. Witnesses requested**

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

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

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

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

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)
- **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on 020 8545 3864