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SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL 18 JANUARY 2022

(7.15 pm - 9.30 pm)

PRESENT Councillors Councillor Aidan Mundy (in the Chair),
Councillor Daniel Holden, Councillor Laxmi Attawar,
Councillor David Dean, Councillor Nick Draper,
Councillor Anthony Fairclough and Councillor Dave Ward

John Bosley (Assistant Director Public Space Contracts and Commissioning), Elliot Brunton, Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), Paul McGarry (FutureMerton Manager), James McGinlay (Assistant Director for Sustainable Communities) and John Morgan (Interim Director, Community & Housing)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies received.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Cllr Mundy declared an interest for item 9 as a plot holder for the Eastfield's allotment.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the previous meeting were agreed as a fair and accurate account

4 ACTION LOG (Agenda Item 4)

Drawing attention to the amber items, the Chair asked if there were any questions or issues.

A Member commented that there appears to be confusion about the communication with blocks of flats request - It wasn't just a Clarion properties. It should include all genuine blocks of flats, both private and in public, as the problem is still ongoing.
Action: Chair to speak with Officers to amend where possible.

Roads and pavement resurfacing item has dropped off the action log.

Action: Chair to follow up with Officers and Cllr Fairclough offline to get further detail on whether action has been completed.

5 PERFORMANCE MONITORING (Agenda Item 5)

The Assistant Director of Public Space responded to Panel Members questions;

In terms of performance of the service, the current value reported in November being 104 missed collections per 100,000. Over the last eighteen months we have seen an improvement in this indicator. It's not ideal, but it is moving positively in the right direction. There have been two elements that have affected the service, both locally and regionally, which is COVID positive cases which require isolation, as well as a fundamental national driver shortage. Both have impacted on the deployment of frontline services and does contribute somewhat to less efficient services.

It is not Council policy to miss blocks of flats for waste collection. Within the industry, flats are one of the harder elements to collect due to staff needing to know locations, where the bin storage is, and using an agency workforce that maybe not educated on the structure and where those individual locations are may contribute to less reliability or efficiency within the service.

We have seen an increase in general activity within our parks during this period. More people visit our parks and therefore use our parks. Interestingly enough, London spends around £50 million a year collecting litter and clearing litter from people visiting our parks. And that's an area of focus where we want to try to have users of our parks take their litter and rubbish home with them. We can also look to inspect parks more frequently.

6 CALL IN: SCHOOL STREETS - ARAGON (Agenda Item 6)

The Chair invited Cllr McLean to speak to the call-in.

- The consultation began on the 19th September 2020 and concluded on the 31st of July 2021 and saw letters delivered to 157 properties. 73 responses were received with 58 of those responses from within the Aragon Road zone.
- I would like to highlight that of the 58 responses within the Aragon Road Zone there were 39 objections and only 19 responses in support. Plus 8 of the 19 that the Council labelled as 'in support' also stated objections to the scheme.
- The Council did not mention to residents in any of the literature that if they did not actively object, then they would be considered to not object to the scheme. Furthermore, when reporting the results, the Council does not distinguish between the people who actively supported the scheme and those who did not object. This therefore calls into question the validity of the results that have been reported.
- There appears to be an increasing level of misunderstanding amongst residents regarding the exemption process and the contraventions if the scheme becomes permanent. This scheme needs to be paused before becoming permanent with a fuller consultation conducted and concerns of the residents addressed.

Cllr Nick Mclean responded to questions of clarification from the Panel;

- There is an opportunity for the Council to demonstrate that it listens. What has been highlighted here is the residents have shown their concern and have asked for some flexibility. Other councils show flexibility with policy.
- We reviewed all the results of the consultations, and we felt that Aragon, in particular, really stood out with regards to results and the objections. We felt

that this particular school street, and the response from the consultation was out of kilter compared to the others.

The Chair invited Luke Mcarthy, Chair of Merton Residents Transport Group, to speak;

- The five key benefits of school streets are climate change, air pollution, safety and health and wellbeing (which includes both exercise and educational benefits)
- Over 50% of pupils live within 800 metres of the school as it has a very small catchment area, so it's actually very suitable for large numbers of pupils to walk or cycle to school. Also very accessible by those living beyond that 800 metre zone.
- A lack of understanding in terms of the eligibility criteria and how the exemption process works has contributed to the resident objections. These are things that the Council could have improved in the way the scheme was put in place and subsequently communicated to residents.

The Head of Future Merton elaborated in response to a question of clarification that throughout the consultation the exemptions policy has been edited and developed in response to comments and feedback from residents. Merton has one of the most generous exemption policies compared to other councils in London for school streets. We have received comments about Ringo's lack of usability and convenience and recognise this could be improved.

Parking services have been trying to get improvements to make it easier for people to get exemptions on school streets via the system.

Action: Head of Future Merton to get further detail on this from parking services.

The Cabinet Member for Housing, Regeneration and the Climate Emergency added; We've had a very large roll out of 28 school streets across the borough which is one of the highest numbers of any London borough. It has measurably changed the environment outside many schools, making it safer for children as well as encouraging them to walk, cycle and scoot. In terms of Aragon Road we have listened to the representations that have been made and we are reducing the hours of operation by fifteen minutes in the morning and fifteen minutes in the afternoon. And to echo previous comments, we do have a flexible exemption scheme.

The Panel moved to a vote on the recommendations listed in the report worded as follows - That the Sustainable Communities Overview and Scrutiny Panel consider the information provided in response to the call-in request and decide whether to:

- A. Refer the decision back to the Cabinet Member for reconsideration; or
- B. Decide not to refer the matter back to the Cabinet Member, in which case the decision shall take effect immediately

There were two votes in favour of recommendation A (Cllr David Dean and Cllr Daniel Holden), four votes in favour of option B and one abstention.

The Panel RESOLVED not to refer this decision back to the Cabinet Member, and therefore it will take immediate effect.

Following the vote, a motion was raised by a Panel Member to recommend that Cabinet review the following four items:

- its consultation processes where experimental traffic orders are used to implement school safety zones: to make clearer how proposals are adapted in the light of consultation responses; and to include the measurement of air pollution and relevant traffic levels before the permanent decision is made;
- signage to alert drivers about the zones;
- information provided on the operation of the zones; and
- on a regular basis, the criteria and operation of school safety zone permits”

The motion was seconded. There were three votes in favour, four against. Motion fell.

The Panel RESOLVED (seven votes in favour) to request officers produce, for the first session of the new scrutiny term, a lessons learned paper on the implementation of school streets.

7 BUSINESS PLAN UPDATE 2022-2026 (Agenda Item 7)

The Director of Corporate Services provided an update following on from the Panel meeting in November which scrutinised the first stages of the business plan.

The level of inflation is a concern, particularly for our contracts, so we are keeping that under review. Additional monies for utilities have also been added in because of this.

The position as at the end of December was a balanced budget for 2022/23 but still a gap of £12.8 million in 2023/24. We had at that stage built in the 2% Council Tax increase and the 1% Adult Social care precept.

There will be further updates on the Government settlement at Cabinet in February. Certainly overall, it was a good settlement. However, it was still only a one-year settlement, so that is disappointing.

DSG remains our biggest challenge - we expect to hear shortly from the DfE on the outcome of the safety valve discussions.

In response to questions, the Director of Corporate Services expanded upon keys areas of interest for the Panel;

A significant part of the unachieved E&R savings was the reversal of the Emissions Based Charging decision which is a shortfall on parking income of around £3.3 million. Further to this, income is significantly down right across Environment & Regeneration, not just in parking income but in leisure income, development control and regulatory services income.

We intend to explore a number of different avenues with Deen City farm to see how either through their own resources and imagination or through some use of CIL funding, we could support them to become more self-sustaining.

The Panel moved to discuss recommendations;

Cllr David Dean raised a motion with regards to ENV2022-23 03 that on the basis that the E&R budget this year is increasing by 1.8% to £69.8 million, I see no reason to cut Deen City Farms budget. It should be taken out of the equation and further consultation with Members and DCF should take place.

The motion was seconded.

There were three votes in favour, four against. Motion fell.

The Sustainable Communities Panel RESOLVED to send the following reference to the Overview and Scrutiny Commission;

The Panel RESOLVED (five votes in favour, two abstentions) to recommend Cabinet hold saving ENV2022-23 03, regarding Deen City Farm, on the basis that it is a saving to be made in 2023/24 and in anticipation of finding an alternative saving.

8 HOUSING AND ENVIRONMENTAL HEALTH UPDATE (Agenda Item 8)

The Chair welcomed Elliot Brunton, Interim Head of Housing Needs and Strategy, to the meeting to talk about the work of the housing enforcement team.

We have recently implemented a new database within the housing system and will need to investigate further on the report functionality available - Currently reports are driven by service requests.

There are 29 different hazards under the Housing Act 2004 that officers have to assess using the health and safety rating system. Overcrowding is one of the factors looked at, which would be termed as either natural growth or by someone moving into an overcrowded situation.

Inspection delays caused by social distancing - very difficult to investigate a property when you can't go into it.

We've been trying to get the Landlord Register scheme set up for a few years. The Council is currently looking at the evidential base for what they call selective and/or additional licencing. It's a very complex scheme which requires sign off from the Secretary of State.

The Chair requested the Interim Head of Housing Needs and Strategy returns to the Panel on the 8th March with details on the HMO picture. Look into whether Panel Members could attend an inspection or failing that, be provided with pictures to get an idea of what category one looks like etc.

9 ALLOTMENT SERVICE (Agenda Item 9)

The Assistant Director of Public Spaces gave a quick summary of the paper.

Currently the service is managing a waiting list of 209 residents. We have reduced the waiting list by 75% and seen a reduction in the number of vacant plots within this period of 50%.

In response to questions, the AD provided further information;

Two main elements to complaints;

One was the waiting list (which was significant) and it's an issue that we have tackled.

Two was related to water charging – you will see there is an increase in water charges per use.

What transpired in terms of water charging is that we weren't keeping pace with the cost of water. We had, in essence, been subsidising the service by subsidising water usage in the allotments and in, in some ways over watering. This has shed light on the fact that we need to provide more information and education on adaptive strategies i.e. mulching, capturing water in different ways, and therefore reducing people's reliance on that cost. There were significant complaints associated with.

New Head of Parks will be starting at the end of January.

I would say is that we have an oversubscription of sites. The plots are very sought after and in releasing any plots for communities, we would need to make sure that we have a robust business case in place for that to ensure that it has sustainability to deliver longer term.

10 WORK PROGRAMME (Agenda Item 10)

The work programme was agreed.