

Merton Council

Council Meeting

Membership

The Mayor: Councillor Joan Henry

The Deputy Mayor: Councillor Agatha Mary Akyigyina OBE

Councillors: Sally Kenny, Stephen Alambritis MBE, Laxmi Attawar, Thomas Barlow, Hina Bokhari, Mike Brunt, Billy Christie, Caroline Cooper-Marbiah, Anthony Fairclough, Edward Foley, Brenda Fraser, Jenifer Gould, Daniel Holden, Andrew Howard, Natasha Irons, Linda Kirby MBE, Paul Kohler, Edith Macauley MBE, Peter McCabe, Simon McGrath, Nick McLean, Aidan Mundy, Dennis Pearce, Marsie Skeete, Eleanor Stringer, Martin Whelton, Helena Dollimore, James Williscroft, Sheri-Ann Bhim, John Braithwaite, Michael Butcher, Caroline Charles, Eleanor Cox, Klaar Dresselaers, Chessie Flack, Kirsten Galea, Ross Garrod, Jil Hall, Billy Hayes, Susie Hicks, Dan Johnston, Andrew Judge, Usaama Kaweesa, Samantha MacArthur, Gill Manly, Stephen Mercer, Stuart Neaverson, John Oliver, Robert Page, Michael Paterson, Tony Reiss, Slawek Szczepanski, Matthew Willis, Max Austin and Victoria Wilson

Date: **Wednesday 19 April 2023**

Time: **7.15 pm**

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

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact

democratic.services@merton.gov.uk or telephone [020 8545 3357](tel:02085453357).

All Press contacts: communications@merton.gov.uk, 020 8545 3181

Council Meeting

19 April 2023

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Council to receive petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution

Please note: there is no written report as no petitions were received at the last meeting.

17 Business for the next ordinary meeting of the Council

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.

Partnership.

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Agenda Item 3

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COUNCIL

1 MARCH 2023

(7.15 pm - 10.05 pm)

PRESENT

(in the Chair), Councillor Joan Henry,
Councillor Agatha Mary Akyigyina,
Councillor Stephen Alambritis, Councillor Laxmi Attawar,
Councillor Thomas Barlow, Councillor Hina Bokhari,
Councillor Michael Brunt, Councillor Billy Christie,
Councillor Caroline Cooper-Marbiah,
Councillor Anthony Fairclough, Councillor Edward Foley,
Councillor Brenda Fraser, Councillor Jenifer Gould,
Councillor Joan Henry, Councillor Daniel Holden,
Councillor Andrew Howard, Councillor Natasha Irons, Councillor
Sally Kenny, Councillor Linda Kirby, Councillor Paul Kohler,
Councillor Edith Macauley, Councillor Peter McCabe,
Councillor Simon McGrath, Councillor Nick McLean,
Councillor Aidan Mundy, Councillor Marsie Skeete,
Councillor Eleanor Stringer, Councillor Martin Whelton,
Councillor Helena Dollimore, Councillor James Williscroft,
Councillor Sheri-Ann Bhim, Councillor John Braithwaite,
Councillor Michael Butcher, Councillor Caroline Charles,
Councillor Eleanor Cox, Councillor Klaar Dresselaers,
Councillor Chessie Flack, Councillor Kirsten Galea,
Councillor Ross Garrod, Councillor Jil Hall,
Councillor Billy Hayes, Councillor Susie Hicks,
Councillor Dan Johnston, Councillor Andrew Judge,
Councillor Usaama Kaweesa, Councillor Samantha MacArthur,
Councillor Gill Manly, Councillor Stephen Mercer,
Councillor Stuart Neaverson, Councillor John Oliver,
Councillor Robert Page, Councillor Michael Paterson,
Councillor Tony Reiss, Councillor Slawek Szczepanski,
Councillor Matthew Willis, Councillor Max Austin and
Councillor Victoria Wilson

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Pearce.

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 1 February 2023 are agreed as an accurate record.

4 BUSINESS PLAN 2023-27 (Agenda Item 4)

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

At the invitation of the Mayor, the Interim Executive Director Finance and Digital presented the Business Plan 2023-27. The Director then responded to questions from Councillors Charles, Dresselaers, Skeete, Barlow, Szczepanski, MacArthur, Bhim, Cox, Dollimore, Galea and Neaverson.

The Leader of the Council presented the Business Plan 2023-2027 and formally moved the recommendations in the report whilst making his budget speech to Council, a copy of which is appended to the minutes as Appendix A. Councillor Christie formally seconded the recommendations, and reserved his right to speak. The Mayor then invited the opposition Group Leaders in turn to respond to the Budget proposal and the Business Plan. The Leader of the Liberal Democrat Group, Councillor Fairclough addressed the meeting and his speech is attached to the minutes, as Appendix B. The Leader of the Conservative Group, Councillor McLean, addressed the meeting, and his speech is attached to the minutes, as Appendix C. The Leader of the Merton Park Ward Independent Residents Group, Councillor Foley, addressed the meeting and his speech is attached to the minutes, as Appendix D.

The following members of the Cabinet addressed the meeting: Councillors Stringer, Judge, Irons, Alambritis, Fraser, Kenny, Cooper-Marbiah and McCabe.

The Mayor then invited members to move proposed amendments to the Business Plan. Councillor Fairclough formally moved the four Liberal Democrat amendments which were formally seconded by Councillor Kohler who reserved his right to speak. Councillor McLean formally moved the Conservative amendment and this was formally seconded by Councillor Paterson.

The Mayor then opened up the general debate on the proposed amendments and on the proposed substantive Business Plan. The following members spoke in the debate: Councillors Manly, Oliver, Hayes, Gould, Bhim, Paterson, Butcher, Hicks, Macauley, Wilson, Kaweesa, Foley, Kirby, Holden, Mundy, Reiss, Akyigyina, Braithwaite, Williscroft, Willis, Attawar, Flack, Johnston, Austin, Brunt, Hall, Dollimore, McGrath, Neaveson, Page, Whelton, Kohler and Christie.

At the conclusion of the debate, Councillor Garrod exercised his right of reply and the Mayor then called for a roll-call vote on the Liberal Democrat Amendments to the Business Plan 2023-27. Voting was as follows.

Liberal Democrat Amendment 1

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Foley, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Mercer, Oliver, Page, Paterson, Reiss, Willis, Wilson (26)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (30)

Not Voting: None (0).

The Mayor declared the amendment to be lost.

Liberal Democrat Amendment 2

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Foley, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Mercer, Oliver, Page, Paterson, Reiss, Willis, Wilson (26)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (30)

Not Voting: None (0).

The Mayor declared the amendment to be lost.

Liberal Democrat Amendment 3

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Foley, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Mercer, Oliver, Page, Paterson, Reiss, Willis, Wilson (26)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (30)

Not Voting: None (0).

The Mayor declared the amendment to be lost.

Liberal Democrat Amendment 4

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Foley, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Mercer, Oliver, Page, Paterson, Reiss, Willis, Wilson (26)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (30)

Not Voting: None (0).

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Conservative amendment to the Business Plan 2023 – 27. Voting was as follows:

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Foley, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Mercer, Oliver, Page, Paterson, Reiss, Willis, Wilson (26)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (30)

Not Voting: None (0).

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the substantive motion for the Business Plan 2023-27. The voting was as follows:

Votes in favour: Councillors Austin, Barlow, Bokhari, Braithwaite, Cox, Dresselaers, Fairclough, Flack, Galea, Gould, Hall, Hicks, Holden, Howard, Kohler, MacArthur, McGrath, McLean, Oliver, Page, Paterson, Reiss, Willis, Wilson (24)

Votes against: Councillors Alambritis, Attawar, Bhim, Brunt, Butcher, Charles, Christie, Cooper-Marbiah, Dollimore, Foley, Fraser, Garrod, Hayes, Irons, Johnston, Judge, Kaweesa, Kenny, Kirby, Macauley, Manly, McCabe, Mercer, Mundy, Neaverson, Skeete, Stringer, Szczepanski, Whelton, Williscroft, Deputy Mayor Akyigyina and the Mayor Councillor Henry. (32)

Not Voting: None (0)

RESOLVED:

That the Council agreed the Budget 2023/24 including:-

A) the General Fund Budget 2023/24;

B) the Council Tax Strategy for 2023/24 equating to a Band D Council Tax of £1,449.68, which is an increase of below 5%, inclusive of 2% Adult Social Care flexibility;

C) the Medium Term Financial Strategy (MTFS) for 2023-27;

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

E) the Capital Strategy (Section 2)

F) the Treasury Management Strategy (Section 2), including the detailed recommendations in that Section, incorporating the Prudential Indicators as set out in this report; and agrees the formal resolutions as set out in Appendix 1 to this report.

Appendix A – Leader of the Council – Cllr Ross Garrod

Madam Mayor, it's almost a year since I became leader of this great borough. I grew up in Mitcham, and have been shaped by this borough and the community. It's truly an honour to be able to stand here tonight and present this Labour administration's first budget.

A cost-of-living budget aimed first and foremost at supporting our residents during the current emergency. A budget to nurture pride in our borough. A budget that will create a sustainable Merton for the future, and a budget that will deliver London's first Borough of Sport, delivering excellent facilities & opportunities for our future sporting stars.

To set the context, I must stress that it has been – as always for the council – an incredibly challenging budget to set - one caused by political chaos and economic mismanagement in Westminster, and against a backdrop of 13 years of cuts to local councils, caused by a government that crashed the economy, and crashed public confidence.

Thanks to successive governments since the coalition, public funding for services in this borough have now been cut by almost 50%. Our residents now face the highest inflation rates, bills and energy costs in decades. And once again the buck has been passed to local taxpayers.

But in Merton, this Labour administration has shown sound financial judgement and this year we've delivered a budget that both helps our residents, and maintains vital services. I'd like to thank Cabinet Members for their leadership in this and every member involved in scrutinising the budget.

It's a balanced budget; not just for this year, but for the next two years, as we start a long-term journey of ambitious improvement. This is the first step in a long-term strategy that will help build a better Merton - for today's residents and for future generations.

And it's a budget rooted in Labour values. In the past year, we've already shown those values. We funded winter payments to 10,000 families on low incomes. We gave out supermarket vouchers to help people avoid the choice between heating and eating. We funded free school meals for children over the holidays. We created warm spaces for those worrying about the cost of turning on their radiators. And we created a £2 million cost-of-living fund dedicated to supporting those hit hardest by this Government's incompetency.

This is a balanced budget, despite the funding challenges we face every year. Hundreds of millions of pounds for vital day to day services to support the most vulnerable in our communities. More on adult social care, children's services, and education and schools. Yes, we're investing in services, but we're also reforming how we deliver them, around the needs of residents.

I'll start tonight's budget with that over-riding priority – finding money to support our residents with the cost of living.

This budget will – yet again – allow us to have one of the highest levels of Council Tax Support in the country. That £11 million investment will lift nearly 10,000 Merton families out of tax poverty, with almost 7,000 lifted out of Council Tax altogether. A policy that, after being scrapped by the coalition, wouldn't even exist today without Labour running Merton.

This budget also invests almost £1 million more into funding a 1% discount off of the 5% rise we've been forced to set by Government. That will mean the vast majority of residents will be paying one of the lowest rates in outer south west London. Lower than Richmond, Kingston, Sutton and Croydon.

A further £8 million is being invested into ensuring that thousands of vital frontline staff, including home-carers, are paid a London Living Wage. Money funded by this council, that literally puts more pounds in people's pockets, every single month; in the year when the council became an accredited London Living Wage employer.

This investment is how this Labour administration will prioritise support to those who need our help during this cost-of-living emergency. But that isn't where this cost-of-living budget stops. We're investing in our three key, long-term priorities to build a better Merton. Nurturing civic pride. Building a sustainable future, and creating a borough of sport.

To build pride in the local area, this budget not only maintains current funding for services such as open spaces, sports & leisure facilities, recycling, libraries and others. It goes further; investing in this borough we are all proud of.

This budget maintains our investment into cleaner streets, and will fund further improvements this year such as the pilot mobile Garth Road recycling service and improved collection services for flats above shopping parades and high streets.

Following the success of our six Green Flag winning parks, we'll invest nearly £1 million into our much-loved parks and open spaces to maintain and improve them as places we're all proud of.

It will also invest more than £1.5 million this year into improving our local shopping parades and high streets, to make them better places to shop and spend time. And we'll invest over £2 million this year into keeping our local roads safe as part of a £7 million longer-term road maintenance and improvement plan.

We'll also continue support for vital local organisations in our community and voluntary sector, increasing their current four-year funding arrangement with almost £5 million.

The second long-term theme of this budget is to create a truly sustainable Merton. The council has already committed to being carbon-neutral by 2030, and becoming a carbon-neutral borough by 2050. More than £2 million will be invested over the next four years into improving infrastructure for cycling, including cycle paths and bike hangars. We'll install 500 new on-street EV charging points, as we work to make Merton the most EV-friendly borough in greater London, and we'll fund the rollout of e-bikes to give residents even more choice. And we'll plant 3,000 trees, following on from the record 10,000 we expect to plant this year.

But one of our biggest investments will be the delivery of the sustainable, affordable housing this borough so desperately needs. This budget will create a £29 million housing delivery fund to start work on 400 sustainable, low-energy homes for Merton residents, built on council-owned land. The first such homes in this borough in my lifetime. And we'll also be continuing to take action to hold landlords in the borough to account for the frankly appalling conditions and poor service that sadly too many residents experience on a day-to-day basis.

Our third strategic priority is to create a borough of sport; to build on Merton's sporting heritage and create a place where everyone has access to physical activity and excellent sporting facilities. A place where our future talent is supported and nurtured.

We have already brought in experts from Sport England to work with us on a Blueprint for Sport - to create a legacy of improvement for decades to come. This year, we'll kickstart that commitment with an £11 million, long-term investment in sports facilities in the borough. We'll refurbish and improve all of our multi-use games areas this year. We'll also refurbish and improve sports pitches across the borough. And as the home of tennis, we'll maintain free tennis lessons and court access for residents.

And after refurbishing the running track at Wimbledon last year, we'll develop plans for a new one in the east of the borough - ensuring access for all to first-class training facilities.

This is just the beginning in our journey to transform the Council and the borough. We want to be ambitious for this borough, and this is just the first step in a long-term strategy. The challenges we face are complex, and our ambitions are more extensive than ever. The way we work has to change, and be built more closely around partnership and community collaboration; and that means creating an organisation that's up to that challenge.

Led by our Chief Executive, our new senior leadership team brings the skills, experience and capacity that we need on our transformation journey. We're also investing in our staff. We want to attract the best, and to retain and grow our best. And yes we are investing in the Civic Centre, picking up the work that was started before Covid to create a modern working environment that responds to collaborative ways of working, and the new ways of hybrid working. This will eventually generate a revenue stream for the council, reducing the size of our estate and lowering our costs. I make no apologies for wanting an organisation that's fit for the challenges ahead, and ready to deliver for the future, for our residents.

This is a budget that invests in our future and in our priorities. Above all, this is a budget that helps us to start building a better Merton together. Now let's get to work, for the residents of Merton.

Madam Mayor, I move this Budget.

Appendix B – Leader of the Opposition – Budget Speech – Cllr Anthony Fairclough

An open, competent and caring Council

Thank you Madame Mayor

I too thank officers for their work on this budget.

Madame Mayor – in the early hours of 6th May – after nearly 48 hours awake I felt a mixture of things.

... Mainly tiredness.

But also happiness for my many colleagues whose hard work had been recognised.

Disappointment for those who narrowly missed out – they'll be brilliant councillors in due course.

And having only won at my fourth time of standing in 2018, I know what it's like to put your heart and soul into something and lose – whether you expect to win or not.

I often disagreed with them, but I do feel for them - those many sitting Labour and Conservative councillors who lost their seats.

But on 6th May, I also felt a trepidation – perhaps even an excitement – at what could be achieved now Merton had the fewest Conservative councillors it's ever had.

We could forge a way forward – for the first time a progressive opposition; Conservative voices reduced to bit-part players growling from the sidelines.

A real chance to help develop an open, competent and caring Council that works for everyone, no matter where in the borough they live.

And that's what I want to talk about tonight.

Now Madame Mayor, when I was first elected in 2018, the “local Conservatives” election slogan was to “make things a little bit better”.

And in 2022 it was about trying to turn communities against each other – whether drivers against pedestrians, cyclists and children, or the public against refugees.

It's a low energy contribution.

Nasty, brutish - but fortunately short.

We need more from elected representatives.

But let me be clear: Merton can only play the hand it's dealt.

It's hampered by the Government's approach to last minute settlements for local authorities.

Not to mention the huge damage done to our economy by its mismanagement.

However, this administration still bears responsibility for the choices it makes in this budget.

A budget should set out a path to the future we want to see.

And whilst there are bits of this budget that are perhaps a “little bit better” than those of the previous decade, there's also a brittleness here.

A keenness to boast that belies a fundamental lack of confidence by and in its leading lights.

They've something to prove.

And indeed, Madame Mayor they do – although perhaps not what they think.

Back in February, in their pre-budget trailer Cllr Christie told us all that only the Labour Party cares.

I've rarely heard a more ridiculous, or a more arrogant statement.

But if that's the approach at the heart of this administration we'll get nowhere.

If you believe it, you can justify all sorts.

But first, to the good stuff in this budget.

On housing:

We're pleased that the tenants' champion scheme will be resourced and developed;

We're pleased that selective and additional licensing will be introduced in part of the borough – even if our proposals to pave the way for selective licensing were twice voted down by Labour councillors in budget Councils.

Hopefully in due course, these schemes will be extended widely across the borough.

We're pleased to hear Cllr Judge's ambition to build more genuinely affordable homes - we've long pushed the administration on their 13% record.

And similarly, it's been not easy to ensure that Council's contracts are re-let at the London Living wage.

Nonetheless it took a change to Council policy to make this a priority - a Lib Dem amendment to a Strategic Theme Report was passed in 2020, after a decade long campaign.

And at budget Council in 2021, we convinced the administration to take small but practical steps to ensure that care workers – some of the lowest paid in our community – would receive the London Living wage.

Last April, we were disappointed that the then Labour Leader would not commit to seeking London Living Wage accreditation. Merton Citizens had asked him to do so, and it requires a plans for contractors.

Still... we are pleased to have played our part in ensuring that his reluctance is no longer Merton's problem.

I'm sure we'll hear a lot tonight about the administration's 1% Council Tax discount.

Last year, when challenged to prioritise discounts or generous rebates depending on the settlement, Cllr Christie shrugged it off.

He said "I just don't think it would be honest to suggest that the rise may not happen – it unfortunately will have to happen".

So I wonder what changed?

Tonight, we want the Council to go further.

There's also much vagueness in the budget.

Many of the more significant items in the Medium Term Strategy are "reviews" or 'salami slicing' – moving budgets about, making future cuts to services.

We're asked to take on trust that the detail can be sorted out later.

We know there are huge 'systemic' under and overspends in Merton's budgets – a muddle through the middle.

We've already heard that only about half the savings we agree come to fruition.

This means many of the 400ish pages are an elaborate fiction.

And the important thing is to look at the actions not the words.

What this administration does, not just what it says.

How it can with a straight face justify plans to spend nearly ¼ of a million on fancy furniture for 2 rooms only Labour councillors use.

And over £100k more on extra support staff for the Labour group office.

Plans made in secret

At the last full Council, Cllr Christie suggested that because "we have a budget of £500 million" this was "actually irrelevant".

Well boasting about the size of his budget feels like over-compensation.

Madame Mayor, as of yesterday I am 43. It should be *me* having the mid-life crisis, not him.

And it's not his money – it's the public's money.

And like many things, it's not about the size of your budget but how you use it.

Every decision an administration makes – especially those it thinks will be unpopular - should be made transparently.

A Lib Dem administration would put openness at the heart of the budget process.

And Madame Mayor, as a Council we must do what we can to create opportunities for communities to come together to meet the challenges we face:

A Council must be caring.

But if you're not paid enough;

If your housing is insecure, or badly maintained;

If you don't get the support you need;

Then you are not free to live how you choose.

Our 4 amendments reflect the consistent themes that run throughout our work.

Our amendment 1 takes action to improve health and social care.

We want extra support for care workers now, whether they work in Merton or not, and whether they work in care homes or not.

We want to reverse the decision to charge people to make applications for blue badges.

We've proposed this before – voted down by Labour councillors. Will it be 3rd time lucky?

We want to see libraries open midweek, as hubs in the community.

And we want a commitment to stand firm against health cuts announced for South West London.

Our amendment 2 is on action: to improve air quality given new rules on air pollution to monitor fine particulates; to help the climate emergency response; and to mitigate some of the worst in the Council's "post code" parking charges scheme.

Where you live shouldn't determine how much you pay for parking.

Our amendments 3 and 4 take further action to support people through the cost of living emergency:

An additional Council Tax discount for those in Band A and B properties, and work on an enhanced Council Tax support scheme, to help those who fall just outside the current eligibility criteria.

Madame Mayor, we're not going to pretend our amendments will make a perfect budget or a perfect Merton

But they're clear steps towards an open, competent and caring council.

Thank you Madame Mayor

Appendix C – Leader of the Conservative Group

Thank you Madam Mayor and may I begin by thanking Director Roger Kershaw and his team for their work in preparing this budget.

However, this budget is increasing the cost of living burden, and our amendment seeks to defer the planned 16% parking charge increase.

We support the Administration goal of being a Borough of Support which is why we are proposing a fund to help deliver that aspiration for our young people.

And despite being the only party in this chamber to stand up for motorists, we understand the value of active travel, which is why we are proposing support to restore and enhance Merton's existing cycle paths.

My colleague Cllrs Paterson, Holden and Austin will be speaking to the amendment in more detail.

Madam Mayor – I welcome the restructuring of the senior officer positions and I would like to welcome the new Directors to our Borough and congratulate the Chief Executive for steering the process so well.

As we embark on this new chapter, I urge the Administration to find a boldness that has been so lacking in the past.

- A boldness that will finally deliver Town Centre Regeneration – in particular Morden Town Centre
- Value for money for our residents
- Better services and cleaner streets.

Because that is what Merton Residents deserve – a Council that delivers on its promises.

The Lib Dems say that they would be a fresh start – yet collude with Labour to force new taxes onto residents - ULEZ expansion being the latest example.

Calling for the expansion in 2019, Cllr Bokhari voting for the policy in the London Assembly.

Madam Mayor – the ULEZ expansion is a bad policy that will hurt the poorest in our society the most and damage our local businesses - while not improving air quality.

Along with our two MP's we are calling for the expansion to be halted and I have written to the Councillor Leader demanding just that.

And as Cllr Garrod formulates his response – a word of advice - remember what happened to the last Merton Labour Leader that disobeyed the MP for Mitcham and Morden!

Madam Mayor along with other colleagues it was a pleasure to attend the recent openings of the both the Lavender Campus and the Whatley Campus.

Projects that the Conservative Group fully supported and I would like to congratulate all concerned for this excellent new provision.

Madam Mayor - as I have stated previously - Merton Labour seem to believe that they can make political choices and then expect central government to fund it.

Whether it is Cllr Alambritis decision to freeze council tax for 7 years – a decision I don't disagree with;

Or the council tax benefit scheme; generous – but expensive

Or the mishandling of the Dedicated School Grant.

These decisions were taken by Merton Labour and have impacted the Councils financial position.

Madam Mayor - Governments only get money from two main sources – taxation or they borrow it.

The taxation burden is the highest since the 1940's.

Government debt is currently running at 98.9% of GDP – the highest rate since the 1960s.

But despite these challenges – and as stated in the Budget, the core spending power is set to increase by 9.1%. Funding provided by the Government.

A 9.1% increase in Government funding to Merton Council that has enabled the Administration to balance the budget.

Not that the Administration will admit it – but this is a good settlement for the Borough – and I thank the Government.

Madam Mayor, when Cllr Christie speaks in this debate I hope to hear of a new era of ownership. Because from responsibility will come boldness.

We as a council need to embrace opportunities to increase revenue and productivity – I believe it can be done with a focus on innovation and delivery.

Strategies and plans are great – but worthless unless they are delivered.

We should begin the annual budget process from a position of not increasing council tax – it may not be possible – but that should be our starting point.

That is what the residents deserve – a council led by its politicians, delivering on their aspirations.

An administration that doesn't seek to pass failures off as successes.

or claims the credit for government support.

After 13-years Labour have no financial achievements of their own to talk about.

They now have the opportunity to change that – and I urge them to grasp it and in doing so improve the lives of Merton residents.

Appendix D – Leader of the Merton Park Ward Independent Residents Group

Thank you Madam Mayor and I'd like to start by thanking the Interim Director and his team for this budget that's put before us this evening.

In the almost nine years I've been a Councillor and now as Leader of the Merton Park Independents, I don't think there has ever been a year when we haven't been looking to save money somewhere. That process has become progressively harder over the years.

The pandemic touched all of us one way or another and brought considerable unexpected challenges for us in Merton. Many residents and businesses are still coming to terms and our high streets may never recover to what they were before.

Of course residents in our Borough will not want any increase in their Council Tax, especially with the ever increasing pressures in this cost of living crisis that we find ourselves in. Thankfully the increase in Merton Council Tax is nowhere near the proposed 15% increase that residents in Croydon face.

The proposed plans to provide 500 more electric charging points for vehicles is very welcome, although many many more will be needed as more of our residents make the transition to electric and hybrid vehicles and lets not forget the visitors to our fabulous Borough who will need to top up and charge for their return journey.

The overspends in neighbouring Boroughs of Sutton and also Croydon show how things can get out of control very quickly and I'm pleased this budget shows Merton in a much healthier position currently than some other Local Boroughs and as I said at the start, in my years as a Councillor. Thank you Madam Mayor.

5 PAY POLICY STATEMENT AND THE MEMBERS ALLOWANCES SCHEME (Agenda Item 5)

The report was formally moved by Councillor Stringer and formally seconded by Councillor Christie.

Councillor Fairclough also spoke on the item.

RESOLVED:

1. That Council approved publication of the Pay Policy Statement attached as Appendix A for 2023/24 and authorised the Monitoring Officer to make any consequential changes to the Constitution.
2. That Council approved the Members' Allowance Scheme attached as Appendix D for 2023/24

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Councillors' Ordinary Priority Questions to Cabinet Members

From Cllr Neaverson to the Cabinet Member for Transport

How is the Council supporting people who live and work in Merton to be able to rent, own or share an electric vehicle?

From Cllr Hall to the Cabinet Member for Sport and Heritage

AELTC are making various claims about the feedback received on their plans, could the Cabinet Member please detail what agreements have been made between cabinet members, officers, and representatives of AELTC regarding the Club's planning application for developing the former golf course regarding publicising and sharing the results of informal and formal consultations with residents?

From Cllr Macauley to the Cabinet Member for Civic Pride

What are the Council's plans to mark the Coronation of His Majesty King Charles?

From Cllr Mercer to the Cabinet Member for Civic Pride

We are all enjoying the daffodils which are visible in lots of the Borough. We all love the green spaces in Merton and we know that bulbs are cheap when bought in bulk. Would the Council consider making an annual grant available to provide supporters of our parks (such as Friends groups) and residents groups with bulbs for planting each year?

From Cllr Barlow to the Cabinet Member for Transport

Could the Cabinet Member for Transport please provide an update on the Council's plans for data collection in and around the proposed East Hillside Low Traffic Neighbourhood.

From Cllr MacArthur to the Cabinet Member for Civic Pride

Following the recent opening of the Toynbee water fountain, could the Cabinet Member for Civic Pride please advise as to the administration's policy regarding the installation of further water fountains across the Borough and outline any specific plans they may have?

From Cllr Hayes to the Cabinet Member for Local Environment, Greenspaces and Climate Change

What is the Council doing to increase the borough's tree canopy?

From Cllr Galea to the Cabinet Member for Finance and Corporate Services

Does the Council have any plans to recruit a Head of Equality, Diversity and Inclusion (ED&I) to lead on the Council's ED&I agenda/strategy and support managers and staff at all levels to develop, monitor and review policies, strategies and procedures to enable inclusive and accessible services to the residents of Merton?

From Cllr Andrew Howard to the Cabinet Member for Education and Lifelong Learning

Councillors' Ordinary Priority Questions to Cabinet Members

Please can the Cabinet Member tell me how many children failed to return to school in Merton after the Covid19 lockdowns, excluding children who are receiving elective home education?

From Cllr Kaweesa to the Cabinet Member for Finance and Corporate Services

How is the Council continuing to support people through the cost of living crisis?

Committee: Council

Date: 19 April 2023

Wards: All

Subject: Strategic Theme Report - Supporting residents who are most in need and promote the safety and wellbeing of all our communities

Lead Directors: Adrian Ash, Interim Executive Director, Environment, Civic Pride & Climate

John Morgan, Executive Director: Adult Social Care, Integrated Care & Public Health

Lead Members: Councillor Eleanor Stringer (Deputy Leader and Cabinet Member for Civic Pride), Councillor Natasha Irons (Cabinet Member for Local Environment, Greenspaces and Climate Change), Councillor Stephen Alambritis MBE (Cabinet Member for Transport), Cllr Peter McCabe (Cabinet Member for Health & Social Care), Cllr Brenda Fraser (Cabinet Member for Children's Services)

Contact officers: Calvin Mclean, Assistant Director for Public Protection
Phil Howell, Interim Assistant Director, Commissioning

Recommendations:

A. That the Council consider the content of this report.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Council, at its meeting on 2nd March 2022, approved the Business Plan for 2022 - 2026 which sets out five strategic priorities and each meeting of the Council receives a report providing an update on performance against one of the Council's strategic themes.
- 1.2. The Business Plan set out how the Council will deliver its ambition with five strategic priorities to shape and guide delivery:
 - i. Maintaining excellent education and skills for all ages and needs;
 - ii. Promote a dynamic, connected and inclusive community and economy with safe, vibrant high streets and jobs for our residents;
 - iii. Support residents who are most in need and promote the safety and wellbeing of all our communities;
 - iv. Ensure a clean and environmentally sustainable borough with inclusive open spaces where people can come together and enjoy a variety of natural life;
 - v. Work to make Merton a fairer, more equal borough and support those on lower income by tackling poverty and fighting for quality affordable housing

- 1.3. Performance against these priorities is monitored by the Council. Each meeting of the Council receives a report updating on progress against one of these priorities.
- 1.4. The achievement of these strategic priorities will require extensive engagement with residents, voluntary groups and businesses, building on partnerships and alliances to reach a common goal.
- 1.5. This report provides the Council with an opportunity to consider progress against the priorities that are to be delivered, specifically under the priority to “Support residents who are most in need and promote the safety and wellbeing of all our communities”. In summary, the report focusses on the following areas:
 - 1.5.1 **Safer Merton** – all the work done that keeps Merton as one of the safest boroughs in London by leading the way in tackling Violence Against Women & Girls, effectively using our powers and working in partnership to tackle antisocial behaviour and heavily investing in prevention tools such as CCTV.
 - 1.5.2 **Support to Adults, Children and families most in need** – Our work through the Safeguarding Adults Board & Children’s Safeguarding Partnership to protect our most vulnerable residents from harm; work with the Voluntary and Community Sector to support people with a range of practical support and support to live independently.

2 DETAILS

- 2.1. Section 3 of the report provides an overview of how the Council supports residents who are most in need. This includes a focus on community safety and safeguarding our vulnerable residents.
- 2.2. Section 4 of the report provides an overview of how the Council promotes the safety and wellbeing of all our communities.
- 2.3. Section 5 of the report provides an overview some of the key practical initiatives and commissioning activity, both discretionary and statutory, that aim to support people most in need. This includes focus on; the support the Council is providing to residents in the current Cost of Living crisis; the practical support the Disabled Facilities Grant provides to people experience difficulty in maintaining independent living and; the future approach to commissioning home care – strategically important in supporting many residents to continue living independently in their own communities.
- 2.4. Sections 6 to 8 of the report provides information about the work of Merton CCTV.

3 SUPPORTING RESIDENTS MOST IN NEED Violence Against Women and Girls

- 3.1. Tackling Violence Against Women and Girls is one of the priorities of the Community Safety Partnership. The Community Safety Partnership is coordinated by Safer Merton (a Council team) and brings together local agencies with the shared goal of reducing crime and the fear of crime. The priorities for 2023-24 include tackling anti-social behaviour, violence (including serious violence), violence against women and girls, preventing reoffending and increasing community resilience. High volume crime such as burglary and robbery are also a focus. Performance on the priorities is monitored on a quarterly basis by the Community Safety Partnership Board.
- 3.2. The nature of this work supports those residents who are vulnerable to becoming victims of crime and require multi-agency work to support them when they are most in need.
- 3.3. Safer Merton continues to co-ordinate the partnership approach to respond to Violence Against Women and Girls (VAWG).
- 3.4. This includes:
- Management of the VAWG Strategic Board (quarterly meetings) which brings together representatives from the Council, professionals and community working in the VAWG sector. The board oversees the portfolio of VAWG work, including developing and delivering the annual VAWG Action Plan and developing a new VAWG Strategy¹ which launched December 2022.
 - Coordinating the monthly domestic violence Multi Agency Risk Assessment Conference (MARAC) meetings for high risk domestic abuse cases². There have been 600 cases discussed at MARAC over the past 12 months.
 - Continuing to raise awareness of Domestic Violence and Abuse and VAWG across the Council, partnership, and community.
 - Ensuring we meet policy and statutory requirements, specifically conducting Domestic Homicide Reviews (DHRs) and co-ordinating the implementation of the Domestic Abuse Act 2021. Recommendations from DHRs are fed back to the Home Office and learning shared across the partnership and with relevant safeguarding boards for implementation.
 - Responding to the Member's motion on the Safety of Women and Girls following the murder of Sarah Everard in March 2021.

¹ <https://www.merton.gov.uk/system/files/Mertons%20VAWG-Strategy%202022%20to%202025.pdf>

² <https://safelives.org.uk/sites/default/files/resources/MARAC%20FAQs%20General%20FINAL.pdf>

- 3.5. Commissioning and managing the delivery of front-line services for victims of Domestic Abuse:
- The Independent Domestic Violence Advocacy Service (IDVAs). Currently run by Victim Support, the IDVA service provides advocacy, emotional and practical support to domestic abuse victims at high risk of harm from partners, ex-partners, or family members, helping to ensure the safety of themselves and their families and children. The service is due to be re-commissioned in June 2024.
 - Running the weekly One Stop Shop drop-in advice surgeries at Morden Baptist Church, a safe space for domestic abuse victims to receive confidential advice and support in person. The One Stop Shop has dealt with approx. 100 clients over the past 12 months.
 - Joint commissioning of the Complex Needs IDVA Service with cases where the victim/ survivors have mental health, disabilities, or substance abuse issues.
 - Refuge provision – run by Hestia, this provides 17 beds for women fleeing domestic abuse.
- 3.6. The VAWG Strategy 2022-25 underpins the work we do in Merton to support victims and survivors of all forms of domestic abuse and VAWG. The strategy sets out our vision for ending violence against women and girls and was developed in consultation with VAWG partners across the borough.
- 3.7. The strategy and accompanying action plan address five strategic objectives:
- Partnership Objective 1: Raise awareness and coordinated partnership working***
 - Partnership Objective 2: Prevent VAWG through early intervention***
 - Partnership Objective 3: Support victims, survivors, and their children***
 - Partnership Objective 4: Hold perpetrators to account***
 - Partnership Objective 5: Improve the safety of women and girls***
- 3.8. The action plan is currently being developed and will set out the steps to be taken to achieve these objectives.
- 3.9. These actions include:
- Work with schools in a preventative capacity;
 - Projects helping to make our streets safe;
 - Focused work with survivors from minoritised backgrounds and those who experience multiple disadvantages;
 - Focused work on how to meaningfully engage with a diverse range of survivors including children and young people;
 - Work in changing abuser behaviour;
 - And a focus on improving systems and referral pathways.
- 3.10. This work aligns with Merton’s corporate priorities in terms of creating Civic Pride and a borough where residents feel safe to engage with the council and community services to receive the support they need.

- 3.11. It also links to ensuring all equalities strands (sex, race, disability, sexual orientation, gender reassignment, pregnancy/ maternity, religion/ belief, age, marriage, and civil partnerships) have equal access to our VAWG services.
- 3.12. **Update on other key strands of work in tackling Violence Against Women and Girls and improving the Safety of Women and Girls:**
- 3.13. **Safer Streets Funding:** Safer Merton was successful in its joint bid with Wandsworth, Kingston, and Richmond for the Home Office's Safer Streets funding. £200,000 of funding was awarded in April 2022 and has been shared between the four boroughs on supporting interventions aimed at preventing violence against women and girls in public places and engaging with men to change attitudes and behaviours. High profile local organisations such as AFC Wimbledon have been involved in leading on this work.
- 3.14. The work has included:
- Boys to Men training for professionals working with young men took place November and December 2022.
 - Night-time Economy staff training to identify vulnerability and anti-sexual harassment. Two remaining sessions will take place May and June 2023.
 - Women's safety Night-time Economy audit and strategy. The audit took place in Morden, Mitcham and Wimbledon town centres on 4th March 2023 and included visiting venues in the Night-time Economy and interviews with key stakeholders. Recommendations from the audit due back April 2023 will form the basis of a women's safety Night-time Economy strategy.
 - Women's Safety Business Tool Kit launched March 2023 which can be used by any business in the borough to upskill around women's safety. The toolkit will be available on the Council's new Safer Streets webpage: <https://www.merton.gov.uk/communities-and-neighbourhoods/crime-prevention-and-community-safety/vawg/safer-streets>
 - A male accountability survey conducted January 2023 to allow men to contribute to how they can be part of the solution to ending violence against women and girls. The results should be available April 2023.
 - Survivors focus groups took place January 2023 to understand the lived experience of those experiencing domestic abuse.
 - Bystander Training for the community to equip individuals on how they can be aware and intervene safely when incidents take place. A 'train the trainer' model will be rolled out over the next few months to sustain this work.
- 3.15. **White Ribbon Accreditation:** Merton Council achieved White Ribbon accreditation October 2022. White Ribbon UK is a charity focused on engaging with men and boys to end violence against women and girls and is part of our work to develop a strategic approach to ensuring male accountability for ending violence against women and girls.

- 3.16. An action plan detailing the Council's commitment to achieving this via incorporating a responsibility to take action if men are being abusive to women into our policies and strategies has been submitted. Promotion of the campaign will continue to be rolled out internally to Council staff, encouraging them to sign up as White Ribbon Ambassadors and Champions (the Leader of the Council has signed up to be an Ambassador and the Chief Exec as a Champion). Externally our partners in the community and other organisations on borough will be encouraged to make the White Ribbon promise.



- 3.17. Merton has also signed up to the **Mayor of London's Night Safety Charter**³. The charter has been created to make London a city where all women feel confident and welcome at night and is part of the Mayor's Tackling Violence Against Women and Girls Strategy and London's commitment to the UN Women Safe Cities and Safe Public Spaces global initiative.
- 3.18. There are continued communications via the Council's publicity channels to raise awareness of VAWG and promote the services available to victims in Merton. This includes working in partnership with the Police and other partners on the annual **16 Days Against Domestic Violence and Abuse Campaign** which includes awareness raising, training and events to shine a spotlight on the different forms of VAWG and signpost to organisations which can provide support to victims.
- 3.19. It also includes engaging with events to mark **International Women's Day** (8th March). This year an event led by Inner Strength Network 'Stronger Now' was hosted in the Council Chamber to celebrate the strength of women and those who have overcome life challenges, including survivors of domestic abuse.
- 3.20. Safer Merton have been supporting the Police '**Walk and Talk**' initiative for female residents to join Police officers to talk about women's safety and

³ <https://www.london.gov.uk/what-we-do/arts-and-culture/24-hour-london/womens-night-safety-charter#acc-i-57686>

other concerns. The first took place in Morden Hall Park in February and will continue to be rolled out over the coming year.



- 3.21. Funding was secured in August 2022 for three years funding via the **Home Office Young Women and Girls Fund** for St Giles SOS+ Service to be embedded in Merton schools to provide specific support for young women and girls affected by gang association and exploitation. This early intervention work includes a programme of 1:1 mentoring sessions with girls at risk of exclusion, CSE, gang involvement, and serious violence. Awareness raising sessions are also held for teachers, professionals working with young people and parents to raise awareness of gang related harm in young women and girls and to recognise the signs that young people are at risk.
- 3.22. Safer Merton have also recently bid for Home Office funding for a domestic abuse **perpetrator programme**. If successful, Merton alongside six other boroughs (Kingston, Richmond, Wandsworth, Lambeth, Lewisham, and Southwark) will have a worker in the borough, taking referrals to engage with perpetrators on a 1:1 basis, as well as an IDVA on each borough to safeguard the victims.
- 3.23. **Safeguarding vulnerable residents**
- 3.24. The Merton Safeguarding Adults Board (MSAB) work together as a partnership to prevent abuse and neglect. The role of The Board is to ensure the systems, policies and procedures in Merton continue to be effective in keeping adults at risk safe. The MSAB continues to focus its work on its Strategic Priorities 2021-2024 as well as the statutory duties that include, publication of an annual report which can be found here: [MSAB_Annual_Report-2021-2022.pdf](https://www.mertonsab.org.uk/MSAB_Annual_Report-2021-2022.pdf) ([mertonsab.org.uk](https://www.mertonsab.org.uk)); focused work based on a strategic plan; and the commissioning and completion of Safeguarding Adults reviews (SARs).
- 3.25. With the Board priorities in mind, partners have continued to build strong partnerships and develop new and innovative ways of connecting with people using services, residents of Merton and each other. They are committed to hearing the voices of people with lived experience as well as learning from feedback to improve on practice going forward. An important success measure of 'Making Safeguarding Personal' is the extent to which the person's desired outcomes are met. Locally, Making Safeguarding

Personal is well embedded in practice, with 97% of people's outcomes being fully or partially met.

- 3.26. During 2021-22 (which is the latest year of published data) 810 concerns were received by Merton Council in total. This is a decrease of 20 (2.5%) on the number of concerns raised in 2020-21. In terms of location of risk 60% were reported to be in people's own homes. Last year it was slightly higher at 63%, however this benchmarks broadly in line with national statistics. As a result of what the data is telling us, there is a focus on raising awareness of safeguarding adults in the local community, voluntary sector, and faith groups. Our Safeguarding Adults Champions initiative came as result of this work and launched in 2022-2023.
- 3.27. Safer Merton is a key member of Merton Safeguarding Adults Board. They ensure a coordinated partnership approach in response to Violence Against Women and Girls (VAWG) and have developed a DASH (Domestic Abuse, Stalking and Harassment and Honour Based Violence) training focused on early risk identification, intervention and prevention delivered to Housing officers.
- 3.28. Safer Merton have also facilitated Bite Size training including, Domestic Abuse Awareness: Supporting those at risk of Domestic Abuse, which focused on the use of the DASH risk assessment referral form and was delivered by the Safer Merton Domestic Abuse & VAWG Lead. They also promoted the SafeLives Dash risk checklist for the identification of high-risk cases of domestic abuse, stalking, and 'honour'-based violence.
- 3.29. Significant further detail of how partners across the borough work together to safeguard vulnerable adults is set out in the Safeguarding Adults Board report. [MSAB_Annual_Report-2021-2022.pdf \(mertonsab.org.uk\)](#)
- 3.30. With over 3500 adults in receipt of care and support plans; the majority of which are provided by external, third party care providers; on a day to day basis the Council works with partners across health, social care, and care regulator, CQC, to improve and maintain high standards of care and support across the borough. The Joint Intelligence Group is the governance that oversees this work. Acting on intelligence from quality assurance visits, safeguarding data and regulatory inspections, the group works to develop and monitor action and improvement plans to drive up standards in care provision with the aim that everyone in receipt of care and support can be satisfied with the standard.
- 3.31. The Council, primarily through our Public Health, Quality Assurance and Contract Management teams have continued to provide significant support to all 38 care homes in the borough, particularly as we have moved into 'living with Covid'. Additional Infection Prevention and Control (IPC) capacity was maintained and continued to provide both on-site and remote advice, training, and support to care home managers and staff.
- 3.32. There has been close and effective partnership working with the developing Care Home Support Team commissioned by the CCG; with specialist Community Pharmacists and with a range of other health colleagues to respond to safeguarding concerns as and when required. The Merton Joint Intelligence Group (MJIG) has continued to provide an effective means of

identifying issues early and ensuring that the required support and challenge is provided to care homes through routine and regular quality assurance visits.

3.33. **Safeguarding Children in Merton**

3.34. The Merton Safeguarding Children Partnership (MSCP) brings together partners to safeguard and promote the welfare of children in Merton, and partners are committed to working together so that every child in Merton is safe, well, and able to reach their full potential. The MSCP is focused on the following four priority areas, as set out in the MSCP 21-23 Business Plan:

3.35. **Early Help and Neglect** – ensuring Early Help is part of a whole system approach and based on a clear understanding of local need. Good early help will mean that children and their families will experience a high quality and coordinated service that meets their assessed needs and prevents issues from escalating into a safeguarding risk. Ensuring the MSCP provides a strategic and operational framework to improve the identification of early signs of neglect.

3.36. **Contextual Safeguarding** – ensuring as partners we are proactively addressing risks that occur in contexts beyond the family home (e.g. neighbourhood, schools, local shopping centres, youth venues). These risks could include child criminal exploitation, child sexual exploitation, serious youth violence, peer on peer abuse, harmful sexual behaviour, and other overlapping forms of harm.

3.37. **Domestic Abuse and Think Family** – monitoring, coordinating, and evaluating the work of partner agencies to safeguard children who are at risk of, or witnessing, domestic abuse. Working effectively with families, including victims and perpetrators of abuse to create and sustain a safe parenting environment.

3.38. **Strong Leadership & Strong Partnership** – leading an impactful safeguarding agenda, challenging the safeguarding work of partners, and committing to an approach that learns lessons, embeds good practice, and is continually influenced by children, young people, and their families.

3.39. The MSCP also oversees the development of multi-agency policies and procedures and delivers a comprehensive training programme for the multi-agency workforce, overseen by the Policy and Training sub-group. During 21-22, the MSCP delivered training to over 700 practitioners working with children and families in Merton, and we continue to commission new training topics to respond to emerging needs.

3.40. The MSCP is also committed to an approach that learns lessons and the Quality Assurance and Practice Review sub-group oversee a regular audit programme to test the quality of our safeguarding processes in Merton. The MSCP also oversees the delivery of Rapid Reviews and Local Child Safeguarding Practice Reviews, as per Working Together 2018 statutory guidance, to ensure that partners learn from serious incidents involving children living in Merton.

3.41. The MSCP is chaired by an Independent Person, who scrutinises the senior leadership of partners in the MSCP. The MSCP also work with an

Independent Scrutineer and Young Scrutineer, who undertake a programme of thematic scrutiny to provide reassurance of the effectiveness of the MSCP's work. They recently reported on their thematic scrutiny reviewing how effective the MSCP is in responding to sexual harassment in schools, following the national concerns raised in Everyone's Invited. They are planning further scrutiny this year on 'Adultification', in response to the recent concerns raised by Child Q's story, and on family networks in assessments, in response to Merton's local Ananthi review.

4 PROMOTING THE SAFETY AND WELLBEING OF OUR COMMUNITIES

4.1. Safer Merton works closely with our partners to keep and improve on Merton's position as one of the safest boroughs anywhere in London (based upon the rate per 1,000 per population for total notifiable offences). This work includes promoting the safety and wellbeing of our communities and working to overcome barriers some communities may face in keeping safe, alongside putting in place interventions to support them where required.

4.2. Anti-Social Behaviour

4.3. Anti-social behaviour (ASB) is a concern for our local communities and impacts greatly upon individuals' quality of life. Safer Merton continue to provide a multi-agency response to ASB. This is via a targeted neighbourhood problem solving approach, using enforcement tools and powers, and delivering interventions to support the most vulnerable victims and locations.

4.4. The team consists of an ASB Team Manager, alongside three ASB Officers who each manage a geographical area of the borough. Work includes:

- **Promoting awareness of ASB, addressing complaints, and informing residents of how to report ASB issues.** The team review and respond to every complaint with 261 reports dealt with between October – December 2022 and 98% responded to in the target timeframe. Work is undertaken with partners such as Housing, Environmental Health, and Waste Enforcement to support victims and take enforcement action where appropriate.
- **Multi-agency Task and Finish Groups** to look at complex problem locations. This includes working in partnership with Police Designing Out Crime Officers where ASB is impacting on the community. A project is currently underway working in partnership with Public Health to look at the safety of the area around St Mark's Primary School in Mitcham town centre. Safer Merton has led on 15 Task and Finish Groups between April 2022 – March 2023.
- Leading on **Days of Visibility** at targeted locations to address specific concerns. The first took place in Mitcham town centre in December 2022 and involved working in partnership with Police, Trading Standards, Licensing, Parking Services, Waste Services and Homelessness team to meet residents, visit businesses, offer advice, and carry out enforcement activities. These are scheduled to take

place quarterly, with the next Day of Visibility planned for Mitcham town centre in April 2023.

- Managing the **Community Trigger**⁴ process for victims of persistent anti-social behaviour. During April 2022- March 2023 Merton received five Community Trigger applications.
- Regular meetings with our largest housing provider Clarion Housing to work in partnership and share information to aid casework and support those impacted by ASB and take enforcement action where appropriate.
- The **Community MARAC (CMARAC)** is a multi-agency meeting where high-risk cases involving vulnerable victims or perpetrators of ASB are discussed. The CMARAC develops action plans to address problematic behaviour affecting the community and safeguard victims. In the last year between April 2022 – March 2023 53 cases have been discussed.
- In addition, the ASB Team support residents most in need by arranging a home visit if visiting the Civic Centre is not possible, offering mediation in appropriate circumstances and via referrals to Victim Support for further emotional support if required.
- The Team also supports businesses in the community where required, for instance arranging leaflet drops to gather intelligence and evidence about ASB issues affecting them.

4.5. **Alcohol related Public Spaces Protection Order - making Merton a responsible drinking borough**

4.6. **Public Spaces Protection Orders (PSPOs)** are one of a range of measures introduced by the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 to combat ASB and its impact on individuals and communities.

4.7. A PSPO identifies a public space and prohibits certain activities within that area and/ or requires certain things to be done by persons engaging in certain activities within that area. PSPOs focus on identified problem behaviour(s), rather than targeting specific individuals or properties. A breach of a PSPO is a criminal offence.

4.8. In October 2020, the Council looked at available evidence, the results of a consultation with the public, Police and community representatives and an equalities impact assessment and implemented a PSPO to address alcohol related ASB in the following five wards: Cricket Green, Figges Marsh, Graveney, Lavender Fields and Ravensbury. This order covering five wards in the Mitcham area was extended in October 2022 until October 2025.

⁴ <https://www.gov.uk/guidance/anti-social-behaviour-asb-case-review-also-known-as-the-community-trigger>

- 4.9. It is important to note that this PSPO only applies to ASB related alcohol consumption. *Officers only enforce this prohibition when people drinking alcohol are currently or likely to cause ASB.*
- 4.10. If an individual is found to be breaching the restrictions, the Police or Council Enforcement Officers (Kingdom Security) can request they either stop drinking or surrender the alcohol.
- 4.11. Anyone who does not comply with the request to stop drinking, or surrender the alcohol, will be issued with a £100 fixed penalty notice.
- 4.12. A PSPO is not solely an enforcement tool, importantly it is also an opportunity to provide pathways to access support for those vulnerable individuals for whom alcohol has become a challenge. This support is provided via signposting and referrals to the borough's drug and alcohol treatment service provider Westminster Drugs Project (WDP).
- 4.13. **A borough wide PSPO in Merton**
- 4.14. Following the extension of the current PSPO in October 2022, a recommendation to go out to further public consultation with regards to making a borough wide PSPO was agreed by Cabinet in September 2022. This is with the aim of making Merton a responsible drinking borough.
- 4.15. The public consultation ran for 10 weeks from 19th December 2022. There were 303 responses to the consultation, with 79% of respondents in favour of making a borough wide PSPO.
- 4.16. Statements of support were also provided by partners – these include Police, LFB, Clarion, Children Schools and Families, Homelessness Team and Public Health.
- 4.17. The recommendation to make a borough wide PSPO was approved by Cabinet on 20th March 2023. Pending the legal process required, it is anticipated the new PSPO will be in place for the spring, in anticipation of the likely seasonal increase in ASB during the summer months.
- 4.18. Making Merton a responsible drinking borough will help to ensure our public spaces such as parks, open spaces, and town centres are places for our communities to enjoy safely.
- 4.19. It should be noted the prohibition will only be exercised when individuals are currently or likely to cause ASB. Those wishing to enjoy alcohol in a public place sensibly without causing ASB can continue to do so.
- 4.20. **Partnership work to support the PSPO**
- 4.21. Partnership work is key to support the implementation of the PSPO. This work is already underway and includes:

- Monitoring of the PSPO at the monthly Partnership Tasking Meeting.
 - Increased patrols by Council Enforcement Officers (Kingdom Security) to offer support and referrals to street drinkers. Between August – December 2022 there were 224 engagements with street drinkers and members of the public in the Mitcham town centre area.
 - A street drinking Task and Finish Group has been established. This is exploring the need for Assertive Outreach to ensure support can be offered to street drinkers in their own environment, training for Police, Kingdom Officers, and front-line staff to improve the engagements they have with street drinkers, and specific projects to address street drinking hotspots in Wimbledon and Mitcham town centres.
 - Multi-agency work is also underway to identify the top 20 street drinkers in the borough and ensure they are offered relevant holistic support.
 - PSPO signage and leaflets use to signpost street drinkers to support are being reviewed to ensure they are clear and user friendly. We will also consider providing this information in alternative languages.
- 4.22. The PSPO will continue to be monitored via a standing item at Safer Merton’s monthly Partnership Tasking Meeting.
- 4.23. **Regulatory Services Partnership (RSP)** – Commercial Services. The service consists of Licensing, Trading Standards and the Food and Safety Team. The teams all work closely with multiple departments and agency across the Council and South London to ensure residents most in need are supported. The teams also engage with businesses to make sure the services and goods provided to Merton residents are safe, reassuring residents that required standards are being met.
- 4.24. **Trading Standards** regulate and enforce consumer protection legislation, with many helping to support and protect vulnerable adults, the elderly and the young.
- 4.25. The team carry out proactive and reactive visits. Any complaints are triaged and responded to, which could involve referrals, advice or formal enforcement action. In 22/23 over 5,900 complaints were received. Successful activity includes investigating a rogue trader who failed to carry out work, doorstep crime where victims are persuaded to transfer a large sum of money to criminals and scam prevention work. Each month the team deliver training to community groups on how to avoid or report potential fraudulent money activity.
- 4.26. In Merton during 22/23 over 100 test purchases have taken place, covering the sales of knives, tobacco, vapes and alcohol. Following legal guidance and careful monitoring by trading standards officers, underage volunteers attempt to buy restricted products. This type of activity helps ensure that all businesses are adhering to legal standards and protecting children. Further in-depth project work is planned for 23/24 focusing on the sales of vapes across the borough, this project links in with public health priorities and will not only work to prevent vapes being sold to underage customers but also that all vapes sold are safe and meet the legal requirements.
- 4.27. **Licensing** process, issue and ensure compliance with multiple types of licences. These licence types include premises licences (covering alcohol,

entertainment, and late night refreshment), special treatment licences (covering nail bars, massage, and tattooing) and licences for gambling premises.

- 4.28. Within alcohol and entertainment licensing, holders must promote the four licensing objectives: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, and Protection of Children from Harm. The service has worked to produce a licensing policy that supports our economy and sets a clear standard as to the requirements of licence holders.
- 4.29. Compliance checks are undertaken on a regular basis to ensure operators and licence holders are complying with their conditions and promoting the licensing objectives. Where serious concerns are identified, Responsible Authorities such as the police, environmental health or trading standards can apply for an application to review a licence, which could mean the licence is revoked.
- 4.30. The team also check compliance of other licences, particularly where there are age restrictions and carry out test purchases, for example tattoo parlours or premises selling knives or noxious substances.
- The licensing team are fully embedded in the council's VAWG agenda and are positively promoting women's safety to prospective licence holders, applying appropriate conditions where necessary.
- 4.31. **Food & Safety** are responsible for ensuring that hygiene standards in all food business across the borough are maintained to a high standard. As well as commercial premises, this also includes visiting our schools, nurseries, and care homes. All premises are visited on risk based, programme of inspections and complaints are investigated when received.
- 4.32. The team also work alongside the UK Health Security Agency and carry out investigations where certain notifiable diseases are reported to the Council, such as food poisoning, tuberculosis, malaria etc.
- 4.33. The team are also heavily involved in promoting health & safety in workplaces, sports grounds and large-scale events and investigate serious and fatal accidents at work.
- 4.34. **The Air Quality Team** is part of the Regulatory Services Partnership and delivers a number of statutory functions relating to the monitoring and managing of the borough's responsibility to deliver clean air.
- 4.35. The Team act as a statutory consultee on planning applications to ensure that the boroughs planning process considers, and where possible, mitigates the impact on air quality and contaminated land associated with development.
- 4.36. The borough's air quality monitoring network and reporting function is a key output for the team. The borough has seen significant investment in the air quality monitoring network and we now have data at a detailed level, including ultrafine particles (PM2.5s) to help shape our new Air Quality Action Plan scheduled for 2023.
- 4.37. The council also uses a comprehensive network of CCTV and ANPR cameras to enforce moving traffic offences, such as yellow box junctions,

low traffic networks and banned turns. The purpose of enforcement is to encourage greater compliance with the restrictions, reducing traffic congestion, improving road safety and reducing air pollution.

4.38. We have introduced **school streets** across the majority of Merton's schools as part of our commitment to creating and sustaining a safe environment for our children and young people. School streets have a range of benefits, including improving road safety, helping to tackle climate change, improving air quality around schools and encouraging activity and active travel. A school street restricts cars, vans and other traffic using particular streets during specific times for about 45 mins / 1 hour, based on the school's starting and finishing times. The restrictions only apply during school term time periods, with exemption for residents who live in the roads and families with children with special needs who need to be driven to school. Merton's school streets programme now covers 29 schools; Merton has more schools within a school streets than any other London borough.

4.39. **Tackling public space violence**

4.40. The Serious Violence Duty is a new statutory duty that came into effect on 31st January 2023. It places a new legal requirement on public sector organisations to reduce violence and focuses on a partnership approach to reducing and preventing serious violence. The responsible authorities are the Police, Local Authority, Fire and Rescue Authorities, justice organisations (including Youth Offending Teams and Probation) and Integrated Care Boards.

4.41. Boroughs have one year to implement the duty requirements, with the Community Safety Partnership agreeing to take the lead on coordinating. This work will include a serious violence strategic needs assessment to indicate local priority issues and development of a delivery plan for partners to collectively work on to reduce violence and support those vulnerable to being involved in violence.

4.42. A small amount of funding has been assigned to the duty which is currently being used for a Youth Integrated Offender Management (IOM) pilot initiative, working with the police and mentors from St Giles Trust SOS+ Service to support young people who present the highest level of risk.

4.43. Work continues on **Merton's Violence Reduction Plan**. The plan is overseen by the London Violence Reduction Unit and ensures that actions to reduce violence remain up to date and have a focus on violence, vulnerability, and a public health multi-agency approach. The plan captures the efforts made by partners to support the reduction and prevention of violence in Merton. This includes initiatives such as weapons sweeps, with a recent sweep being held in Morden Hall Park by Merton police in February 2023



resulting in an axe being recovered.

4.44. A **CrimeStoppers Fearless** campaign ran in autumn 2022, encouraging young people to come forward and report violent crime confidentially. The campaign covered social media channels relevant to young people such as Instagram and Spotify and awareness raising sessions for professionals. The campaign was promoted at key locations such as Merton College.

4.45. Safer Merton has also worked with Children, Schools, and Families Department to secure funding from the Violence Reduction Unit for St Giles SOS+ Service to deliver contextual safeguarding work in schools within the highest violent crime areas in the borough. The work is delivered via preventative sessions on violence, vulnerability and exploitation and mentoring of young people at raised risk of gang-involvement, criminal child exploitation and violence, with 12 young people currently being mentored on a 1:1 basis. 10 prevention and awareness raising sessions will also be provided to year group cohorts via whole school assemblies.



4.46. In addition, professionals sessions are being provided to schools so teachers have the knowledge to deal with issues they encounter with students around child criminal exploitation and gangs, and sessions are hosted for parents and carers on how to spot the signs of grooming. This intervention supplements the approach being delivered by the council based Contextual Safeguarding Team

4.47. **Hate crime**

4.48. Work on the hate crime agenda is driven by Merton's Hate Crime Strategy Group, made up of members from the Council and community representing each strand of hate crime. We recognise the negative effect hate crimes can have on communities and that some communities may feel uncomfortable reporting these crimes directly to the Police.

4.49. Therefore, Merton's **Hate Crime Strategy**⁵ centres on preventing hate crime and working with the community to increase confidence in reporting and encourage victims to come forward and obtain the support they need.

- Key initiatives include the promotion of the 24hr **Stop Hate UK Helpline for Merton** (a poster competition was recently run in Merton primary schools), monthly **Merton Hate Crime Advice Surgeries** held at locations across the borough, and the development of a network of **Hate**

⁵ <https://www.merton.gov.uk/system/files/Merton%20Hate%20Crime%20Strategy%202022-26.pdf>

Crime Third Party Reporting Centres. Key organisations in the community such as AFC Wimbledon and Tooting and Mitcham FC have signed up to be hate crime Third Party Reporting Centres.



- 4.50. The marking of key events to promote Merton as a safe and inclusive borough where hate in any form is not tolerated. This includes community engagement events for **IDAHOBIT (International Day Against Homophobia, Biphobia and Transphobia)** and **National Hate Crime Awareness Week**. Awareness also continues to be raised via the Council's media channels via the 'Merton Stops Hate' hashtag.



- 4.51. **Neighbourhood Policing**

- 4.52. The work detailed above contributes to making sure Merton maintains its position as one of London's safest boroughs, based upon the rate per 1,000 per population for total notifiable offences. .

- 4.53. We recognise the significant challenges the Met Police face in light of the damning Baroness Casey review⁶. The Community Safety Partnership has a close working relationship with Merton Police and will continue to work to strengthen this, especially in light of the deeply troubling findings of the Casey review.
- 4.54. The Met Police have recently published a Turnaround Plan⁷ which sets out its priorities for the next two years and centres around the pillars of more trust, less crime, and high standards. Merton Council have formally responded to the plan and expressed our wish to work with the Police to develop and support this work and ensure our local priorities are achieved alongside the changes that need to be seen in the Met.
- 4.55. These priorities include building strong neighbourhood policing links to reduce local crime and anti-social behaviour and working with our young people to keep them from becoming victims or perpetrators of crime. In partnership we will continue to support residents who are most in need and promote the safety and wellbeing of all our communities.
- 4.56. A stronger neighbourhood policing model is a focus of the plan. A number of workstreams are being developed by the Police to deliver this, ranging from uplifts in staff, more training, better performance management and a review of Police bases.
- 4.57. It is noted that the Turnaround Plan will include an increase in officers and an aim of keeping officers based locally, therefore the Council is supportive of keeping both Wimbledon and Mitcham Police Stations open as part of the Met Estates Strategy, to continue to support our communities effectively.
- 4.58. A sign of commitment to this work has begun with the Police introducing a Neighbourhood Superintendent at borough level.
- 4.59. Further examples of partnership working with the Police include:
- 4.60. Monthly **Partnership Tasking Meeting** co-chaired by Safer Merton and Police – a problem solving forum for different council teams and partners (including CCTV, homelessness, ASB, waste enforcement, licensing, housing associations, charities) to collaborate to identify locations that are hotspots for crime or anti-social behaviour, and work together to solve them. Quarterly meetings with local political leaders ensure that teams are held to account for their actions.
- 4.61. A weekly meeting with the Neighbourhoods Inspector to feedback on key issues and identify areas requiring partnership working.

⁶ <https://www.met.police.uk/SysSiteAssets/media/downloads/met/about-us/baroness-casey-review/update-march-2023/baroness-casey-review-march-2023.pdf>

⁷ <https://www.met.police.uk/SysSiteAssets/media/downloads/met/about-us/turnaround-plan.pdf>

- 4.62. A weekly **Violence Communication Strategy Meeting** chaired by the Police and attended by Safer Merton and the Youth Offending Team. This discusses violent crimes of note on borough and how partnership working can put in place plans to mitigate and safeguard individuals involved.
- 4.63. Partnership working between Police and the ASB Team to **utilise ASB tools and powers**. This includes closing premises that are causing ASB and disturbance to local residents. Examples include:
- *Unlicensed premises in Mitcham*
 - *Closure for Anti-social behaviour*
- 4.64. Joint working on the **Integrated Offender Management (IOM) Panel** which coordinates a multi-agency response to the most prolific offenders on borough to prevent reoffending threats to the community.
- 4.65. **Merton's Safer Neighbourhood Board (SNB)** brings together local Police and the community to ensure residents hold Police to account on their priorities and are involved in community safety decisions. It also oversees the work of Merton's Stop & Search Community Monitoring Group.

- 4.66. The SNB provides funding via MOPAC for grass root community engagement projects to reduce crime and increase confidence in the Police. Projects funded in 2022-23 included a football project for young women and girls in Pollards Hill ward and support for a youth club targeting vulnerable young people on the Phipps Bridge Estate.



- 4.67. Safer Merton also coordinates **Merton's Neighbourhood Watch⁸ scheme** which works in partnership with Police Safer Neighbourhood Teams to share crime prevention advice, encourage the reporting of crime and build safer and stronger communities.

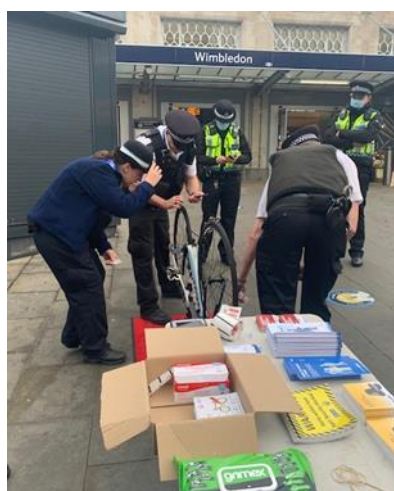
- 4.68. Merton Neighbourhood Watch lead on local crime prevention projects, in 2022-23 successfully obtaining MOPAC funding to coordinate bike security marking and catalytic convertor marking events across the borough. Shed alarms were also distributed to



⁸ <https://www.mertonnhw.co.uk/>

roads in the borough most affected by burglary.

- 4.69. The scheme continues to target areas of the borough with high crime levels or where residents feel less safe, with a scheme currently being set up in the Galpins Road area.
- 4.70. **BCU and Borough level Confidence Boards** have been established to focus on how Police can engage with our community to increase confidence and trust. Safer Merton input on how this work can be supported from a Local Authority perspective, for instance via partnership working to support the Neighbourhood Watch scheme, by joint communications utilising the Council's media channels, and by sharing our community contacts to ensure Police are linked in with our communities to make reach and representation as diverse as possible.



5 PRACTICAL SUPPORT TO OUR COMMUNITIES AND RESIDENTS WHO ARE MOST IN NEED

- 5.1. **Supporting People in need through the Council's Civic Pride programme.**
- 5.2. The Council have allocated 23 new Civic Pride Grant projects totalling £4,937,941.50 in grants to the voluntary and community sector (VCS) organisations who applied to the Merton Civic Pride Fund: Supporting the Voluntary and Community Sector 2023/26. This has seen a positive and significant increase of 35% more funding than the equivalent parts of previous Strategic Partner Programme 2019-22. This preventative grants programme is specifically designed to support residents who are in most need to prevent, reduce, and delay the need for health and social care. In addition, the services promote the safety, independence, and wellbeing of more marginalised and potentially vulnerable communities.
- 5.3. With Nurturing Civic Pride, one of the new administration's key priorities for Merton, the funding programme has involved extensive engagement and collaborative working alongside the voluntary and community sector,

including benchmarking and researching into the national and local context. This programme has used the 'Working Better with Communities' Framework to reflect the Council's commitment to building a better Merton together. Key headlines include:

- At almost £5 million, this combined grant programme is the largest contribution to support the voluntary and community sector for many years.
- Out of the 18 organisations, 3 organisations haven't received this funding previously. This provides both stability within the sector, and opportunities to explore new projects.
- 28% of the total funding available is going to smaller groups/organisations.
- Over £1 million to organisations that support older people.
- Over £500,000 to organisations that support people with disabilities and impairments.
- £203,962.00 to BAME Voice, a significant increase on the previous round of grant funding.

5.4. **Cost of Living Support**

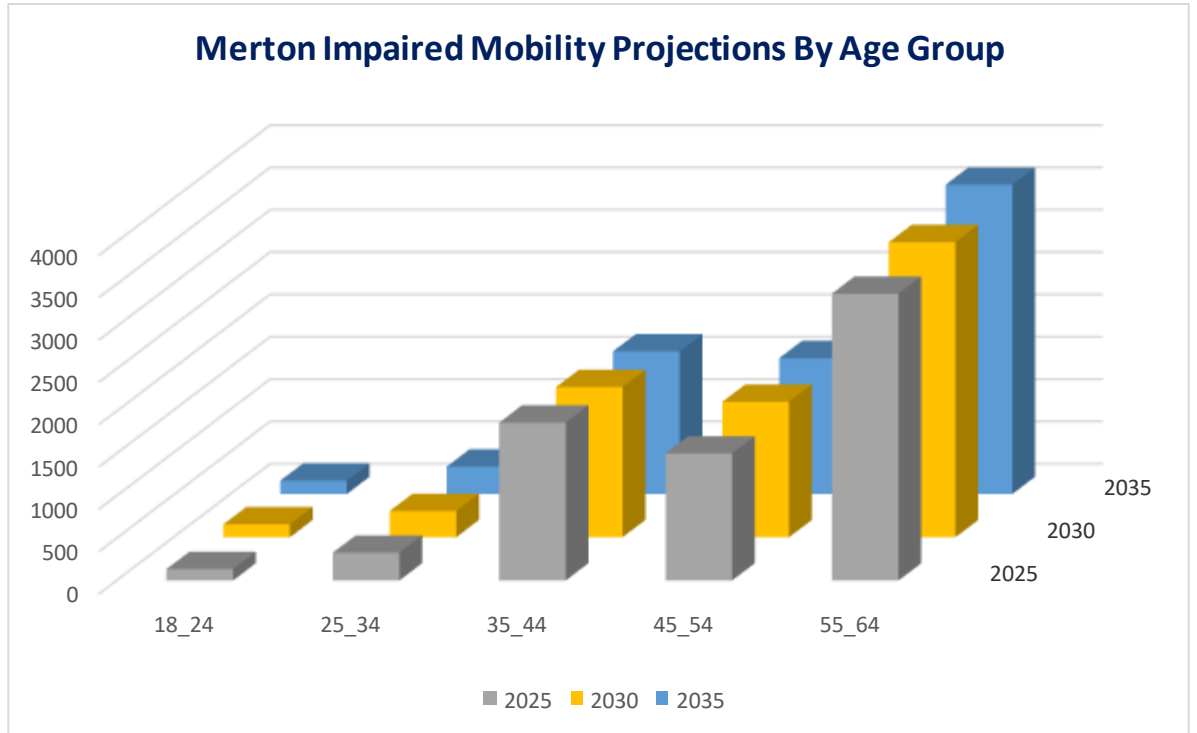
5.5. Since the council declared a costofliving emergency in July 2022, it is continuing to work with its partners to identify and support people in need. A CostofLiving Emergency Support Fund of £2 million was agreed by Cabinet in September 2022. Cabinet agreed allocations for the first £1 million, focusing on crisis support and addressing immediate challenges for residents most in need and an action plan to implement the second £1 million was approved by Cabinet on 20 March. Included in the two year action plan includes supporting residents with immediate need when in crisis, and more longer term sustainable support to promote the longer term wellbeing and financial stability of residents who are most in need.

5.6. As part of tranche one Cost of Living Fund allocations, £200,000 was apportioned to the £60 Post Office voucher scheme in 2022-23. Based on the number of post office vouchers redeemed to date, spending up to when the vouchers expire in March 2023 is estimated at £70,000. This leaves an estimated £130,000 underspend from the first tranche. Proposals for allocations of this underspend are: £68,000 for £160 payments to care leavers, special guardians, and in-house foster carers; topping up Thinking Works fuel vouchers by £18,429; £40,000 towards the Discretionary Housing Payments fund.

5.7. Ongoing mechanisms are in place for engaging with voluntary sector and other key partners, including the Community Response Steering Group made up of the Council and partners, sharing ideas and best practice, determining volunteering and neighbourhood support and oversight of local demand and emerging themes and its Fuel Poverty Subgroup, plus the Food Response Network.

- 5.8. A cross-council Cost of Living Working Group was also established in November 2022 which draws together and builds on the various strands of work being undertaken to address the costofliving crisis by sharing knowledge on the changing scale and nature of residents' cost of living needs, both short and long term.
- 5.9. **Disabled Facilities Grant**
- 5.10. Borough and District Councils have a statutory responsibility, under the Housing Grants, Construction and Regeneration Act (HGCR) 1996 to award Disabled Facilities Grants (DFGs. These means tested grants enable people with disabilities to have adaptations installed in their homes to improve access into and around their homes. The maximum grant is set at £30,000 by legislation.
- 5.11. The Council receives an annual grant from government to fund DFG services. The DFG allocation is ring-fenced within the Better Care Fund (BCF) which was established to join up NHS, social care, and housing services to enable older people, and those with complex needs, to manage their own health and wellbeing and live safely and independently in their communities. In 2022/23 the DFG income available within the BCF is £1,452,224.
- 5.12. The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 (RRO 2002) introduced powers for local housing authorities to provide discretionary financial assistance for vulnerable and elderly residents to carry out essential repairs and home improvements, to keep their home environment safe and to provide advice about other support services. The assistance may take the form of a grant, loan, equity release or practical method of assistance, but only in accordance with an adopted Housing Assistance Policy which has also been published.
- 5.13. The Council has recently drafted a new Housing Assistance Policy (HAP) which is currently progressing though approval stages. The overall aim of the policy is to address the needs of elderly, disabled and vulnerable residents living in inappropriate or inaccessible housing, where adaptations can improve accessibility of the accommodation, and improve health and wellbeing.
- 5.14. A key focus of the discretionary policy provisions will be to support the BCF Plan objectives, in relation to the priorities aimed at reduction in delayed discharges from hospital and avoidance of admission to hospital or residential care. Service areas that would assist in addressing those priorities include:
- Hoarding support to enable discharge from hospital
 - Dementia support (have use of the handyman service)
 - Deep clean services to enable safe return to property
 - Relocation Assistance
 - Energy efficiency and warmth services to enable discharge from hospital

5.15. The discretionary provisions in the policy enable the Council to provide assistance to applicants that are unable to meet their contribution requirements where a mandatory DFG may be awarded but be insufficient to meet the needs of the applicant. Other groups that would benefit include those that do not qualify for DFGs and those on low incomes that are unable to meet means test requirements and have insufficient resources to enable their properties to be adapted to meet their needs. As the population ages, projections for mobility impairment in the borough also show an increase.



5.16. The Council currently contracts out the provision of its DFG works to two organisations, Sutton Staying Put, the improvement agency of Sutton Council, and CBS Adaptation Design, a private company. These two organisations in effect operate as Merton’s Home Improvement Agency (HIA). The annual number of DFG applications processed in the previous two years is shown below .

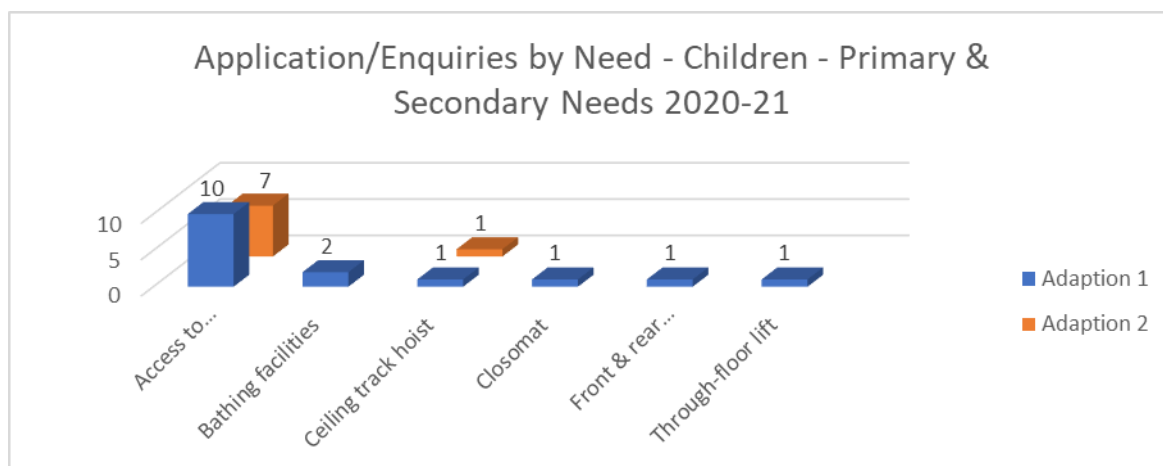
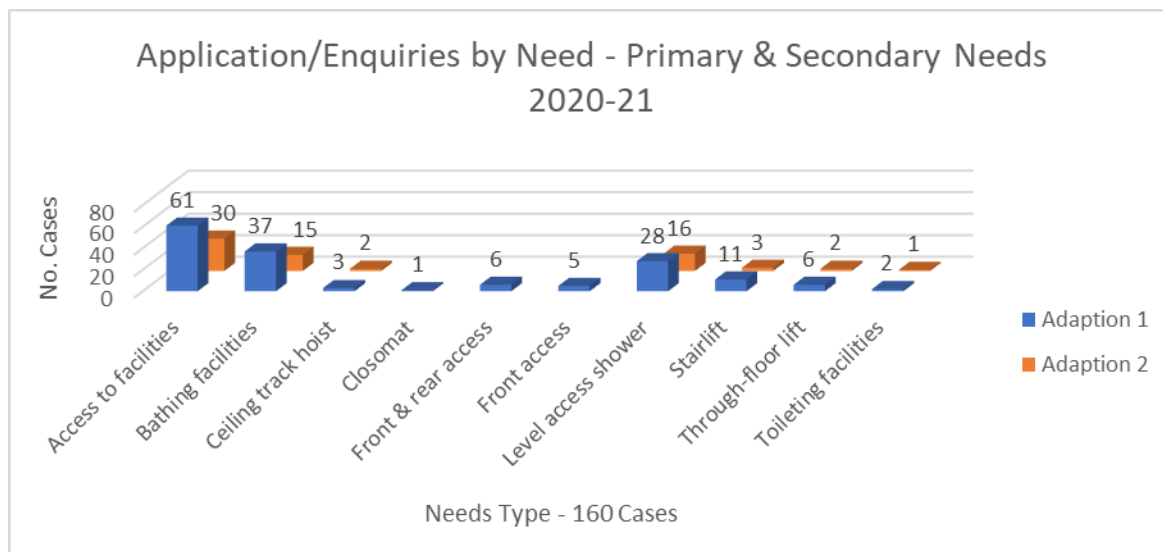
Year	DFG Enquiries	DFG Applications	Approved *
2022-23	172	50	60
2021-22	147	75	73

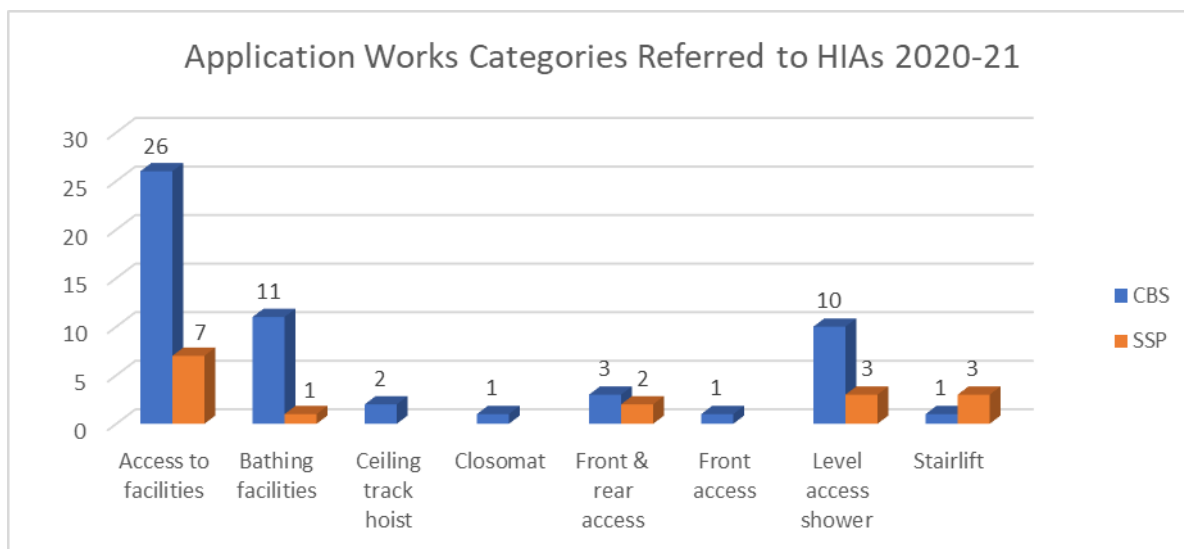
* *Approved cases include some cases from the previous year*

5.17. A strategic review of the DFG service was carried out in 2021 and in line with the recommendations the service contract was retendered at the end of

2022. The contract award report is being progressed. The review provided a detailed view of the needs of applicants in Merton and the DFG service delivered. Sample data is provided below.

Year	DFG Enquiries	Applied	Approved
2018-19	155	61	67
2019-20	181	65	60
2020-21	166	70	67





5.18. In addition to DFG the Council provides a range of services in partnership with Adult Social Care (ASC) and Health, and these include minor technical repairs and handyman services via the MASCOT service, and minor adaptations and equipment provided by Occupational Therapist Services.

5.19. The ASC OT service is normally the first point of contact for enquiries relating to disabled related assistance or equipment and handles over 4000 enquiries annually. Around 60 minor adaptations jobs are commissioned annually by the Service. DFG enquiries are referred to the Housing DFG service. Works to enable access to bathing and toilet facilities were the most common works categories.

5.20. **Support for people with Dementia**

5.21. Highlighted as a model of best practice, Merton’s community-based approach to providing support to people with Dementia and their carers throughout their Dementia Journey has been underpinned by previous benchmarking and research into the national, regional, and local context. Understanding how and where our residents with Dementia and their families need support to promote their safety and wellbeing reflects our commitment to restoring Civic Pride in our borough.

5.22. Cabinet approved the extension of Community Dementia Services in March 2023 with the Alzheimer’s Society so all partners including health and social care can further embed and develop the community focus of the model. This will enable commissioners across the health and care place partnership to undertake a joint review and remodelling of dementia services in Merton. The overall aim being that future services are integrated and accessible to support residents who are in the most need, providing a high quality service to promote the safety and wellbeing of people with dementia and their families across the borough.

5.23. **Home Care support in Merton**

- 5.24. In February this year, Cabinet approved a report setting out the planned approach to securing provision of Home Care Services to people within Merton who are assessed as requiring such care and support. To meet the Council's statutory duties under the Care Act 2014 the services will be designed to enable customers to live as independently as possible, for as long as possible, as engaged and active citizens while living in their own homes. The report set out the intention to recommission homecare service for a period of five years from 1st October 2023 to 30th September 2028 without the option to extend.
- 5.25. This report reflects the Council's commitment to ensuring that wider ASC reforms provide for improvements in homecare provision across Merton. The number of hours of care being delivered has been increasing, reflecting both increasing need and complexity for existing service users and increasing numbers of individuals coming into the social care system. Approximately 8,400 hours of care are delivered each week, which comprises of 7,556 hours per week for contracted providers and 844 hours per week that are spot purchased. This demonstrates that home care remains one of the most important services to support people to continue to live independently and safely in their own communities.
- 5.26. The report included a recommendation, following the Council's decision to become London Living Wage accredited, that the tender for Home Care services is advertised with a requirement that the successful bidders pay all employees wholly or substantively engaged in the delivery of services under the contract London Living Wage as a minimum.
- 5.27. **Supporting people who are homeless or at risk of homelessness**
- 5.28. Homeless legislation has existed in varying forms since 1977, with a significant update occurring with the Homelessness Reduction Act 2017. Where a resident makes a homeless application to the Council the law says that we must look into their circumstances to find out what type of help we can provide.
- 5.29. If we are satisfied that a resident is eligible and homeless (or threatened with homelessness), we have a duty to work with them to draw up a 'Personal Housing Plan', listing the steps both the Council and the resident can take to solve their identified needs. However, we will have further duties to priority need homeless applicants. Priority need is a legal term set out in the Act. To establish a "priority need" we will look at the following:
- Do they have dependent children, or are (or a house-hold member) pregnant? and/ or
 - Are they vulnerable, for example because of age, mental health or disability? and/ or
 - Are they 16 or 17 years old or a care leaver under the age of 20 and / or
 - Have they lost your home because of an emergency such as a fire or flood?

- 5.30. If a resident is in a 'priority need' group, have lost their home and they need temporary accommodation, we will provide this for them, while we work together on a solution. Regardless of whether an applicant is in priority need, we will try and prevent homelessness for 56 days. This is called the prevention duty. If we fail to resolve their homelessness during this time and/or they become actually homeless, then we have a further 56 days to relieve their homelessness. This is called the relief duty.
- 5.31. If the relief duty is owed, we will also look at whether they have local connection with Merton Council, and this is defined in the law and is based either on residence, employment, or close family members living locally. We may refer a resident to another council for more help, if it is safe to do so and there is insufficient local connection with Merton.
- 5.32. If a resident does have a local connection with Merton, are in priority need, and our work with them has failed to relieve their homelessness after 56 days, we will consider whether they have lost their home because of something they have deliberately done (or because of something they have failed to do). This relates to whether or not an applicant is regarded as being intentionally homeless. This is a very complex area of law, and every case will be considered on its individual merits. This will affect whether the Council owes a resident a long-term duty to make a final offer of accommodation.
- 5.33. **Prevention and Relief of Homelessness**
- 5.34. Under the Homelessness Reduction Act there are a number of specified circumstances where the prevention and relief duties come to an end. The Council records the reasons that the prevention and relief duties end against each separate homeless case.
- 5.35. If the duty ends due to the applicant being able to stay in their current home for 6 months, or because they have found alternative accommodation that is available for at least 6 months, this is recorded as either a positive prevention or relief outcome. It is the case that prevention and relief activities mean the individual's housing crises are resolved far quicker than those cases who go beyond the 56-day duty. Prevention and relief activities have a cost benefit for the Council in that where this is achieved the Council does not have a long-term duty to provide temporary accommodation with the associated general fund costs.
- 5.36. When the Council devises a personalised housing plan it will set out what options and action will be taken to prevent and relieve homelessness. These are called **reasonable steps**.
- 5.37. The Council can prevent and relieve homelessness in a variety of ways such as-
- Advice on security of tenure.
 - Advice on Protection from Eviction.
 - Legal Advocacy on tenant's behalf with private landlords.
 - Negotiating with hosts to allow clients to continue to stay with them.

- Offering incentives to Landlords to renew tenancies
- Increasing the security of the homes of the victims of domestic violence via the sanctuary scheme to allow them to stay.
- Home visits to confirm the circumstances of the client.
- Rent and mortgage rescue scheme to pay arrears where clients meet the criteria
- Increased priority on the Council's waiting list where the requirements of the Council's Housing Allocations and Nominations Policy are met.
- Offers of accommodation from the Council's Rent Deposit Scheme.
- Arranging local supported housing / hostel places for single people.

5.38. Performance in relation to the number of positive outcomes is recorded below. As the table below sets out, the number of homelessness preventions have remained fairly consistent over the previous years. Merton has historically had the lowest number of cases in temporary accommodation in London and these activities contribute directly to this achievement.

	2017/18	2018/19	2019/20	2020/21	21/22	22/23 to Dec '22
Preventions	465	504	480	455	452	317

5.39. **Rough Sleeping Outreach Services**

5.40. Over the last five years, the Council has secured just over £2 million of grant funding to develop a range of services specifically for rough sleepers. This group has specific needs above and beyond the provision of accommodation alone. The services include: day-time outreach provided by a team of in-house staff with night-time outreach covered by Thamesreach; emergency accommodation; and day-to-day support and tenancy sustainment for clients. The service has established an accommodation pathway for clients to enable them to move on to more sustainable housing depending on their needs, including shared housing with support in the private rented sector, supported housing, or tenancies of self-contained accommodation in the private rented sector.

5.41. As of November, there were 56 rough sleeper referrals during the month concerning 33 known individuals. Some of these referrals concern rough sleepers already accommodated by the council, or who have refused multiple offers of accommodation. The council continues to try and work with entrenched rough sleepers who have not accepted accommodation alongside other agencies that support them with a view to finding accommodation that meets their needs.

5.42. Below is a summary of the rough sleeper cases currently accommodated by the Council as of November 22.

In Accommodation	No of Clients	Of which No recourse to public fund
Nightly Paid Temporary Accommodation	19	6
PRS Shared Housing	26	7
Supported Housing	35	0
Total	80	13

5.43. **Provision of Temporary Accommodation**

5.44. As noted above when residents make homeless applications, in some circumstances the Council has a legal duty to provide temporary accommodation, typically during the relief period if someone is actually homeless. Not all individuals are entitled to temporary accommodation.

5.45. As noted above where people appear to be (a) eligible for assistance; (b) homeless; and (c) in priority need of accommodation, they are owed what is known as the 'interim' duty. This duty provides them with temporary accommodation pending more detailed enquiries into their application and actions taken by the authority to relieve their homelessness.

5.46. Where on conclusion of those enquiries, (and assuming it is not possible to prevent or relieve homelessness) if officers within the Housing Department are satisfied that the homeless person is eligible; homeless; is in priority need and did not become intentionally homeless; and has a local connection, then they are owed what is known as the 'full' or the 'main' duty.

5.47. This is a duty to continue to provide them with suitable temporary accommodation, without limit of time, until the duty is brought to an end in a limited number of prescribed circumstances, most commonly via a reasonable offer of accommodation. This offer is from a registered social landlord or via a private sector landlord.

5.48. Accommodation offered under the Act is required to be suitable for homeless households and this is set out in the Homelessness (Suitability of Accommodation) (England) Order 2012. When securing accommodation in relation to either the "interim" or "main" homeless duty, s208(1) of the Housing Act states, so far as reasonably practical, the authority must secure this accommodation in its own area. This was reinforced in the Supreme Court judgement handed down in the case of *Nzolameso v Westminster 2015*.

5.49. Central government policy has restricted the types of temporary accommodation that can be seen as suitable in the discharge of these duties. With effect from 1st April 2004, the use of bed and breakfast for families with children was made unlawful over a 6-week period and the use

of this accommodation for persons aged 16 or 17 years old is likewise discouraged.

- 5.50. Merton Council has the lowest number of households in temporary accommodation of a London Borough. However there has been a significant increase in numbers going into temporary accommodation across 2022/23. This is due to a number of factors. From July to September 2022 the number of landlord possession orders through the courts increased from 5,601 to 15,353 (174%) and bailiff's warrants from £4,552 to £8,505 (87%) across England. This is likely due to the back log of cases from the moratorium on evictions coming to an end following the Covid-19 restrictions being lifted.
- 5.51. The Council has submitted data to London Councils who have collated an overall position for the capital. This shows a worsening situation compared to the previous years with recent increases of homeless applications in November and December 2022 of 16.9% and 19.7% respectively.
- 5.52. The Council has also taken a number of applications from people from Ukraine whose host or family arrangement has or is about to break down. The Council always takes steps to prevent homelessness and current there are only four cases in temporary accommodation from Ukraine. The Council had also accommodated one case from Afghanistan. However, this case was rehoused this month and has left temporary accommodation.
- 5.53. Numbers in Temporary accommodation snapshot at year end

2018-19	2019-20	2020-21	2021-22	2022-23 (to date)
174	199	197	230	333 (December)

6 MERTON CCTV

- 6.1. Merton CCTV is part of Safer Merton and is a 24/7 service operated from the Civic Centre. Merton operators proactively watch more than 200 cameras across the borough with the biggest concentration of cameras within the town centres, and the housing estates. Merton CCTV works closely with partners, such as the Police, Community Safety, Clarion Housing and Love Wimbledon to make sure Merton residents feel safe.
- 6.2. There are two types of cameras that are used by Merton CCTV; permanent cameras which are located in the busiest parts of the borough, and temporary deployable cameras which can be deployed at short notice in hot spots that require special attention, i.e. a new fly tipping location. Merton operators have a direct link to the police via the police radio enabling them to communicate without unnecessary delay, which makes a huge difference whenever there is an incident that requires attention. In the past year Merton CCTV has assisted in several high-profile incidents including sexual offences, firearm offences, and knife crime robberies and Merton operators and Council are very proud of their achievements whenever their assistance

results in preventing harm, and violence. It must be noted, however, that CCTV on its own does not solve the problems. The fact something can be seen on camera does not on its own prevent it from happening. It requires an effective multi-agency communication and response to work well, and even then, sometimes it is not enough to stop incidents from occurring.

6.3. **CCTV in numbers**

Merton Council currently has

- 216 permanent cameras
- 21 deployable cameras
- 7 CCTV operators observing cameras 24/7
- 4174 incidents logged since 1st April 2022
- 520 serious incidents recorded since 1st of April 2022
- 621 fly tipping incidents recorded since 1st April 2022

6.4. The Council recognise the importance and value of an effective CCTV and investing significantly in an upgrade of the cameras from April 2023. The Council have approved £1,200,000 towards the upgrade and plan to upgrade all CCTV cameras to High-Definition quality by the end of March 2024.



6.5. **CCTV success stories**

6.6. 2022/23 was a busy year for Merton CCTV, with multiple serious offences that were prevented thanks to the professional work of the CCTV operators. Below is the list of some of the most serious incidents where CCTV operators prevented the incident from happening or turning into something far more serious.

- 17/02/23 two burglars captured on CCTV in Wimbledon town centre. The CCTV operator notified the police who stopped the males and recovered the stolen goods.
- 02/01/23 suspects of an attempted robbery filmed on camera leaving the location.
- 23/12/23 suicidal male found on camera and saved by the CCTV operator notifying the police.

- 19/12/23 female filmed in Mitcham Town Centre in charge of a small child while being very drunk. CCTV operator informed the police who took the baby to safety.
- 01/11/22 sexual assault in The Broadway, Wimbledon. Due to the swift action of the CCTV Operator the police attended swiftly, detained the suspect and supported the victim. Our CCTV Operator has been nominated for a commendation for their work.

The March 2023 edition of 'My Merton' magazine has got a full page dedicated to CCTV and the success stories.

7 PARTNERSHIP WORK

7.1. Merton CCTV works with a whole range of partners both internal and external promoting the multi-agency approach to ensure the safety of the public. There are monthly tasking meetings led by Safer Merton that work in partnership to identify issues that require multi-agency response. Merton CCTV is crucial for the multi-agency work in within public safety, and the decision about deployment of the temporary wireless cameras is made during these meetings. Merton is also investing in upgrading the whole CCTV network (see section 8).

7.2. The Police

Merton CCTV operators have access to the Police radio, which is used to co-ordinate with the Police whenever there is an ongoing incident. Recently, the information sharing agreement between the Police and Merton CCTV has been vital for joint operations against gang violence, and street drinking.

7.3. In 2022 the police introduced Operation Nightingale focusing on serious violence, and in particular violence against women and girls. In March 2023, as part of this Operation the police decided to invest £48,000 in Wimbledon town centre CCTV, recognising the importance of CCTV in the area with vibrant night-time economy. This funding has been allocated to the upgrade of CCTV along Wimbledon Broadway, with works due to commence at the beginning of April. The target day for completion is end of May 2023.

7.4. Love Wimbledon and the TownLink Radio

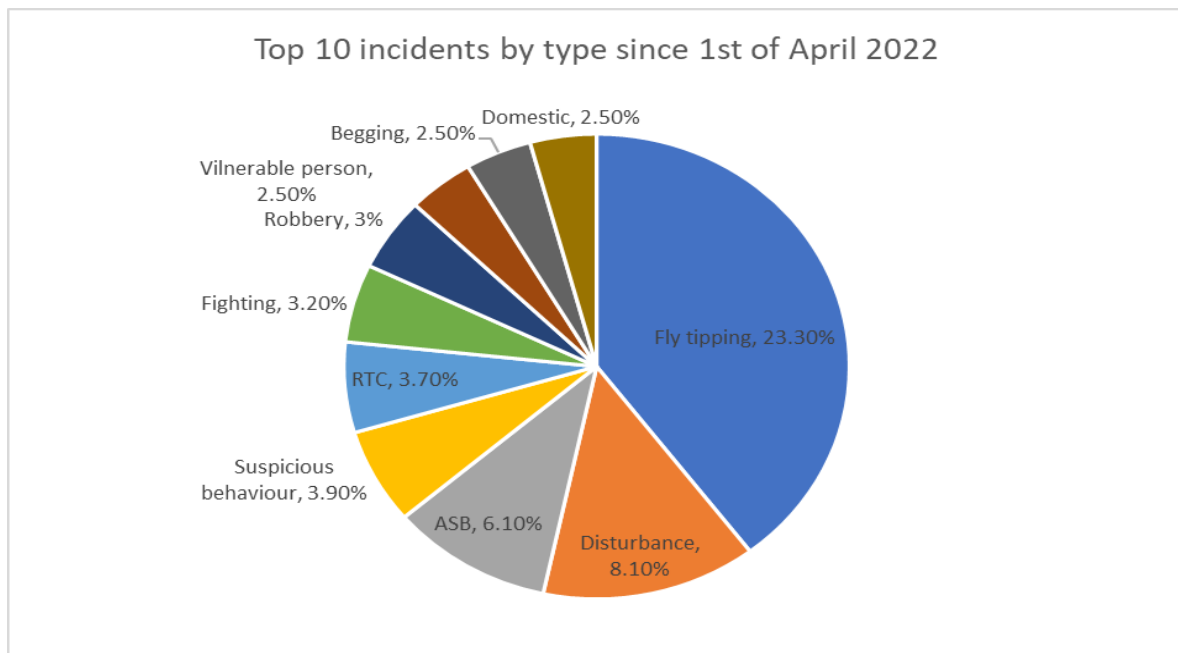
7.5. Merton CCTV have got direct connection to partners in Wimbledon Town centre via the TownLink radio. It was introduced by Love Wimbledon, and it connects the shops, pubs and clubs in Wimbledon with Merton CCTV and the police to ensure the quick flow of information and better reaction to the incidents. When it works, it is a great tool for catching shoplifters, and people causing problems in pubs and clubs. The problem is that not everyone who is connected to TownLink radio is actively using it, which sometimes causes a breakdown in communication, and diminished response to the problem. Those and other issues are resolved during the monthly Pubwatch Meetings, which are vital for these schemes to work, as well as the information sharing. There is a plan to extend the TownLink radio to Morden town centre in the future.

7.6. Tackling Street drinking and rough sleeping

7.7. As outlined in section 4.5, street drinking and rough sleeping are a focus for the council and external partners such as the police, public health, housing, and Love Wimbledon. Merton CCTV is part of the multi-agency response providing vital evidence, and intelligence that helps to understand the problem and find the best solution. This work links into the PSPO and ensuring that those that are causing alcohol related ASB is reported and shared with the ASB team.

7.8. **Fly tipping**

7.9. Fly tipping has become, by far, the most common incident type filmed on Merton CCTV cameras. Merton CCTV is working closely with environmental enforcement to tackle this problem. 13 deployable cameras have been dedicated to monitor fly tipping, and they are very successful capturing the footage of the offenders. Merton CCTV supplies the videos for Merton Wall of Shame, which was created to share the faces of offender who couldn't be identified and fined by the council.



7.10. **Partnership Agreements.**

7.11. Providing a 24/7 CCTV service can be quite expensive, which is why Merton CCTV is working with external partners to provide them with our services, which increases our CCTV coverage and enhances safety across the borough. The CCTV upgrade will enable Merton CCTV to reach more partners and become less reliant on Council funding. It will also enable CCTV to cover bigger area and reach communities within Merton which never had CCTV coverage. The partnership work is important to ensure a comprehensive and multi-agency approach to any problems that need resolving.

7.12. **Clarion Housing Group**

7.13. Merton Council and Clarion have been working together since the 1990s. A new partnership agreement has been established which will see CCTV within Clarion Housing stock beamed into our 24/7 control room. As part of this partnership, the housing cameras will be upgraded by end of March 2024, ensuring much better quality of evidence, and much better coverage of the CCTV. There is an agreement to use council's deployable cameras in the hot spots identified by Clarion, where there is no permanent camera present.

7.14. **South Wimbledon Business Partnership**

7.15. South Wimbledon Business Partnership recently upgraded their 6 cameras and approached Merton CCTV to form a partnership. The Service Level Agreement that would generate £12,000/ year revenue income for the council has been issued to SWBP. As part of the SLA, Merton CCTV will monitor the cameras in South Wimbledon Business Park, share intelligence with SWBP, and liaise with the police to respond to any incidents.

7.16. **Morden Hall Park**

7.17. The National Trust in Morden Hall Park has recently approached Merton CCTV to form a partnership. The details are yet to be agreed, but there is good understanding and strong will from both sides to proceed. This will be a vital agreement for Merton, as Morden Hall Park recently has been a hot spot for anti-social behaviour, and robberies. Extension of the CCTV coverage to the park would help to decrease the number of incidents and protect the park from vandals. The CCTV upgrade will be vital for this partnership to work.

7.18. **Canons Leisure Centre**

7.19. Canons Leisure Centre has got newly installed CCTV cameras, which currently are not connected to Merton CCTV. There are two solutions, currently being reviewed, and the hope is that by May this connection will be active. There have been several serious incidents around Canons recently, which puts even greater urgency on creating that connection.

8 **CCTV UPGRADE**

8.1. Currently, nearly all cameras owned by Merton CCTV are analogue. The analogue system is very inflexible, and notoriously difficult to expand and maintain. This is the main reason why the locations for Merton's permanent cameras have changed very little in the last 25 years. The CCTV upgrade project will change that. Having a boroughwide, fibre-wireless hybrid solution will make adding new cameras much easier, and consequently Merton CCTV will be able to offer its services to new partners both within the council, and external. The ultimate goal is to make CCTV self-funding through various partnerships. Other London boroughs are also exploring that possibility, and by working together, and learning from their experiences, there is potential to make it happen.

8.2. 2023-24 will be a crucial year for Merton CCTV. There is a planned upgrade of all the public space cameras that is due to finish by the end of March 2024. It is a considerable project that includes upgrading Merton’s fibre network and installing new high-definition cameras in place of the current analogue devices, which are on average at least 10-15 years old. The upgrade will allow Merton CCTV to produce much better quality of evidence for partner enforcement agencies. The upgrade will cost £1.3 million, but it will generate savings on fibre rental for years to come, and more importantly Merton will have one of the best and most effective CCTV systems in the country. The upgrade will also allow Merton to extend the CCTV coverage and offer the CCTV services to new partners across the borough.

8.3. **Timeline**

The timeline for the upgrade depends on many factors, such as previously mentioned dark fibre project, availability of parts, etc. The main milestones are listed in the table below. The start of phase 2 and phase 3 is highly dependant on the fibre installation progress, and they may change.

March 2023	Procurement of CCTV consultant
March 2023	First project board meeting
March 2023	Approval of the dark fibre project.
Spring 2023	Beginning of the upgrade of cameras in Merton Civic Centre. These cameras do not rely on fibre and can be upgraded first
Spring/Summer 2023	Phase 1 of the on-street camera upgrade
Summer/Autumn 2023	Phase 2 of the on-street camera upgrade
Winter 2023-24	Phase 2 of the on-street camera upgrade

8.4. **How can CCTV upgrade benefit the council?**

8.5. The CCTV upgrade will provide benefits for other council departments. If the fibre project is agreed, the fibre may be used to connect devices such as noise and pollution sensors. It can be used for a variety of smart city projects.

8.6. The high-definition cameras will provide much better evidence that can be used for multi-agency taskings including Safer Merton, regulatory services, housing, highways, parking, and other partners.

8.7. The upgrade will also make it much easier to expand the CCTV network in the future. There are multiple areas in the borough that are considered blind spots due to lack of infrastructure to connect the cameras. With the Protect Duty in place it will be necessary for the council to introduce measures such as CCTV cameras in some of the blind spot areas. The upgrade should make it a much easier task.

9 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

9.1. None for the purposes of this report

10 LEGAL AND STATUTORY IMPLICATIONS

10.1. Any legal or statutory implications are addressed in the report and for the purposes of this report there are no further comment.

11 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

11.1. Health equity is a key focus of Merton Health and Wellbeing Strategy and is integral to the work set out in this report. Significant amounts of the report reflect work ongoing to ensure community cohesion and uphold resident's human rights.

12 CRIME AND DISORDER IMPLICATIONS

12.1. None for the purposes of this report.

13 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

13.1. None for the purposes of this report.

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

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15 BACKGROUND PAPERS

15.1. n/a

Agenda Item 8

MITCHAM COMMUNITY FORUM

21 FEBRUARY 2023

(7.15 pm - 9.00 pm)

PRESENT Councillors Councillor Aidan Mundy (in the Chair),

1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held at Vestry Hall and via Zoom and chaired by Councillor Aidan Mundy. 35 residents and six councillors attended with three residents on Zoom and with 208 additional views on YouTube. The Chair welcomed everyone to the meeting and explained how the meeting would work.

2 MITCHAM TOWN CENTRE (Agenda Item 2)

Paul McGarry, Head of Regeneration, gave an update on the Town Centre following the news that Morrisons would be closing in March. Losing a major brand would be a blow to any town centre, but the Council understands this was a commercial decision for Morrisons. The land is owned by Centrica and managed on their behalf by LaSalle. The Council has met with LaSalle, and they confirmed they are developing plans to redevelop the site. In the meantime, LaSalle are working to market the site for an interim user, including pop-ups and temporary usage until any redevelopment can begin. Any future news or plans will be shared with residents and councillors. The Council wants LaSalle to conduct pre-application engagement with residents and local businesses before they submit any planning application. It is likely to be six months before an application is submitted with a decision possibly by the end of year. Paul confirmed that the Council owns lease to car park on a long-term basis, with more than 25 years remaining.

Paul's team has spoken to other retailers in the town centre and has been told that Poundland, Boots and Lloyd are all staying, but they have not heard back from Superdrug yet. LaSalle is looking to improve the frontage of all the units it owns.

The Council is progressing other plans to help the town centre including recruitment of a Town Centre manager for Mitcham and commissioning market operator. The Town Centre Manager will create a link between businesses and council and help manage issues in the town centre. They will also work with the Location Board that brings together the Police and the Council to deal with anti-social behaviour. The market operator will be tasked with encouraging more stall holders and wider variety of products, as well as organising events for the market. Paul said that he wanted to

hold a workshop to capture ideas from community in Mitcham about the future of the town centre.

A resident said they were concerned that would be fewer people coming to the centre if Morrisons closed. Paul said he understood that concern so is working with landowner to find another retailer to use the space. Another resident said that Morrisons is an important hub for community not just for shopping so would like it to be replaced with a similar supermarket. Paul agreed that Morrisons was at the heart of the community and the landowner is marketing the site to other potential retailers including food.

A resident asked if Merton Council had spoken with other councils about other options. Paul said that where we don't own the building, we have no control of how it is marketed or who moves in but can market the council owned spaces to make Mitcham more vibrant. A resident asked if there had been any feedback from Morrisons on why they moved out and what could be done to encourage another retailer. Paul said Morrisons wrote to Merton to say it was mainly about national issues and market competition, and it was worth remembering that Morrisons did not own the site so it would be easier to dispose of than other stores.

A resident said it was important that any empty site to not become a hub for anti-social behaviour. Paul said that he is working with the landowner to make this does not happen. Successful retail is not just about shopping, as it is also about the experience so happy to work with landowner to identify opportunities to improve the attractiveness of the town centre.

A resident asked what will be developed on the site as they did not want to see high rise buildings. Paul said that the Local Plan specifies site can be retail, leisure, or culture with housing above, but we have no detail on what is being proposed as yet.

A resident said that as Transport for London is rationalising bus services, they are worried about 200 not going to town centre. Paul said there is no link between Morrisons closure and review of bus services. Transport for London would have to consult on any planned changes to bus routes and Paul was not aware of any plans for changes in Merton. A resident said that without Morrisons more buses will be needed to go to other shops. Paul said we can monitor the need for additional services and raise this with Transport for London. Cllr Mundy said Transport for London are reviewing their fleet so we can raise this.

A resident asked what companies owned buildings in town centre and Paul explained that in Mitcham most shops are privately owned, with just the Centrica site and one other major landowner. A resident said that the town centre had lots of similar shops, so asked if any restrictions can be placed to stop more of the same moving in. Paul

said we have had similar policies for betting shops, but national planning law makes it more difficult as most retailers all in same planning class now.

A resident asked if TSB bank would be remaining. Paul said it is still access bank representatives in Mitcham Library or go to Post Office. A resident asked if Merton Council can bring in investment from other retailers and Paul explained that the landowner is being proactive and open in discussions as well as having more knowledge of how to market to the sector than the Council. A resident asked how long the lease for next shop would be and Paul said that would be the landowner, but it could be only 12-18 months if development is going ahead. Pop-ups, like Secret Cinema, can use spaces for short times so could be a good option, but the Council is open to any suggestions.

A resident asked when will Town Centre manager and market operator begin work and Paul said they are going out for recruitment and procurement in next couple of weeks, so will move as fast as possible. Other areas have different structures: Morden has a business forum; Wimbledon has a Business Improvement District, and Wimbledon Village has a business association. Merton Chamber of Commerce is researching who is currently based in Mitcham.

A resident asked what Merton Council can do to attract businesses, and Paul explained that the Council is limited by not owning any land but can offer business rate discounts to new businesses. The demographics of the area are changing so it is important to understand how to market the local spending power.

Cllr Mundy summarised the discussion and the plan to hold a workshop with residents.

3 FUTURE WASTE COLLECTION AND STREET CLEANING SERVICES (Agenda Item 3)

Cllr Natasha Irons, Cabinet Member for Local Environment, Green Spaces and Climate Change, gave a presentation on the future of waste collection, recycling and street cleaning services. The presentation is attached to this report.

Cllr Irons said there were several problems with the way the current contract worked. As a result, Cabinet decided in October to end the contract with Veolia in 2025. The Council then held a consultation with residents and received more than 2500 responses. The consultation showed that that satisfaction with waste collection dropped in 2019 but has improved since. Merton has the seventh highest recycling rate in London, so this element of the service is working well. In contrast satisfaction with Street cleaning has not recovered, and Merton issued Veolia with an improvement notice in 2022.

Resident's biggest concerns were street litter, fly-tipping and over-flowing street bins. There were also concerns about the arrangements for collection from flats, a residents felt that they were not being helped to recycle by the system. Residents were happy with Garth Road and the new booking system. Those residents who used the bulky and garden waste services were satisfied but there were concerns about the cost putting people off from using the service. Neighbourhood Recycling Centres can be fly-tipping hotspots. Residents felt there was a clear need to tackle fly-tipping, and satisfaction was especially low in South Wimbledon.

Cllr Irons said that the Council considered all the available options for service delivery, namely contracting, bringing in-house, setting up an arm's length company, and setting up a Joint Venture with providers. All of the options were tested against the same criteria and the evaluation concluded that contracting out waste, but bringing-in house street cleaning would offer the best solution.

For both services the Council will look to have a more prescriptive specification and work has begun to build those specifications with a view to going out to the market in April. In the meantime, the Council will also pilot a programme of bringing Garth Road to local communities in order to help residents recycle larger items.

A resident said that Merton Council used to have street cleaning mission statement, and that street cleaners currently pick up litter but don't sweep the road. Cllr Irons said she agreed with the mission statement approach and expects to have street sweeping following waste collections. By bringing street cleaning back in-house the Council have more control. Whilst mechanical sweepers can access most areas there is a need to get the standard back up in other areas.

A resident said they liked the Garth Road on the road idea and suggested the Council could use the Gasworks site. They also said the council usually responds quickly to reports of fly-tips. Cllr Irons said it is helpful for residents to report fly-tips and litter via Fix My Street as it allows officers to map reports.

A resident asked about problems on Portland Road and Cllr Irons she said she was aware of the problem which is a result of a dispute between Clarion and Merton Council deciding on who had responsibility for the land.

A resident asked if Merton would be keeping the existing street cleaning staff and Cllr Irons confirmed that all the existing staff would move to Merton under TUPE rules. Currently 53% of Veolia staff are former Merton Council staff.

A resident said that having reported an issue on Fix My Street the problem was closed when not resolved and Cllr Irons offered to take up specific issues outside of the meeting.

A resident asked if Merton could consider community skips as well as the mobile Garth Road. Cllr Irons said the Council wanted to trial the mobile Garth Road first as it helps us recycle some of the material and should be less open to abuse. Another resident said that fly-tipping involved significant money and hopes it will be reduced by better access to dumps.

A resident said they felt there were more problems in Mitcham than elsewhere in Merton and asked for strong enforcement. Cllr Irons said she wanted people to do the right thing and Merton has given out more Fixed Penalty Notices than any other borough in London and launched the Merton Wall of Shame. The fly-tipping issue is about changing the behaviour over the long-term and addressing the national epidemic.

A resident asked if Merton would be increasing number of street sweepers and Cllr Irons said the specification is currently being developed. Another resident said that litter often comes from recycling boxes, so can they be replaced with another wheelie bin. Cllr Irons said she was not sure there is a public appetite for another wheelie bin but can test the market for other possible solutions. The Council has also provided nets to cover the recycling boxes.

A resident wanted to know how the other political parties had been involved and Cllr Iron explained that the proposal had been to pre-decision Scrutiny on 13 February by a cross-party committee and she will return with the final specification.

A resident asked how much it would cost to buy the equipment needed and Cllr Irons said that the Council owns all the current equipment, but the trucks are coming to end of their lives so looking the Council will be looking at options to replace them, including electric vehicles.

A resident said they did not think it was right to force people to use wheelie bins and Cllr Irons replied that their use has helped drive up recycling rates and containerisation is becoming national policy.

A resident asked about the impact of the bulky waste charge and Cllr Irons said that charge is mid-ranking in London, and it covers the cost the cost of the service. If the mobile Garth Road works, then it will reduce the need for the bulky waste service. A resident asked if free bulky waste collection will reduce fly-tipping and Cllr Irons replied that Councils, including Merton, have not seen a reduction in fly-tipping as a result of free bulky waste.

A resident asked if the Council would continue to use the Energy Recovery Facility and Cllr Irons replied that the Council will be continuing its use and it has a much

longer agreement. Merton will continue to share disposal and haulage operations with South London Waste Partnership.

A resident said they sometimes see fly-tipping by householders using street as a charity shop, where items are left out for anyone else to collect. Cllr Irons said that the approach to dealing with fly-tippers is complex and we need everyone's help. A resident said that they felt a reactive process does not discourage fly-tipping. Cllr Irons said that if the Council does not collect fly-tips then it will attract more. The Council has a Task Group looking at fly-tipping, including improving communications, for example the [Wall of Shame](#). The Council has invested in mobile CCTV that we can use in hot spots. The Council is also looking at options for improving education in schools, but it needs a national campaign and government environment bill to tackle systemic issues.

4 FUTURE ENGAGEMENT IN MERTON (Agenda Item 4)

Kris Witherington, Engagement and Consultation Manager at Merton Council, gave a presentation on proposals to improve resident engagement across Merton. The presentation is attached to this report.

Kris said that the changes were focused on the work of the corporate engagement team rather than work done by many services with specific audiences and service users. The team had learnt a lot from changing approaches during COVID and from the feedback from residents on the Community Forums in 2022. They had identified three areas where improvements needed to be made and how this would be resourced through increased capacity.

The first area was face-to-face engagement, including the Community Forums. Kris said the current approach was not working as well as it should be, and instead the plan is to hold two events in each area per year. One would be a large-scale question-time event involving local services leaders, including the Leader of the Council, and the second would be more of a workshop format for residents to work together rather than a presentation and question approach. The Engagement team would also support local arrangements, working with local groups and councillors ensuring that solutions are right for each area rather than a one-size fits all approach.

The second area to improve is engagement with Civic Society, meaning resident groups, both formal organisations and informal arrangements like WhatsApp groups. The Engagement will look to map what work is taking place, offer a point of contact, provide an e-newsletter and host an annual event that brings these groups together.

The third area was the way residents can engage with the council digitally. Currently the Council has an online consultation hub and design tool for online survey but there

are new tools available like mapping, discussion boards and an online resident's panel.

These changes will be sorted by recruiting a new Events Officer post to manage the meetings, a Community Development Officer to work with the Civic Society and a Engagement Officer to work on digital engagement and support departmental consultations.

A resident asked about the idea of a panel and how this would be representative. Kris explained that Panels are usually randomly recruited and then weighted based on the demographics of the borough.

Cllr Mundy asked how people heard about the meeting, and residents said it was through a mix of word-of-mouth and contact from Merton Council. A resident asked about using non-digital communications and Cllr Mundy says this is complex and it is important to spread the word.

Cllr Mundy asked for residents to register their interest if they would like to be involved in local arrangements for a community forum. Residents who were unable to sign up on the night can do so by completing [the form](#).

5 OPEN FORUM (Agenda Item 5)

A number of residents wanted to speak about the planning application for the Mitcham Gasworks. Cllr Mundy said best way is to take part in the consultation but happy to hear from residents to help inform in the developer. Cllr Mundy, who is also Chair of the Planning Committee, and other and other Councillors cannot prejudge the application.

Residents expressed a number of views on the planning application that included:

- It is not an appropriate site for tower blocks and the application is too tall. This will overshadow the Common.
- There should be a maximum of five stories
- Properties are too small and will be too high density. The plan exceeds the capacity for the site set out in the Local Plan.
- The design is poor and square blocks are unattractive
- The design is out of character for Mitcham
- There are too many single aspect homes in the plans
- Developers pictures are misleading
- Massive problems with infrastructure like traffic, parking issues on Bond Road and the impact on schools, hospitals and GPs
- There is a similar issue with plans in Streatham Vale
- Thames Water report said the developer wouldn't be able to provide water supply

- No parking provision is not thought through
- Flooding issues on London Road and Cricket Green Road would be made worse.
- Scheme like this wouldn't be accepted in Wimbledon

In addition, a resident said they wrote to Merton Council last August and got a response from Cllr Judge.

A resident asked who will be housed on site and Cllr Mundy said that usually Merton Council would have an arrangement with a Registered Provider to place people from the Council waiting list. A resident said they had been on the housing list for 26 years.

A resident asked what is classed as affordable housing and Cllr Mundy said that national rules set out definitions for affordable rent and ownership including shared ownership to be included but it depends on a viability assessment. Cllr Mundy also explained that any conditions placed on schemes are enforced by Council and that due to the size of the development the plans could be considered by the Mayor of London.

A resident asked about submitting the petition they had collected, and Cllr Mundy said this could be sent to the Planning Officer to be considered as part of the application.

A resident asked what Merton Council's response to the expansion of the Ultra-Low Emission Zone was. A statement can be found on the [Council website](#).

A resident said that the Barclays building was now eyesore and wanted an update. This would be provided at a future meeting.

A resident asked about lighting in the car park by Morrisons and Cllr Johnston said the first floor lighting fixed.

Cllr Mundy said the government was holding a consultation on the [Levelling-up and Regeneration Bill](#) reforms to national planning policy until 2 March.

Councillor Mundy agreed to write, as Chair of the Mitcham forum and Planning Committee Chair, to the applicant to highlight the exchange. He thanked residents for attending and closed the meeting.

6 DATE OF NEXT MEETING (Agenda Item 6)

To be confirmed

Waste Collections & Clean Streets

Page 03

Mitcham Community Forum 21 February 2023

Cllr Natasha Irons

Cabinet Member, Environment, Open Spaces & Climate Action



Minute Item 3

What have the issues been?

- Original contract specification
- Finance (contract built for savings, not quality)
- Contract structure – performance & monitoring

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Flexibility & responsiveness

- Fly-tipping & street cleanliness
- Negative impact on council reputation

Resident engagement

To inform the new service specification, we ran an engagement programme with residents, lasting six weeks from mid-October 2022 and generating 2,500 responses.



1,900 service user responses to our online survey



Page 85

100-plus printed responses



407 representative telephone surveys



5 x High Street pop-up events, plus 2 focus groups (East & West)

Overall resident experience

Service	% satisfied - 2017	% satisfied - 2019	% satisfied - 2021	% satisfied - 2022
Collections	69%	48%	62%	63%
Recycling	71%	56%	56%	63%
Street-cleaning	53%	44%	45%	30%

When we asked those residents who have had a poor experience of collections what their concerns were, the top three issues were:

- missed collections (49%)
- frequency of collections (49%)
- putting their bins back properly (49%)

When we asked about street-cleaning, the top three issues were:

- fly-tipping (62%)
- street litter (69%)
- overflowing bins (69%)

Blocks of flats

Key takeaways:

1. Residents living in flats have been a significant part of both Member's casework and this was taken into account in the survey with specific questions and as part of our focus groups
2. The most common feedback from this group was the need for more, or larger, collection containers
3. This group is also much less likely to say that LBM helps them to recycle more

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Other service feedback

Garth Rd recycling centre	Bulky & garden waste collections	Neighbourhood Recycling Centres
Generally high satisfaction – 77% of users	Satisfaction among residents is generally high across both services	62% of residents never use them
78% of residents support the booking system; 36% don't like it	Those who don't use the service are more concerned with the cost of garden waste collections than bulky (need-based)	Of those who do, 39% are satisfied with them, while almost 70% said they need to be emptied more often

Conclusions

- **Customer experience across collections has recovered from 2019 and continues to rise**
- **Satisfaction with street-cleaning remains significantly lower with most resident groups**
- **Fly-tipping is the most significant issue, and the one which residents are more likely to need to report or contact us about**
- **Residents want to recycle a wider range of materials – but want more communication about this**
- **South Wimbledon is the least-satisfied area overall, but residents in the East of the borough feel problems are more serious**
- **We need to address resident issues around collections from flats**

Assessing the different service options

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The options

We have evaluated four options for the future of both service waste collections & street-cleaning.

1. Contracted/commissioned service

Commission one or both of the services out to a third-party provider, in a similar way to our current arrangements.

2. Local Authority Trading Company

Establish an arms-length, LBM-owned company to deliver the service/s on the Council's behalf.

3. Direct Service Delivery

Deliver the services fully in-house by LBM staff, with ownership of all equipment & fleet.

4. Joint Venture

Establish a commercial partnership between two or more providers that each deliver specific aspects of the services, depending on specialist skills & expertise.

How we assessed them

A detailed options analysis has taken place against four possible options for both street-cleaning services and waste collection services.

Financial viability

Flexibility & responsiveness to resident needs

Service function - deliverability

Implementation – deliverability

Best Value (analysis of efficiency, effectiveness & cost)

Page 70

Contracted out

Each options carries different benefits and challenges, which have been considered and weighted for each of the two service areas.

Contract the service out (cheaper but less control)	
Benefits	Challenges
Technical expertise from longstanding professionals within the sector	Fixed performance for contract duration
Business resilience – the responsibility for service resilience is with the contractor	Little flexibility to respond to resident needs or local changes
Certainty around the cost of the service over a longer period	Performance improvements & monitoring need to sit with the council
Lowest service delivery cost overall to LBM	

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Direct service delivery

Each options carries different benefits and challenges, which have been considered and weighted for each of the two service areas.

Direct service delivery (more expensive but better flexibility)	
Benefits	Challenges
LBM has complete control over service delivery	Higher cost overall (4% to 5% higher than a contracted service)
Flexibility to make immediate improvements and changes in a short timeframe	Set-up – creating a new service, vehicles & equipment,
Staffing culture – staff directly employed by LBM with pride in their role	
Direct, visible accountability for residents	

Page 7

Final evaluation scores

A detailed options analysis document is available – this summary shows the final scores against the assessment criteria.

Waste collections	Score	Ranking
Contracted-out service	91.90	1
Local Authority Trading Company	89.00	3
Direct service delivery	91.05	2
Joint Venture	89.00	3
Street-cleaning		
Contracted-out service	91.11	2
Local Authority Trading Company	89.00	3
Direct service delivery	91.19	1
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Service specification

Bringing street-cleaning in-house on it's own isn't enough to achieve our civic pride ambitions – we are seeking to increase the 2016 service specification .

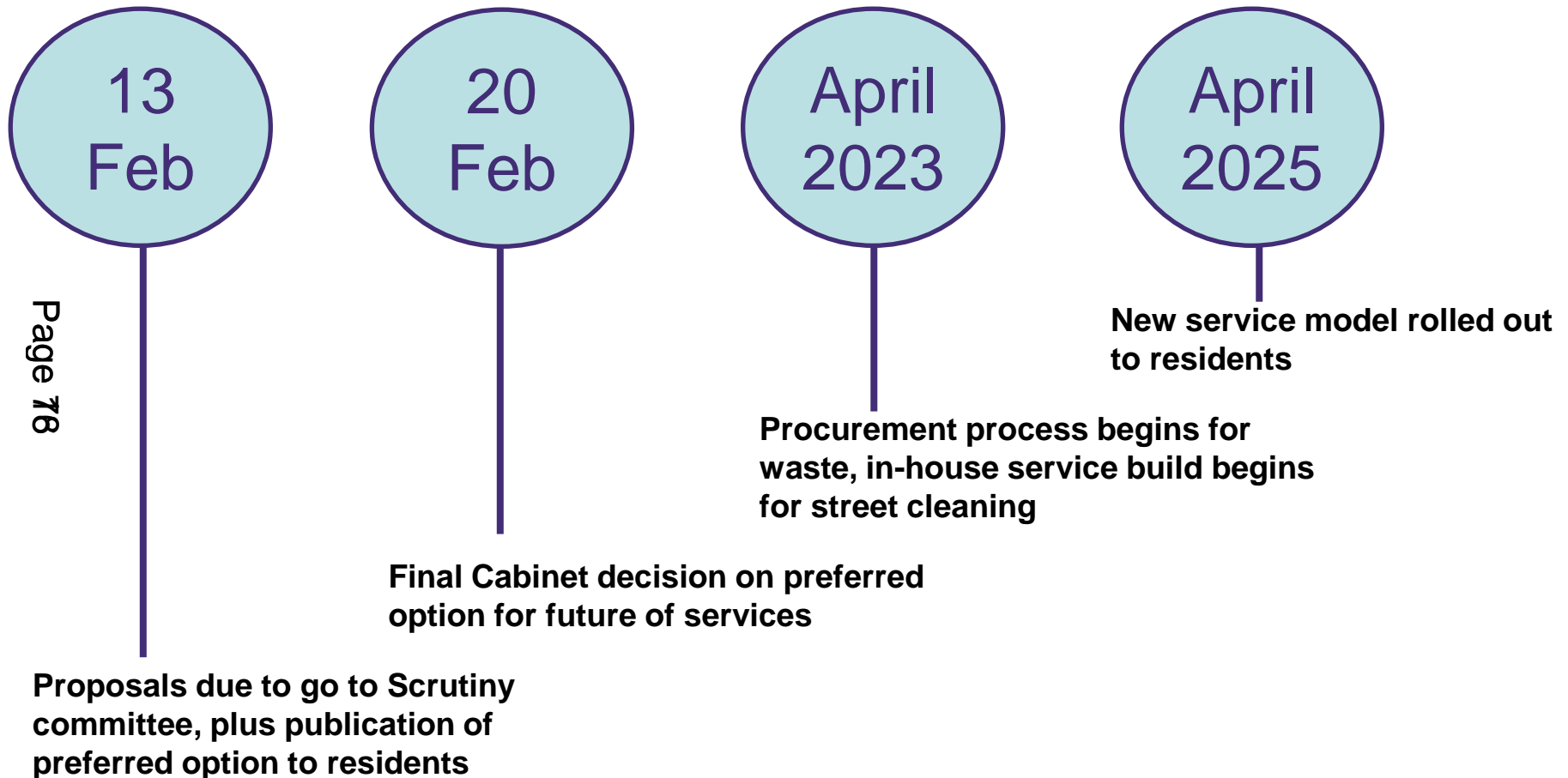
- The current contract specifies that streets must be cleaned to minimum agreed required levels, as set out in the contract.
- This has resulted in street-cleaning operations being 5 days a week and daytimes only – creating some problems with weekends and mornings, contributing to resident experiences on fly-tips and street bins.
- We will be seeking to introduce a specified, more frequent schedule of leaning that ensures roads and town centres are consistently clean, and offers higher assurance to residents.

Service specification

As an example, we will be seeking to increase the specification of the new service to include both the original requirement, plus the below.

- **Residential Roads** – weekly
- **Town Centres** – daily
- **Transport interchanges** – daily
- **Secondary & tertiary town centres** – twice weekly
- Cleaning to take place **post-recycling & waste collection days** in residential roads
- **Weekends** to be resourced cleaned as normal working days

Timeline



Any questions?

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Thank you



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Future Engagement in Merton

Page 89
Mitcham Community Forum 21 February 2023

**Kris Witherington, Engagement
and Consultation Manager**



Minute Item 4

Reasons for change

- Lessons from lockdown / Your Merton
 - Review of community forums
 - Analysis of approaches in other boroughs
- How We Work with Communities Programme

What are we proposing?

- Changes to face-to-face engagement
- Engaging with Civic Society
- Upgrading our digital offer
- Increasing our capacity

Face-to-face

- Community Forums too big and too small
 - Higher profile events
- Support for more local activity
- Different arrangements in different areas to reflect local needs

Civic Society

- Building trust and communications
- Mapping coverage and reach
- Designated contact
- E-newsletter
- Annual meeting

Digital offer

- Hub / survey tool
- Mapping / dialogue functions
- Residents panel

Increase in capacity

- Events Manager
- Community Development Officer
- FTE Engagement officer

Decision making process

- Overview and Scrutiny 25 January
- Community Forum meetings in Feb-April
- Recruitment and procurement begins
- Cabinet in June
- New structure in place for the autumn

Any Questions?

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Agenda Item 9

MORDEN COMMUNITY FORUM
22 FEBRUARY 2023

(7.15 pm - 9.00 pm)

PRESENT Councillors Councillor Caroline Charles (in the Chair),

1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held in the Council Chamber and on Zoom and chaired by Councillor Caroline Charles. Ten residents and eight councillors attended in person, three on Zoom with 88 additional views on YouTube. The Chair welcomed everyone to the meeting and explained how the meeting would work.

2 POLICE UPDATE (Agenda Item 2)

Sgt Jeff New from Cannon Hill and Lower Morden and PC Shaun Matthew from Merton Park Safer Neighbourhood Team gave an update on local policing issues. All officers are now working out of Mitcham Police Station and still waiting to hear which stations in Merton will be retained. Neighbourhood policing is a priority for new Commissioner, Mark Rowley. All SNTs have Ward Panels, made up of residents who help set local priorities. All the teams have regular drop-in surgeries and an online presence. Residents can contact their [local SNT](#) to be kept informed about local events.

Cannon Hill SNT has three priorities: reduction of anti-social behaviour (ASB) on open spaces; reduction of vehicle crime including theft of catalytic convertors; and reduction in burglary.

Current crime statistics are low and consistent with last year.

Lower Morden's priorities are ASB especially in Morden Park; reduction of vehicle crime; and reduction in speeding. In response the team has been carrying speed watches across the ward. Crime statistics are similarly low and consistent with last year.

Burglaries have involved daytime entry from the rear of the property and night-time thefts from sheds, especially bikes. For vehicle theft offenders are able to duplicate keyless entry and move vehicles across the country or ship overseas. The teams have been giving crime prevention advice on theft of and from motor vehicles including giving out Faraday pouches and property marking catalytic convertors. They have also recommended installing steering locks and Cat Clamps which cost

around £100. In the last year three men have received custodial sentences for theft from motor vehicles.

Merton Park's priorities are robbery and violence in Morden town centre; ASB in open spaces; burglary; speeding; and creating and visible police presence.

Ravensbury's priorities are robbery and violence in Morden town centre; ASB in open spaces; burglary; and speeding, mainly on Bishopford Road, St Helier Avenue and Middleton Road.

In response the teams are patrolling more in the evening and in parks, and burglary hot spots. The teams are providing prevention advice in hotspots and holding speed watch events. There was a rise in crime over the last 12 months compared to the previous year.

A resident asked what the plan is to restore confidence in the Met Police. PC Matthew said the Commissioner has opened new department and hotline for reporting corrupt officers. There has also been improved vetting, clamping down on these issues. Sgt New said there is a review into culture under Dame Casey is due to report in the next few weeks.

Commissioner Rowley has published a nine-point plan to rebuild confidence called the [Turnaround Plan](#). Rebuilding confidence will not be easy and will take time.

Cllr Dollimore asked what can be done to prevent catalytic converter theft and catch culprits. Cllr Dollimore also wanted to remind residents that [home safety inspections](#) by London Fire Brigade were available to book. Sgt New said this difficult due to the value of the items, marking helps prevent resale but clamps are effective in preventing the theft. It can also help to park close to a wall and advice is available from the [Met Police](#). Catching offenders is difficult and requires a lot of coordination with response teams.

Cllr Cox asked what advice could be given to residents to help prevent burglaries involving entry from the rear. Sgt New said measures which can prevent rear access are helpful, like fencing or gates over shared alleyways. The local SNT can make a crime prevention visit to advise residents. Cllr McLean said the [Alley gates](#) scheme is worth highlighting to help prevent burglaries

Cllr Cox asked about plans to tackle violence against women and girls. Sgt New said all wards have a violence or ASB priority, and tackling violence is a priority for the Met as a whole, including crimes targeting women. Incidents in Morden are rare, there was an incident in Stonecot Hill in January resulting in an arrest and some incidents of exposure in Morden Hall Park also resulting in arrest. The team is taking part in a Walk and Talk for women and it is possible to report issues via the [Met website](#).

Cllr Charles asked about tackling graffiti. There is a 'Nasty J' tag in Lower Morden, and the SNT is working with Merton Council to identify who is responsible and then will pursue criminal charges. Cllr Kenny said that graffiti is usually dealt with quickly by Merton Council.

3 OPEN FORUM (Agenda Item 3)

A resident asked if there was any update at St Helier Hospital and the plans for the Belmont hospital. Cllr Charles shared a statement from Merton Council:

The council remain deeply concerned that the decision to relocate services from the current site at St Helier to the site in Belmont will reduce access to essential health provision for residents of the borough, particularly those in the East of the borough. With the developing cost of living crisis and the impact this will have on household finances, the potential future impact of travel costs to get to the new site only increases this concern.

The cabinet, since very early in the life of the new administration been seeking answers from the senior leadership of the new Integrated Care Board as well as from the Epsom and St Helier NHS Trust, both on whether there is an opportunity to further review previous decisions and whether the proposed new hospital remains affordable.

There has been much speculation in the media about whether the New Hospital Programme is properly funded, and the council will continue to press hard for clarity on this point. We will also continue to stress the need for an alternative plan that protects and enhances the buildings and services at the current St Helier site so that should, as appears increasingly likely, the national New Hospital Programme be delayed or discontinued there is a plan B in place that ensures our residents can continue to access the high-quality services they have a right to expect from the NHS.

Cllr Alambritis said residents in Merton could still object to any planning application for a new facility in Belmont.

Pippa Maslin and Estifanos Habtesellasie (Vice Chair) from the [Merton Centre for Independent Living](#) highlighted the work of the organisation. A Deaf and Disabled People's Organisations model means services are run by deaf and disabled people for deaf and disabled people. They have three main areas of work, information/advice, discrimination, and making changes locally. MCIL have received extra funding from Civic Pride fund for their advice service and they also provide advocacy services. MCIL has met with the developers of Centre Court to discuss their plans and accessibility. They are building a good relationship with Merton Council on a range of issues and are working with other disability groups to challenge national policy. MCIL hosts a monthly craftivism discussion session. COVID had a significant impact on disabled people, and this is still ongoing. MCIL is working on a

strategic review, including new work with young people. There is an important role to play in supporting disabled people to live independently. They have five caseworkers, councillors can signpost disabled people, and residents can refer themselves. There is also support available to people through Care Act Assessments including financial resilience, concessionary travel applications and housing issues like unsuitable accommodation due to lack of accessible housing.

A resident said he was hiring a hall to do a presentation on the consultation and anyone wishing attend can contact him through Kris Witherington.

A resident said she had been impressed by the response from the Adult Social Care team to an emergency situation and was grateful for the support they provided.

4 FUTURE WASTE AND STREET CLEANING SERVICES (Agenda Item 4)

Cllr Natasha Irons, Cabinet Member for Local Environment, Green Spaces and Climate Change, gave a presentation on the future of waste collection, recycling and street cleaning services. The presentation is attached to this report.

Cllr Irons said there were several problems with the way the current contract worked. As a result, Cabinet decided in October to end the contract with Veolia in 2025. The Council then held a consultation with residents and received more than 2500 responses. The consultation showed that that satisfaction with waste collection dropped in 2019 but has improved since. Merton has the seventh highest recycling rate in London, so this element of the service is working well. In contrast satisfaction with Street cleaning has not recovered, and Merton issued Veolia with an improvement notice in 2022.

Resident's biggest concerns were street litter, fly-tipping and over-flowing street bins. There were also concerns about the arrangements for collection from flats, a residents felt that they were not being helped to recycle by the system. Residents were happy with Garth Road and the new booking system. Those residents who used the bulky and garden waste services were satisfied but there were concerns about the cost putting people off from using the service. Neighbourhood Recycling Centres can be fly-tipping hotspots. Residents felt there was a clear need to tackle fly-tipping, and satisfaction was especially low in South Wimbledon.

Cllr Irons said that the Council considered all the available options for service delivery, namely contracting, bringing in-house, setting up an arm's length company, and setting up a Joint Venture with providers. All of the options were tested against the same criteria and the evaluation concluded that contracting out waste, but bringing-in house street cleaning would offer the best solution.

For both services the Council will look to have a more prescriptive specification and work has begun to build those specifications with a view to going out to the market in April. In the meantime, the Council will also pilot a programme of bringing Garth Road to local communities in order to help residents recycle larger items.

A resident asked about having a Community Skip scheme, and if there would be an option for smaller wheelie bins. Cllr Irons said that two big changes would be happening quickly – changes to collections from flats above shops, and a 'Garth Road on the Road', taking option of recycling bulky waste close to communities. Previously skip schemes were abused so the new pilot will aim to increase recycling options. As part of the specification, we can review receptacles but will be sticking with wheelie bins. The number of options will depend on costs.

A resident asked about the future role of South London Waste Partnership. Cllr Irons said Merton and the other boroughs will be going our own way on collection but the transportation and disposal of waste done together still works and will continue. The SLWP will continue to look for efficiencies.

A resident said that there are problems with BIFFA bins in the access road behind Sainsburys in Morden. Cllr Irons explained commercial waste would not be part of the specification as businesses have to make their own arrangements, but Merton can look at enforcement of that site.

A resident gave thanks for improvements on Netley Gardens that had resulted in a reduction in fly-tipping but there is still have a problem with a landlord on St Helier Avenue. Cllr Irons said she would need to check with officers.

A resident asked about the recently purchased mechanical street sweepers and Cllr Irons said that these belong to Merton Council so would transfer to the in-house service.

5 DORSET HALL (Agenda Item 5)

Barbara Gorna talked about [Dorset Hall](#) on Kingston Road. The hall built in 1736 and is now owned by Clarion. It was previously owned by a suffragette Rose Lamartine Yates who hosted suffragettes freed from prison fresh from hunger-strike, and ran the WSPU, the local branch of the Pankhursts' union. Barbara had formed the Dorset Hall Group (DHG) to improve the building. An Options Appraisal by the National Trust, If-Do architects, management consultants, surveyors, and the Architectural Heritage Trust, cost £750,000. This includes the repair of the badly damaged roof. The building is now watertight. Barbara, on behalf of Dorset Hall Group said that they were now handing over responsibility for the building to the local councillors, Cllr Ed Foley and Cllr Stephen Mercer who would liaise with Clarion on a suitable future for

Dorset Hall, which reflects its important past, both as a Grade II listed building and its political importance.

A resident asked what had happened to the house prior to Clarion taking over. Barbara explained that the house had been used for single person housing by Merton Council and then Clarion up to 2016 when it closed. The building was then occupied by squatters. Clarion is looking to sell the building.

A resident asked about possible future uses, and Barbara said she would like to prioritise women's health and well-being. Barbara is talking to Heritage Lottery Fund about an application for funding and the National Trust has put together detailed report on possible options.

Cllr Dollimore thanked Barbara for her work on preserving the house.

6 FUTURE ENGAGEMENT IN MORDEN (Agenda Item 6)

Kris Witherington, Engagement and Consultation Manager at Merton Council, gave a presentation on proposals to improve resident engagement across Merton. The presentation is attached to this report.

Kris said that the changes were focused on the work of the corporate engagement team rather than work done by many services with specific audiences and service users. The team had learnt a lot from changing approaches during COVID and from the feedback from residents on the Community Forums in 2022. They had identified three areas where improvements needed to be made and how this would be resourced through increased capacity.

The first area was face-to-face engagement, including the Community Forums. Kris said the current approach was not working as well as it should be, and instead the plan is to hold two events in each area per year. One would be a large-scale question-time event involving local services leaders, including the Leader of the Council, and the second would be more of a workshop format for residents to work together rather than a presentation and question approach. The Engagement team would also support local arrangements, working with local groups and councillors ensuring that solutions are right for each area rather than a one-size fits all approach.

The second area to improve is engagement with Civic Society, meaning resident groups, both formal organisations and informal arrangements like WhatsApp groups. The Engagement Team will look to map what work is taking place, offer a point of contact, provide an e-newsletter and host an annual event that brings these groups together.

The third area was the way residents can engage with the council digitally. Currently the Council has an online consultation hub and design tool for online survey but there are new tools available like mapping, discussion boards and an online resident's panel.

These changes will be delivered by recruiting a new Events Officer post to manage the meetings, a Community Development Officer to work with the Civic Society and an Engagement Officer to work on digital engagement and support departmental consultations.

A resident asked where these ideas had emerged. Kris said they had looked at what took place in other boroughs and looked at where we had issues that needed to be improved in Merton.

A resident asked about the Council Twitter account and why posts were not responded to. Kris explained that the account was managed by the Communications team which does not have access to the Customer management system so can not deal with specific issues, only signpost to the ways to report those issues.

A resident asked about councillors blocking residents on Twitter and Kris said that was not an issue he could comment on.

Cllr Mercer asked about how the residents panel would work, and Kris said that the most common approach was to send out invitations randomly and then there would be an ongoing issue of replenishing the panel. It is possible to skew invitations to encourage different responses, collect demographic information and weight responses to ensure the sample is representative.

7 DATE OF NEXT MEETING (Agenda Item 7)

Cllr Charles thanked everyone for attending.

The date of the next meeting is to be confirmed.

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Waste Collections & Clean Streets

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Morden Community Forum 22 February 2023

Cllr Natasha Irons

Cabinet Member, Environment, Open Spaces & Climate Action



Minute Item 4

What have the issues been?

- Original contract specification
- Finance (contract built for savings, not quality)
- Contract structure – performance & monitoring
- Flexibility & responsiveness
- Fly-tipping & street cleanliness
- Negative impact on council reputation

Page 10

Resident engagement

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Page 304

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Blocks of flats

Key takeaways:

1. Residents living in flats have been a significant part of both Member's casework and this was taken into account in the survey with specific questions and as part of our focus groups
2. The most common feedback from this group was the need for more, or larger, collection containers
3. This group is also much less likely to say that LBM helps them to recycle more

Other service feedback

Garth Rd recycling centre	Bulky & garden waste collections	Neighbourhood Recycling Centres
Generally high satisfaction – 77% of users	Satisfaction among residents is generally high across both services	62% of residents never use them
88% of residents support the booking system; 36% don't like it	Those who don't use the service are more concerned with the cost of garden waste collections than bulky (need-based)	Of those who do, 39% are satisfied with them, while almost 70% said they need to be emptied more often

Conclusions

- **Customer experience across collections has recovered from 2019 and continues to rise**
- **Satisfaction with street-cleaning remains significantly lower with most resident groups**
- **Fly-tipping is the most significant issue, and the one which residents are more likely to need to report or contact us about**
- **Residents want to recycle a wider range of materials – but want more communication about this**
- **South Wimbledon is the least-satisfied area overall, but residents in the East of the borough feel problems are more serious**
- **We need to address resident issues around collections from flats**

Assessing the different service options

Page 68



The options

We have evaluated four options for the future of both service waste collections & street-cleaning.

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Establish an arms-length, LBM-owned company to deliver the service/s on the Council's behalf.

3. Direct Service Delivery

Deliver the services fully in-house by LBM staff, with ownership of all equipment & fleet.

4. Joint Venture

Establish a commercial partnership between two or more providers that each deliver specific aspects of the services, depending on specialist skills & expertise.

How we assessed them

A detailed options analysis has taken place against four possible options for both street-cleaning services and waste collection services.

Financial viability

Flexibility & responsiveness to resident needs

Service function - deliverability

Implementation – deliverability

Best Value (analysis of efficiency, effectiveness & cost)

Page 10

Contracted out

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Benefits	Challenges
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Business resilience – the responsibility for service resilience is with the contractor	Little flexibility to respond to resident needs or local changes
Certainty around the cost of the service over a longer period	Performance improvements & monitoring need to sit with the council
Lowest service delivery cost overall to LBM	

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Direct service delivery

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Direct service delivery (more expensive but better flexibility)	
Benefits	Challenges
LBM has complete control over service delivery	Higher cost overall (4% to 5% higher than a contracted service)
Flexibility to make immediate improvements and changes in a short timeframe	Set-up – creating a new service, vehicles & equipment,
Staffing culture – staff directly employed by LBM with pride in their role	
Direct, visible accountability for residents	

Final evaluation scores

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Direct service delivery	91.05	2
Joint Venture	89.00	3
Street-cleaning		
Contracted-out service	91.11	2
Local Authority Trading Company	89.00	3
Direct service delivery	91.19	1
Joint Venture	89.00	3

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Service specification

Bringing street-cleaning in-house on it's own isn't enough to achieve our civic pride ambitions – we are seeking to increase the 2016 service specification .

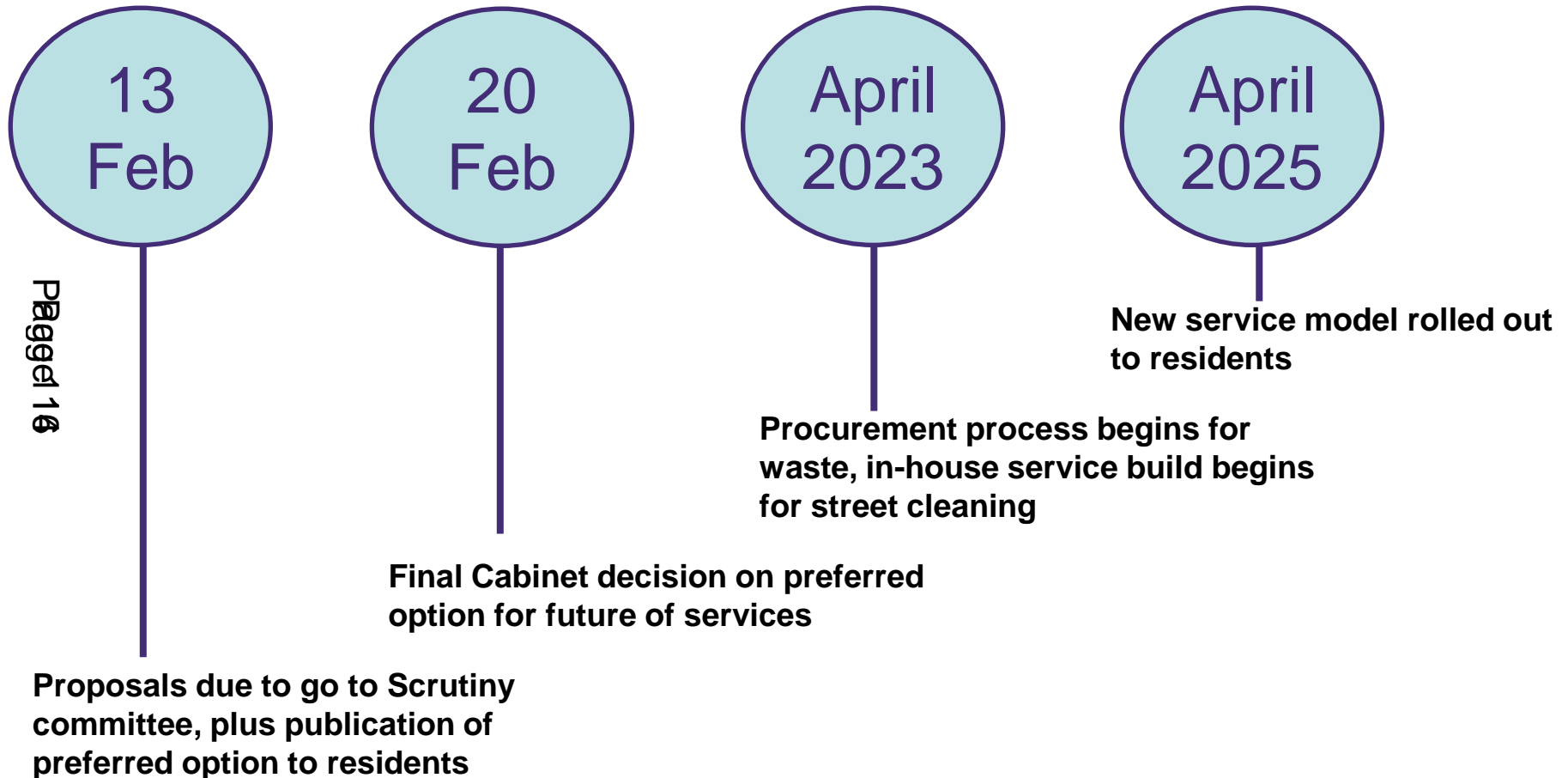
- The current contract specifies that streets must be cleaned to minimum agreed required levels, as set out in the contract.
- This has resulted in street-cleaning operations being 5 days a week and daytimes only – creating some problems with weekends and mornings, contributing to resident experiences on fly-tips and street bins.
- We will be seeking to introduce a specified, more frequent schedule of leaning that ensures roads and town centres are consistently clean, and offers higher assurance to residents.

Service specification

As an example, we will be seeking to increase the specification of the new service to include both the original requirement, plus the below.

- **Residential Roads** – weekly
- **Town Centres** – daily
- **Transport interchanges** – daily
- **Secondary & tertiary town centres** – twice weekly
- Cleaning to take place **post-recycling & waste collection days** in residential roads
- **Weekends** to be resourced cleaned as normal working days

Timeline



Any questions?

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Thank you



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Future Engagement in Merton

Page 197
Morden Community Forum 22 February 2023

**Kris Witherington, Engagement
and Consultation Manager**



Minute Item 6

Reasons for change

- Lessons from lockdown / Your Merton
- Review of community forums
- Analysis of approaches in other boroughs
- How We Work with Communities Programme

What are we proposing?

- Changes to face-to-face engagement
- Engaging with Civic Society
- Upgrading our digital offer
- Increasing our capacity

Face-to-face

- Community Forums too big and too small
- Higher profile events
- Support for more local activity
- Different arrangements in different areas to reflect local needs

Civic Society

- Building trust and communications
- Mapping coverage and reach
- Designated contact
- E-newsletter
- Annual meeting

Digital offer

- Hub / survey tool
- Mapping / dialogue functions
- Residents panel

Increase in capacity

- Events Manager
- Community Development Officer
- FTE Engagement officer

Decision making process

- Overview and Scrutiny 25 January
- Community Forum meetings in Feb-April
- Recruitment and procurement begins
- Cabinet in June
- New structure in place for the autumn

Any Questions?

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Wimbledon Community Forum 22 March 2023 Chair's Report

The meeting was held at the Arts Space in Wimbledon Library and chaired by Councillor Susie Hicks. Twenty residents and three councillors attended with 55 additional views on YouTube. Due to technical issues the recording of the meeting had poor sound quality. The Chair welcomed everyone to the meeting and explained how the meeting would work.

Open Forum

Kris Witherington, Engagement and Consultation Manager at Merton Council, gave an update on acknowledging the history of streets named after those involved in the Atlantic Slave Trade, as previously discussed at the Forum. Kris said that the Council planned to start a consultation shortly on the different options for acknowledging this history and this would be available from the Council's [consultation hub](#). Peter Walker said he was disappointed that the consultation was targeted at residents on the relevant roads and that he had also identified church is named after Lord Burghley who also was involved in the slave trade. Peter offered to run a slave walk on Saturday 1 April at 11am. Cllr Stringer said that the consultation had been raised and discussed at the Joint Consultative Committee for BME organisations on 21 March and she had asked organisations to promote the survey to their communities. The Council was clear it wanted hear from all interested stakeholders.

David Hall from [Wimbledon Community Association](#) said that the organisation was looking for new volunteer trustees and has also been recruiting new member of staff.

A resident asked about the status of Merton Council's Health Walks, as they are no longer being organised the walks and wanted to know if they will be taking place in the future. Kris said he had asked for an update from officers but understood the future operation was under review. In the meantime, residents may be interested in [Walk and Talk](#), a volunteer led programme of walks supported by Merton Council.

Police Update

Sgt James Peppitt gave an update on local policing. Sgt Peppitt said that across the borough crimes were down 12% compared to year on year, anti-social behaviour (ASB) was down 9%, violence against women and girls was down 17%. Under changes being made to borough policing there will now be a superintendent for each borough, and the one for Merton one starts this month. The borough will also be getting more PCSOs so should not be carrying many vacancies across the Safer Neighbourhood Teams.

Sgt Peppitt said that the teams were working on a new Confidence plan and have found that residents often do not know what Ward teams are doing so improving communications is an important element. For example, all officers are being encouraged to use social media and they are working on improving ward panels as they currently have small reach. This will include offering virtual participation. They are also introducing positive activity operations such as leaflet drops and meeting up with residents.

They are also providing more training for officers, for example on catalytic converter marking. There have been issues in town centre ASB on street drinking and aggressive begging and arrests have been made. The teams also supported an operation by the robbery team to execute warrants and have been executing warrants related to drug dealing and burglary during night shifts. Local teams also stopped plans for a large group of young people to meet up on Wimbledon Common.

Cllr McGrath said that London Assembly Members had asked the Commissioner about closing police stations and Commissioner said he is still reviewing options but committed to plan to have officers 20-minute walk away.

A resident asked how they could find the virtual ward surveys and Sgt Peppitt said these would usually be promoted on Twitter, Nextdoor, through leafleting, and e-mails to database. Another resident asked what the results were and Sgt Peppitt said the teams were working out how best to feedback to residents but will be sharing them with their mailing lists.

A resident asked about some problems in South Park Gardens with young people getting over fence after the park has closed and leaving broken glass behind. Sgt Peppitt said the team was aware of this issue and often will cover in late turn patrols.

A resident asked about drinking in town centre and if this is this feedback to Merton Council. Sgt Peppitt said that there is a Street Drinkers Working Group with monthly meetings involving the police, the council and other services. Craig Hurring from Love Wimbledon also said they have a monthly meeting with licensees to go through CCTV footage and share information.

Cllr Stringer said that the Council's Cabinet has agreed to become a fully responsible drinking borough, with a Public Space Protection Order extended borough wide. This gives the police additional powers to enforce ASB associated with street drinking. The Council is also leading on dedicated work with the most extreme drinking issues, targeting 20 most prolific drinkers with a multi-agency approach.

Love Wimbledon

Craig Hurring, Chief Executive of [Love Wimbledon](#) gave an update on the Business Improvement District. On Monday afternoon, at the Time and Leisure Food and Culture Awards, there were four winners from Wimbledon - the Polka Theatre, Diba, The Alex pub and New Wimbledon Theatre. Several businesses also received Highly Commended awards. On Tuesday there was a Business Masterclass in conjunction with Merton Chamber of Commerce, focused on recruitment, retention, and employee wellbeing. These events are then made available as a [Podcast](#).

Craig said that the Flight Centre is relocating its corporate headquarters to 120 Broadway from the beginning of April, bringing around 200 employees to Wimbledon. A virtual golfing experience, The Golf Groove, is opening in Centre Court in April, and a climbing centre, Boardroom Climbing, is opening in May. Third Space, a health club is opening in the autumn and lots of other new businesses are coming into Centre Court over the coming months.

On 1 April, the BID is celebrating 10 years of its market on the Piazza, with the Mayor of Merton visiting. They are also looking to have a special Coronation market in May, and looking to build a pocket park using old benches from Wimbledon Hill as a way to commemorate the coronation in May.

A resident said that pedestrian accessibility in Wimbledon is difficult, and the green man at crossings not long enough for some residents. Craig said he could raise this with Merton Council on behalf of businesses. They are also investing green measures including sustainability audits for businesses and have previously trialled the introduction of cargo bikes for businesses. Cllr Hicks suggested raising and issues with the traffic lights with ward councillors. Cllr Stringer said that Merton Council will be investing cycling infrastructure in Wimbledon.

A resident asked about what could be done to address the number of empty shops in Wimbledon. Craig said that Love Wimbledon cannot control what businesses the landlord puts in but can create a vision for the town centre to persuade developers and landlords which businesses will work. Love Wimbledon has provided data to Romulus and Hermes, both major local landlords to help them attract the right types of business, but it can be hard to reach landowners when they are part of a large property portfolio, like a pension fund. Love Wimbledon can also dress an empty shop with the landlord's permission. If approached Love Wimbledon can also help businesses find premises by linking them with landlords. Whilst vacancy rates are considerably lower than national averages, some properties have been empty for a long time. Craig was also happy to hear ideas for what residents would like in the town centre.

A resident thanked Love Wimbledon for their work but said Hartfield Walk was looking in need to paint and cleaning. Craig said Love Wimbledon will be doing some additional work including painting, planting, CCTV, security lights, and a new tenant would be arriving following a tender process in April. A resident said that the cycle parking not big enough for adult bikes, and Craig said he would investigate this. Craig said he has asked for the cages around the trees to be removed. Craig said new street trees have been planted in Wimbledon in the area near the Polka Theatre, which he and Cllr Stringer had fed back to the Council following a previous Forum.

A resident said they were disappointed that Merton Council has given permission to redevelop St Georges House East. Cllr Hicks said this will have a huge impact and that following Merton approval, it also went to Mayor of London and Department for Levelling Up, Housing & Communities who decided not to call it in. The site is currently owned by pension fund so still possible the development will not be viable. Cllr McLean also said he did not support the plans and it would be devastating for town centre due to its height.

Merton Centre for Independent Living

Estifanos Habtesellasie (Vice Chair) and Pippa Maslin (Case Worker) from the [Merton Centre for Independent Living](#) highlighted the work of the organisation. A Deaf and Disabled People's Organisation's model means that services are run by deaf and disabled people for deaf and disabled people. There is an important role to play in supporting deaf and disabled people to live independently. COVID had a significant impact on disabled people, and this is still ongoing. They have three main areas of work: providing information/advice; challenging discrimination; and achieving change locally.

They have five caseworkers for the information/advice service. Councillors can signpost deaf and disabled people and residents can contact MCIL themselves. Caseworkers help service users with a raft of issues, from benefits applications to Care Act Assessments (which include a financial assessment), and from concessionary travel applications to housing problems (like unsuitable accommodation due to lack of accessible housing).

MCIL have received extra funding from Civic Pride fund for their information/advice service. They are also piloting an advocacy service. MCIL have met with the developers of Centre Court to discuss their plans and accessibility. They are also trying to build a productive relationship with Merton Council on a range of issues and are working with other disability groups to challenge national policy. MCIL hosts a monthly craftivism and chat session (craft + activism = craftivism). MCIL is working on a strategic review. There is the potential to work with young people in the future. It is hoped that MCIL will have a Policy and Campaigns Manager in place in the near future.

A resident had said a recent experience of temporarily being a wheelchair user had found the experience horrendous. They said others, including councillors, should try that experience for themselves. Pippa said that MCIL was considering asking Cllrs to do this an exercise. MCIL has Access Champions and is supporting Scrutiny Review of public toilets.

A resident asked if MCIL has a befriending service and Pippa said they did not have the capacity at the moment, but it could be part of their strategic review. They usually signpost to [Wimbledon Guild](#) who have a befriending service.

Cllr Stringer thanked MCIL for their work and said she has raised the need for Changing Places toilets with Centre Court and Merton Civic Centre facilities team.

Future Engagement

Kris Witherington, Engagement and Consultation Manager at Merton Council, gave a presentation on proposals to improve resident engagement across Merton. The presentation is attached to this report.

Kris said that the changes were focused on the work of the corporate engagement team rather than work done by many services with specific audiences and service users. The team had learnt a lot from changing approaches during COVID and from the feedback from residents on the Community Forums in 2022. They had identified three areas where improvements needed to be made and how this would be resourced through increased capacity.

The first area was face-to-face engagement, including the Community Forums. Kris said the current approach was not working as well as it should be, and instead the plan is to hold two events in each area per year. One would be a large-scale question-time event involving local services leaders, including the Leader of the Council, and the second would be more of a workshop format for residents to work together rather than a presentation and question approach. The Engagement team would also support local arrangements, working with local groups and councillors ensuring that solutions are right for each area rather than a one-size fits all approach.

The second area to improve is engagement with Civic Society, meaning resident groups, both formal organisations and informal arrangements like WhatsApp groups. The Engagement will look to map what work is taking place, offer a point of contact, provide an e-newsletter and host an annual event that brings these groups together.

The third area was the way residents can engage with the council digitally. Currently the Council has an online consultation hub and design tool for online survey but there are new tools available like mapping, discussion boards and an online resident's panel.

These changes will be delivered by recruiting a new Events Officer post to manage the meetings, a Community Development Officer to work with the Civic Society and an Engagement Officer to work on digital engagement and support departmental consultations.

Iain Simpson from the Wimbledon Society said there were a lot of resident groups working in Wimbledon that varied hugely in scale and the Society would welcome the chance to get involved in engaging with these groups. Dick Bower from Friends of Wimbledon Town Centre also said the group would like to share these plans with their members and said that there is a low level of awareness of the existence of the Forums, what they are and when they take place, and this may be contributing to the low attendance rate.

Cllr Hicks thanked everyone for attending and closed the meeting.

Date of next meeting:

7.15pm Wednesday 14 June 2023, venue to be confirmed

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Committee: Council

Date: 19 April 2023

Wards: All

Subject: Council Plan

Lead Director: Louise Round, Executive Director of Innovation and Change

Lead member: Councillor Ross Garrod, Leader of the Council

Contact officer: Keith Burns, Catherine Dunn x4161

Recommendations:

- A. The Council adopts the Council Plan 'Building A Better Merton Together' to form part of the Council's constitutional policy framework as its key strategic plan for 2023 – 26 alongside the Business Plan.
 - B. That Council notes the process for monitoring progress on delivery and the proposed approach for reviewing and updating the plan on an annual basis.
 - C. That Council notes the accompanying Corporate Performance Framework 2023/24.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report recommends the adoption of Building a Better Merton Together as the Council Plan for 2023-26 following its approval at Cabinet on 20 March 2023. Once adopted, the Council Plan would form part of the Council's constitutional policy framework and sits alongside the Business Plan as a core strategic document for the Council.
- 1.2. As the new Council Plan, 'Building a Better Merton Together' sets out the overarching strategic objectives to guide the work of the administration and council over the coming years to 2026. It sets out a vision for how we can build a better Merton together with our partners, residents and wider communities, informed by feedback from residents through recent borough engagement.
- 1.3. 'Building a Better Merton Together' outlines the ambition of the administration and what residents can expect from the Council. Our priorities for delivery are set out across the three core strategic objectives. Appendix A provides the full plan for Council to review for adoption.
- 1.4. Council is asked to note that the Corporate Performance Framework has been reviewed and redesigned to align closely with the Council Plan and support effective delivery. The proposed new list of corporate indicators is included in Appendix B as an accompanying document to the Council Plan. Alongside this, work is also being undertaken to look at how delivery of the programme of work set out in Building a Better Merton Together is monitored and overseen by Cabinet and the Corporate Management Team, including progress towards key milestones and outcomes.

2 BUILDING A BETTER MERTON – OVERVIEW

- 2.1. The overarching ambition of the administration is to ‘Build a Better Merton Together’ with a focus on three strategic objectives:
 - **Nurturing Civic Pride;**
 - **Building a Sustainable Future;**
 - **Creating a Borough of Sport.**
- 2.2. ‘Building a Better Merton Together’ puts forward our plan for delivering against these three strategic objectives - what they mean to Merton and what we will be doing to deliver alongside our partners. It sets out our ambition for the borough and situates it within a wider context of the current challenges facing our communities, like the cost-of-living emergency, and the aspirations of our residents.
- 2.3. We have heard from residents that they are ambitious for the borough and want to feel proud about their local area, communities and town centres. The delivery outlined in ‘Building a Better Merton Together’ has been informed by this feedback and shaped through detailed work carried out between the Leader, Cabinet Members, Chief Executive and Directors across each Cabinet Portfolio.
- 2.4. The delivery plan in Building a Better Merton Together focuses on what the council and partners will be doing in the coming financial year to achieve this ambition, with a longer-term view to what we hope to achieve by 2026. Some deliverables will be achieved within the coming financial year, others might be at an earlier stage in year one, such as scoping or consultation. The full plan is set out in Appendix A.
- 2.5. Sitting alongside the Business Plan 2023-26, the Council Plan ‘Building a Better Merton Together’ will inform the future workplan, resource allocation and performance management for the council, providing a clear and simple framework to focus delivery and communicate priorities across the organisation and with our partners and communities.
- 2.6. We will review and refresh the Council Plan on an annual basis to allow for emerging new priorities and deliverables and to keep the council accountable for progress. To monitor progress and impact, we will produce an annual State of the Borough report to give a snapshot of where Merton stands in key areas, drawing on a set of key indicators for each strategic objective as set out in the draft plan. We have also reviewed our corporate performance framework to align with the new strategic objectives and ensure the Council is delivering effectively.

3 COMMUNICATING TO STAFF, RESIDENTS AND PARTNERS

- 3.1. Building a Better Merton Together will be launched and made available to staff, residents and partners with content, design and communication channels adjusted to reflect the different audiences. A dedicated section of the website and intranet will be set up to make the details of the plan widely available to the wider public, partners and Merton Council staff and the final version of the document will be available to download.

- 3.2. A coordinated internal and external communications plan will support the publication of the plan so that residents, partners and Merton Council staff are engaged on our new strategic priorities and how we will deliver for the borough. It is anticipated that Executive Directors for the new directorates will be key to driving the communication and delivery of the new plan internally into their respective service areas across the council.

4 CORPORATE PERFORMANCE FRAMEWORK 2023-24

- 4.1. With the introduction of the Council Plan, the Corporate Performance Framework has been reviewed and redesigned to support the delivery of the Building a Better Merton Together. The new corporate indicator list, agreed by Cabinet on 20 March 2023, is included in Appendix B for the Council's reference and will come into effect from Q1 2023-24.
- 4.2. A more streamlined set of metrics has been selected and structured to align with the new strategic objectives, enabling the council to track progress against the Council Plan priorities through our corporate performance reporting structures. We will also continue to monitor our performance on areas critical to our core statutory duties, financial sustainability, and organisational health ('Core Service Areas').
- 4.3. Additionally, work is underway to plan for implementation and how delivery of the priorities will be overseen and monitored by the Corporate Management team and Cabinet, including progress against key milestones and outcomes.
- 4.4. Council is asked to note that the Corporate Performance Framework contains only those key performance indicators where the council is in direct control of performance. As noted above in 2.6, the Council Plan itself sets out a wider basket of indicators which will be used to track progress and impact through an annual State of the Borough report. Further work is also underway to improve our approach to our corporate performance monitoring and reporting, including how we can make better use of technology and analytical tools to improve our insights.

5 ALTERNATIVE OPTIONS

- 5.1. Council could choose to require that further work be undertaken on priorities and / or Plan content. Given the extensive evidence base underpinning the Plan, and the breadth of engagement through the development of the Plan this is not a recommended option.

6 CONSULTATION UNDERTAKEN OR PROPOSED

- 6.1. Extensive internal consultation has been undertaken through Directorate Management Teams, the Corporate Management Team and Cabinet Member briefings. The development of the plan has also been informed by a resident engagement programme carried out over 2021 and collaborative engagement work with our voluntary sector and community groups.

7 TIMETABLE

- 7.1. The Council Plan will be made available on the website and launched to staff, residents and the wider public once adopted.
- 7.2. It will be in place for the coming three years up to 2026 with an annual review to report on progress and refresh priorities where required.

8 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 8.1. The Medium-Term Financial Strategy and Business Plan agreed at Cabinet on the 1st of March 2023 includes the financial and other resources necessary for delivery of the Plan

9 LEGAL AND STATUTORY IMPLICATIONS

- 9.1. None directly arising from this report

10 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 10.1. The priorities set out in the Council Plan and the new approach to community engagement mentioned in the plan should have a positive impact on these considerations. Many of the priorities should reduce inequalities in particular building new affordable housing, improving housing conditions in the private sector, becoming a London Living Wage employer and encouraging others to do so, ensuring equal access to health services, improving air quality and increasing civic participation through volunteering.

11 CRIME AND DISORDER IMPLICATIONS

- 11.1. These are set out in the Nurturing Civic Pride section of the Council Plan.

12 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 12.1. None directly arising from this report.

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

- 12.2 Appendix A– Council Plan – ‘Building a Better Merton together’.
- 12.3 Appendix B – Corporate Performance Framework 2023/24

14 BACKGROUND PAPERS

- 14.1. Report to LSG ‘Developing a Corporate Plan’ 21 November 2022.

Building a Better Merton Together

London Borough of Merton Council Plan 2023-26

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Introduction

This plan outlines our ambition to ‘Build a Better Merton Together’ and what we will do over the next four years to achieve this. It is based on extensive engagement with residents, voluntary groups and businesses and details key council priorities, actions and how we will measure our progress.

The Council Plan also sets out principles and values that describe how we will work to achieve our ambition, particularly the importance of developing and maintaining partnerships to achieve common goals. It describes a new relationship between the council and our residents, where we will work with communities to identify what needs to change and work together to improve their neighbourhoods.

The Council Plan will inform all strategic delivery plans and will explain how we will turn priorities into delivery on the ground so that residents will see and feel the difference.

The council and what we do

Local authorities provide a comprehensive range of services to residents and businesses through a combination of direct delivery, partnerships and contracted services. Broadly, these services fall into two main categories.

Firstly, there are services related to the physical environment – things you can see, feel, smell and touch. These include services such as parks, highways, street cleansing, waste collection and recycling, parking, libraries, leisure centres, community centres, affordable housing and private sector housing conditions, air quality and many others.

Secondly, there are services that relate to people – supporting those who need help and protecting vulnerable residents from harm. These include services such as adult and children’s social care, schools, special educational needs provision, public health, early years provision, lifelong learning and welfare benefits.

The London Borough of Merton also has an important place-shaping role to play as a local authority given its vast array of services, relationships and democratic mandate. This means listening to communities about what they want from their borough, developing a vision with them, and then working with a range of different stakeholders to achieve this vision.

Quick Facts about Merton

Population and demographics

Residents: 215, 187 (Census 2021)

Population by age:

Age 0-15: 23%

Age 16-64: 65.3%

Age 65+: 11.8%

Born in the UK: 59% (Census 2021)

Main language other than English: 21.45%
(Census 2021)

Ethnic group (Census 2021):

Asian, Asian British or Asian Welsh: 18.6%

Black, Black British, Black Welsh, Caribbean or African: 10.6%

Mixed or Multiple ethnic groups: 5.9%

White: 60.2%

Other ethnic group: 4.6%

Education and Qualifications

60.6% of adults with a degree or equivalent:

2.3% of adults with no qualification:
(APS 2021)

24.2% of pupils eligible for free school meals
(DFE, 2021/22 academic)

12.8% of Primary school pupils getting SEN support

14.8% of secondary school pupils getting SEN support (DfE 2022)

Economy and Environment

£6,299 million GDP in Merton at current market prices: in 2020 (ONS, 2022)

13,305 Businesses in Merton : (Inter-Departmental Business Register – IDBR, 2020)

80.9% Employment rate: (Annual Population Survey – APS, June 2022):

18,633 Universal Credit recipients (*DWP Claimant Count, December 2022*)

Built and Natural Environment

2.7 tonnes CO2 emissions per capita
(Department for Business, Energy and Industrial Strategy – BEIS, 2020)

79,871 tonnes Total waste collected:
(DEFRA, 2020-21)

10.5% Fuel poverty rate: (BEIS fuel poverty sub-regional statistics, 2020)

28% Canopy cover as of 2020: (Merton Climate Delivery Plan Year 2, 2022)

Health and Wellbeing

78.6 years Male 83.5 Female Life expectancy (Merton Story 2022)

7.7 years for males and **5 years** for females - gap in life expectancy between the 10 % most and least deprived (Merton Story 2022)

53.3% of adults getting five-a-day (Sport England, 2019/20)

67% of adults getting enough physical activity: (Merton Data, 2020/21)

10% of residents aged over 65 live with frailty (Merton Story 2022)

Social & Cultural Environment

86% People who feel a sense of community cohesion: (Merton Residents' Survey, 2021)

6.6 Crime rate per 1,000 people: (MPS data, 12 month rolling August 2022)

63% People who feel safe during the night: (Merton Residents' Survey, 2021)

204 Charities based in Merton: (Merton Connected, 2021)

17,945 Volunteers involved in local charities: (Merton Connected, 2021)

Merton Council 2023-26

The current Council was elected in May 2022 and will serve for four years. Merton has 57 councillors elected by 20 wards from the following political parties:

- 31 Labour
- 17 Liberal Democrats
- 7 Conservative
- 2 Merton Park Independent Residents

The Council is run by a Leader and Cabinet which is proposed by the majority group and confirmed at Full Council. The Cabinet take all major policy, service and financial decisions collectively and they are supported in delivering their goals and priorities by a senior executive team, led by the Chief Executive. The work of the Council is overseen and supported by an Overview and Scrutiny Process formed from all political groups.



From left to right:

- Cllr. Stephen Alambritis MBE, Cabinet Member for Transport
- Cllr. Brenda Fraser, Cabinet Member for Children's Services
- Cllr. Peter McCabe, Cabinet Member for Health and Social Care
- Cllr. Natasha Irons, Cabinet Member for Local Environment, Green Spaces and Climate Change
- Cllr. Ross Garrod, Leader of the Council
- Cllr. Eleanor Stringer, Deputy Leader and Cabinet Member for Civic Pride
- Cllr. Caroline Cooper-Marbiah, Cabinet Member for Sport and Heritage
- Cllr. Andrew Judge, Cabinet Member for Housing and Sustainable Development
- Cllr. Sally Kenny, Cabinet Member for Education and Lifelong Learning
- Cllr. Billy Christie, Cabinet Member for Finance and Corporate Services

Senior Officers (from April/May 2023)



Hannah Doody
Chief Executive



Jane McSherry
Executive Director
Children, Lifelong
Learning and
Families

Responsible for
Children, Social
Care, Education,
Skills and Child
Protection



John Morgan
Executive Director
Adult Social Care,
Integrated Care
and Public Health

Responsible for
Adult Social
Care, Public
Health and Adult
Safeguarding



Dan Jones
Executive Director
Environment,
Civil Pride and
Climate

Responsible for
Waste and Street
Cleaning, Parks,
Climate,
Libraries, Sport
and Heritage



Polly Cziok
Executive Director
Innovation and
Change

Responsible for
Communications
and Media, Policy,
HR, Marketing
offices, clubs and
legal



Asad Mushtaq
Executive Director
Finance and
Digital

Responsible for
Finance and
Investment,
Section 151 and
digital services



Lucy Owen
Executive Director
Housing and
Sustainability

Responsible for
Planning,
regeneration,
Housing Delivery
and
Homelessness

Borough Context

Merton as a borough has a huge amount to offer those who live, work or visit here. It is one of the greenest boroughs in London and has plenty of parks, green spaces and rivers offering easy access to nature. It is extremely well connected to central London, as well as neighbouring boroughs and the Surrey Hills. Each year, 500,000 visitors come to our borough to enjoy the Wimbledon Championships, which have been held since 1877 at the All-England Club. Merton is also proud to be the home once more of AFC Wimbledon in the Plough Lane stadium.

We are a growing and diverse borough – Merton is home to 215,187 people, an increase of 7% over the last 10 years, and the population is made up of a broad range of ethnicities. One third of residents were born outside the UK and the most common languages spoken after English are Polish, Gujarati and Urdu, which reflects the Polish, Eastern European and Asian communities across Merton.

We have always strived for Merton to be a great place to raise a family. There is excellent support for children and young people and all our secondary schools are rated either good or outstanding. We are one of the safest boroughs in London, and we have worked hard to prevent homelessness and maintain the lowest number of households in temporary accommodation of all London's boroughs. However, we know there is more to do to meet the expectations of our residents and make Merton a better place to live for everyone.

If we want to achieve the goal of building pride in Merton, this must be truly felt and experienced by all communities across the borough. Parts of Merton have higher levels of overcrowding, poorer health, deprivation and poverty and a greater proportion of lower-income households that are more affected by the cost-of-living emergency. We will target our delivery to address these disparities and to make sure that investment, support, and action goes to the right places and makes a difference.

Community Ambition

Our communities' aspirations

We carried out an extensive engagement programme across Merton during the Covid-19 pandemic to hear what mattered most to our residents, businesses, and wider communities¹. They told us what they enjoyed most about their local area, what they wanted to see improved, and their ambitions in the long term.

People said how much their local parks and green spaces helped with their physical and mental wellbeing. They wanted to see a borough that is cleaner, greener, and less congested, along with improved high streets that they could take pride in. Young people wanted more things to do in their local area and a greater say in decisions about the future.

Community spirit and connection also matter to residents in Merton. People valued the diverse communities, wanted to foster greater community spirit, and have more places in their local area

¹ <https://www.merton.gov.uk/council-and-local-democracy/get-involved/yourmerton>

where people can come together. Most importantly, the overall message is that residents want to be included in the decisions that affect their communities.

We held extensive conversations with community groups and the voluntary sector to understand the impact of the pandemic and explore a new approach to working with communities. While there is a strong track record of collaboration and positive examples of engagement with communities, there are missed opportunities to help those who are vulnerable or disadvantaged.

Our community ambitions

Our ambition for Merton has been shaped by this feedback from our communities and their aspirations for the borough. In summary, this is how residents felt the borough should look and feel like in future:

- Residents across the borough feel proud of where they live – this means clean streets, vibrant high streets, good schools, and safe neighbourhoods.
- An excellent education and skills programme gives all residents opportunities to access well-paid jobs.
- Town centres are busier, visibly cleaner and destinations in their own right, with regular cultural events taking place. Local businesses, entrepreneurs and start-ups are supported so they can provide employment opportunities for local people.
- Residents enjoy a greener borough with less congestion and improved air quality. Everywhere is well connected by walking and cycling routes so that people can choose healthier and lower-carbon ways of getting around.
- Residents of all ages lead healthy, active lives and more people are involved in sport and exercise. Communities across the borough make the most of the parks and green spaces for leisure, play, sports and enjoying nature.
- Merton becomes a fairer, more equal and inclusive place.
- Residents feel like they have a say in decisions that affect their community and get more involved in local initiatives.

Building A Better Merton Together – Our Council Plan

‘Building a Better Merton Together’ is our Council Plan for 2023-26. It sets out our ambition for rebuilding pride in Merton over the next three years and explains what we will be doing to achieve this over the coming years.

We want people to feel proud to live, work and visit Merton – rebuilding a sense of pride from the ground up through cleaner streets, more affordable housing, improved town centres and opportunities to be involved in this great sporting borough.

These three strategic objectives will guide our actions as a borough:

- Nurturing civic pride
- Building a sustainable future
- Creating a borough of sport

Our plan for each strategic objective is outlined in more detail below in terms of what you can expect in the coming year and what difference you will see. We have identified the major initiatives for each objective and the role of the Council and partners in delivering these. The work of all Cabinet Members will feed into delivery, spanning all parts of the Council and our work with partners (Fig 1).



How we will measure progress

We will closely monitor delivery over the course of each year and review progress through an Annual Review. As part of this review, we will measure our progress against key indicators for each strategic objective. An annual State of the Borough report will provide a snapshot of our position as a borough in key areas and allow us to see how we are progressing on our big priorities. A redesigned Corporate Performance Framework will align with these objectives to make sure that our services are supporting delivery of our priorities.



1. Nurturing Civic Pride

Civic pride is about the relationship that people and communities have with a place – not only their physical surroundings but also their feelings of identity and belonging. By nurturing civic pride, we want people to be proud of their local area, feel more connected to their community, and get more involved in making Merton a great place to live, work and visit. That means getting the basics right so that all residents across the borough can benefit from cleaner streets, vibrant high streets, good schools, and safe neighbourhoods. It is also about everyone taking pride in their borough, which means becoming a fairer, more equal and inclusive place.

What you can expect from us over the next four years:

We will put residents at the heart of everything we do, and be responsive and resident-centric in our approach to customer service, communication and engagement

Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough

Existing businesses will be supported, and new businesses, talent and investment will be attracted to the borough

More residents will be able to access secure and well-paid employment in a local economy that is fairer and more inclusive

Town centres will attract more footfall, events and investment, becoming better places to visit, do business and live

Merton is a thriving place for voluntary and community organisations where giving back is valued and encouraged

Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and qualifications to succeed

Residents across Merton will be supported through the cost-of-living emergency

We will continue to embrace diversity across the borough

How we will measure our progress

Indicator	Desired trend
Resident satisfaction with the council	Increase
Number of customer complaints	Decrease
Fly tips removed within 24 hours	Increase
Street cleanliness meeting expected standards	Increase
Footfall in our main town centres	Increase

Number of businesses	Increase
Percentage of economically active residents	Increase
Number of London-living wage accredited employers	Increase
Number of people volunteering in Merton	Increase
Crime rate and volume	Decrease
Number of schools rated Good or Outstanding	Increase
Number of residents requiring hardship payments and emergency food provision	Decrease

Nurturing Civic Pride: Major initiatives

Priorities	Initiatives	Council's role
We will put residents at the heart of everything we do, and be responsive and resident-centric in our approach to customer service, communication, and engagement	Develop a new Customer Strategy with a focus on the customer experience	Deliver
	Launch a new Communications and Engagement Strategy to reshape our approach to how we engage with our communities	Deliver
	Establish key libraries as community hubs on the high street	Deliver
Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Hold our commissioned providers Veolia to the delivery of their Service Improvement Plan so that they provide a better service to Merton residents	Deliver
	Develop and introduce a new waste and street cleansing service contract from 2025	Deliver
	Launch a new Violence Against Women and Girls (VAWG) Strategy – including street safety, White Ribbon Accreditation, awareness campaigns and a new initiative for young women	Deliver

	Roll out a £1 million upgrade to CCTV to further enhance our provision and keep streets safe and monitored	Deliver
	Look at implementing a borough-wide Public Space Protection Order to reduce antisocial behaviour and crime	Deliver
Existing businesses are supported, and new businesses, talent and investment will be attracted to the borough	Build closer relationships with local businesses working with Chamber of Commerce and our Business Improvement Districts	Partners
	Deliver placemaking measures for Morden Town Centre which make improvements to the physical surroundings	Deliver
	Undertake feasibility studies to facilitate the regeneration of Morden Town Centre and attract external funding to develop longer-term proposals	Deliver Partner
	Develop our support for Black businesses, including introducing a new Best Black Business Award in the Merton Business Awards	Deliver Advocate
More residents will be able to access secure and well-paid employment in a local economy that is fairer and more inclusive	Take steps to ensure that all our new contracts include a commitment to the London Living Wage	Deliver
	Seek accreditation as a Council for London Living Wage status and work with care homes and other employers towards becoming a London Living Wage borough	Deliver Partner
	Strengthen the application of the Social Value Measurement Charter in our procurement procedures	Deliver
	Introduce a Social Value portal to help monitor social value in contracts following mobilisation	Deliver
	Develop our apprenticeship scheme to increase opportunities with a focus on disadvantaged young people	Deliver Partner

Town centres will attract more footfall, events and investment, becoming better places to visit, do business and live	Engage with event companies to attract cultural events to the borough	Partner Advocate
	Deliver a programme of shopfront improvements across key high streets	Deliver
	Increase the retail, hospitality and entertainment outlets in Mitcham Town Centre by encouraging key stakeholders to redevelop sites in the town and surrounding area	Partner
Merton will be a thriving place for voluntary and community organisations where giving back is valued and encouraged	Establish and deliver a major new Civic Pride Fund to support neighbourhoods and local groups in Merton	Deliver Partner
	Deliver a new volunteering portal through Merton Connected and target key groups for recruitment	Deliver
	Increase the number of young volunteers working in community programmes through the Children's Trust Board	Deliver
	Introduce the Civic Pride Recognition Awards	Deliver
Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and qualifications to succeed	Enhance support for families through Children's Centres and Family Hubs	Deliver
	Maintain and build on the Council's 'outstanding' Children's Social Care rating, ensuring children and young people get help and protection at the right time and place.	Deliver
	Build a new special school in Merton and increase local special educational needs and disabilities places as part of the Dedicated Schools Grant Safety Valve Agreement	Deliver
	Continued school improvement to help all primary and secondary schools become 'good' or 'outstanding'	Deliver
	Develop our Adult Education commissioning offer to support learning and skills for the future with focus on the east of the borough.	Deliver

	Deliver new health and wellbeing zones to support digital skills and resident wellbeing	Deliver
	Improve pathways to employment through our Adult Education programme	Partner
	Deliver new courses in numeracy, literacy and English for Speakers of Other Languages through Adult Education	Deliver
Residents across Merton will be supported through the cost-of-living emergency	Develop a coordinated cross-council response to the cost-of-living emergency through the Merton Partnership	Deliver Partner
	Deliver a £2 million cost-of-living emergency fund to ensure support gets to those who need it most	Deliver
We will continue to embrace diversity across the borough	Launch and deliver on a new Equality, Diversity, and Inclusion Strategy	Deliver
	Work with our communities to relaunch the LGBTQ+ forum	Partner
	Celebrate the 75 th Windrush anniversary in partnership with local groups and communities.	Partner

2. Building a Sustainable Future

Working towards a greener, more sustainable, and resilient future for the borough means better housing, action on climate change, and support for the health and wellbeing of our communities. Accelerating the supply of affordable and sustainable homes is a top priority for the Council. Alongside this priority, we will push for better standards in private and social housing and work with Integrated Care partners to make sure that local health provision meets the needs of communities across Merton.

What you can expect from us over the next four years:

New developments deliver more affordable housing and exhibit design excellence

A borough where residents can live in good-quality housing

Our environment and parks will be protected, restored and well managed

Merton Council will aim to reach net zero by 2030

Increased take-up of alternative and sustainable modes of transport

Improved air quality across the borough

Equal access to local health services in Merton

How we will measure progress

Indicator	Desired trend
New starts of affordable homes	Increase
Empty homes brought back into use	Increase
Private rented homes brought up to standard	Increase
Number of housing enforcement or improvement notices	Decrease
Energy efficiency improvements of private sector homes	Increase
Number of trees on public land	Increase
Number of parks with Green Flag status	Increase
Number of EV (electric vehicles) charging points	Increase
Number of vehicles registered in the borough	Decrease
Proportion of active travel journeys being made	Increase
CO2 emissions across Merton Council's operational buildings	Decrease
Number of monitoring stations meeting nitrogen dioxide air-quality objectives	Increase

Building a Sustainable Future: Major initiatives

Priorities	Initiatives	Council's role
New developments deliver more affordable housing and exhibit design excellence	Work in partnership with registered providers to encourage greater provision of affordable housing and work with private developers on large sites to meet the Council's affordable housing target.	Partner
	Deliver 400 new affordable homes on Council land over the next four years	Deliver
	Establish a new Registered Provider/Developer Forum to strengthen working relationships with key partners in the housing sector	Deliver Partner
	Implement ambitious climate policies in a new Local Plan following approval by the Secretary of State	Deliver
A borough where residents can live in good quality housing	Introduce Article 4 and a Selective Licensing Scheme to improve standards in multiple-occupancy homes in key wards	Deliver
	Introduce an Empty Homes Strategy to make empty properties suitable for accommodation	Deliver
	Strengthen housing enforcement with an emphasis on standards and safety in privately rented accommodation	Deliver
	Develop a Registered Provider Charter and make the Tenants Champion a permanent position	Deliver
	Develop a borough-wide retrofit strategy and energy masterplan to improve energy efficiency for homeowners and the private sector	Deliver
	Provide strong oversight of Clarion in their delivery of the Merton Estate Regeneration Plan	Partner

Our environment and parks will be protected, restored, and well managed	Development and delivery of phase two of our Tree Strategy	Deliver
	Target tree-planting opportunities at wards with low canopy cover	Deliver
	Work with 'Friends of' parks groups to increase the number of Green Flag Award sites in Merton from six to nine	Partner
	Develop a Parks and Open Spaces Strategy and deliver a programme of improvement to our parks	Deliver
The Council will aim to reach net zero by 2030	Develop and deliver Year 3 of the Climate Delivery Plan for 2023, building on the success of Year 1 and Year 2	Deliver
	Increase the involvement of young people in climate action and green spaces as part of delivering the Youth Survey's recommendations	Deliver
Take-up of alternative and sustainable modes of transport increases	Develop a new electric vehicle charging strategy to support increased use of electric vehicles across the borough	Deliver
	Deliver 200 new electric vehicle lamp column charging points to improve the borough's charging infrastructure.	Deliver
	Work towards establishing three electric vehicle forecourt hubs and having 100% electric vehicle car clubs in the borough	Partner
	Roll out a borough-wide bike-hire scheme to increase cycling as a mode of transport	Deliver
	Develop a walking and cycling strategy to encourage active travel, focusing on areas with high car ownership and low Public Transport Accessibility Levels (PTAL)	Deliver
	Introduce e-scooters in areas with high car ownership and low Public Transport Accessibility Levels (PTAL) in line with the introduction of the Ultra-Low Emission Zone	Deliver

	Deliver a programme of segregated cycleways in areas with high car ownership and low Public Transport Accessibility Levels (PTAL)	Deliver
	Support greater public transport connectivity to and within Merton, such as the ongoing development of Crossrail 2	Partner
Air quality across the borough will improve	Develop and deliver a new air-quality action plan to reduce emissions and air pollution in the borough	Delivery
	Introduce additional school streets schemes to reduce car usage near schools and build on Merton's success of having the highest proportion in London	Deliver
Equal access to local health services in Merton	Move forward with the NHS on the development of East Merton Health Centre with GP provision and Colliers Wood GP Practice	Partner
	Develop a strategy to support the borough's ambition to retain all services at St Helier Hospital and lobby the government for refurbishment funding	Deliver Partner
	Work with the NHS to ensure that residents of Mitcham and Morden have access to a Nelson-equivalent health facility	Partner
	Develop our approach to the One Public Estate with the NHS to ensure that any proposed services on the NHS estate meet the needs of residents	Partner

3. Creating a Borough of Sport

As the home of the Wimbledon Tennis Championships, AFC Wimbledon, the oldest cricket club in the world, and a rugby club that was one of the founding members of the RFU, our borough has a great sporting heritage on which to build. Today, we have an array of parks, tennis courts, sports pitches, leisure centres and a wealth of grassroots clubs and sporting organisations.

We are perfectly placed to establish Merton as a borough of sport and promote healthy, active lives for all our residents. Increasing participation in sport and exercise not only supports better health and wellbeing but can also bring wider social benefits such as greater connectedness and engage young people. By supporting residents of all ages to be active and incorporate more movement into their lives, we can help people to lead more healthier lives and become more independent, particularly those who are older or disabled.

What you can expect from us over the next four years:

National recognition of Merton's sporting heritage

All 4- to 16-year-olds and over 65s will have access to weekly sporting and wellbeing activities

More residents take part in sport and physical activities

Investment in sporting infrastructure and promoting healthy activities

How we will monitor progress

Indicator	Desired trend
Participation in sport and exercise	Increase
Improvements to sporting infrastructure	Increase
Number of leisure centre users	Increase
Proportion of children aged 4 to 5 and 10 to 11 classified as overweight or obese	Decrease
Fitness participation at leisure centres for those aged 14 to 25	Increase
Number of children and young people who agree that participation in a culture or sports project, activity or event has helped them feel healthier, stronger, fitter, or happier	Increase

Creating a Borough of Sport - Major Initiatives

Priorities	Initiatives	Council's role
Merton's sporting heritage will receive national recognition	Set up a Merton Sports partnership to promote sport in our borough	Partner
	We will market and promote Merton as the Borough of Sport following the outcome of the Sport London Strategy	Deliver
All 4- to 16-year-olds and over 65s will have access to weekly sporting and wellbeing activities	Extend delivery of the Kids Swim for a Quid initiative	Deliver
	Work in partnership with Merton's sporting organisations to increase the provision of activities for these age groups	Deliver Partner
More residents will take part in sport and physical activities	Establish a Sports Fund to support grassroots sport and activity in the borough	Deliver
	Develop an Actively Merton Programme through the Health and Wellbeing Board	Deliver Partner
	Produce an annual events planner to increase awareness of sport and leisure opportunities and events across the borough	Deliver
	Develop a blueprint with London Sport to increase participation and leverage external funding	Deliver Partner
Investment in sporting infrastructure and promoting healthy activities	Deliver improvements to key Multi-Use Sports Areas to encourage sports and exercise in our parks and recreation grounds	Deliver
	Deliver a programme of sports-pitch improvements to increase the quality of our facilities	Deliver
	Refurbish tennis courts across the borough	Deliver

Our Principles and Values

Our principles and values will guide how we work across the Council and the borough to build a better Merton together. We are committed to delivering the best for our communities and putting the needs of residents at the heart of everything we do.

You can expect us to be:

- Responsive to the needs of our residents
- Embedded in our local communities
- Innovative in our approach to tackling the challenges we face as a borough
- Striving to deliver excellent services for all

We are working on a new People and Culture Plan will set out our values as an organisation and how we will support our workforce so that they can work to their best:

My Health & Wellbeing - We will support the health and wellbeing of our workforce by expanding employee benefits, new health and wellbeing training and increasing staff engagement and communication.

Equality, Diversity & Inclusion - We will embed equality and inclusion in our culture through new training priorities, external relationships with partners, and listening to the needs of our staff.

Smarter Working - We will enable more flexible and agile working practices through smart working and remote-working technologies

Leadership & Management – We will improve leadership and management at all levels of the Council with new training, more development opportunities for upcoming and existing leaders, and collaboration between leaders to help deliver our priorities.

Next Steps

Delivering the ambition in this plan will require collaborative working, not only with our residents and businesses but also with a range of partners at local and regional level. This section sets out how we will work together with residents, community groups and partners to achieve our goals.

How we will engage residents

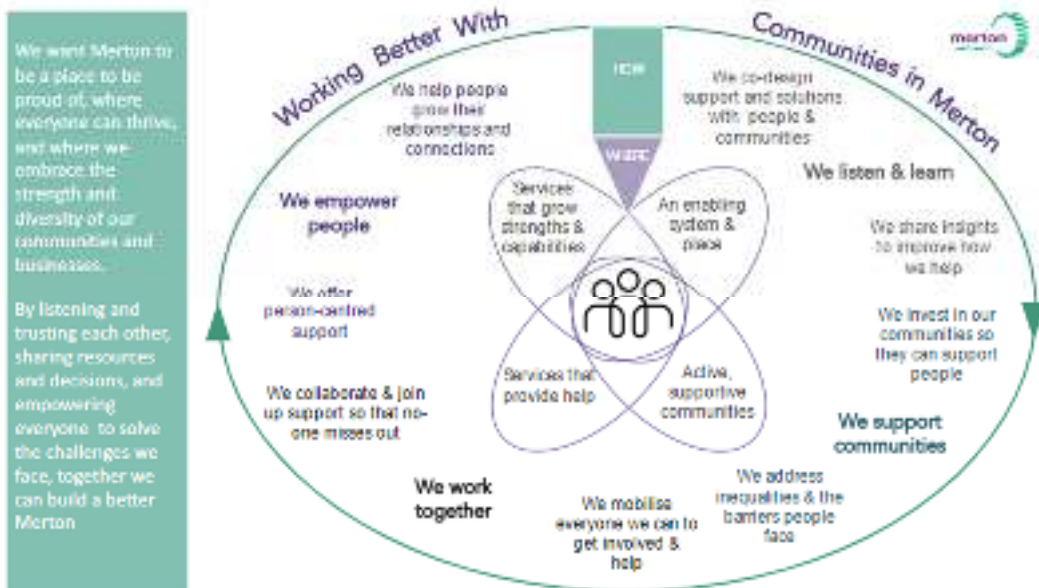
Residents have told us they want to be involved in decisions that affect the things that matter most to them, such as their high streets, parks and local services. They want to maintain and build on the community spirit that saw us through the pandemic where thousands of residents, businesses and local organisations helped support some of our most vulnerable residents. We want to harness this collaborative spirit to work with residents, businesses and local organisations and build a better Merton together.

Our new Community Engagement strategy will change our approach to engaging with residents and enable us to engage more directly. We will be expanding the use of new and existing digital channels to engage with residents on a regular basis and seek their views on a range of topics. We will also bring in new ways for residents to talk with us and each other, including an annual Question Time for the Leader and Cabinet in each town centre and more support for community groups that hold consultations with residents.

How we will work collaboratively with communities

We have co-designed a methodology with our partners to improve how we work with our local communities and use local, Council and partner assets and resources. This work was undertaken with Collaborate CIC, one of the leaders in the field of collaboratively designed public services and produced 'Working Better with Communities' framework. This model takes what we learned from how we worked differently with partners during the pandemic, feedback from community groups and best practice from Merton and elsewhere to offer a guide to how we can work differently with communities.

The commissioning of our new multi-million-pound Civic Pride Fund: Supporting the Voluntary and Community Sector has provided a valuable opportunity to put this framework into practice. The fund invests in social infrastructure at a neighbourhood level and supports our voluntary groups.



How we will work in partnership

We cannot deliver this plan on our own. We will work with a range of partners to find common purpose and combine our efforts. This means working with the Mayor of London on structural issues like transport and regeneration where the interests of London as a whole and Merton as a borough intersect.

We will be an active member of the South London Partnership so that we can achieve better outcomes for Merton's residents and businesses where activity is best coordinated at a sub-regional level such as economic growth and training.

We will continue to build on our successful track record of working through the Merton Partnership. The Merton Partnership brings together community leaders, business leaders and leaders from public services such as the Council, NHS, police, fire brigade and educational settings.

How we will pay for it

'Building a Better Merton Together' will inform how we allocate our resources to deliver our priorities while balancing our duty to keep our finances on a sustainable footing. Local governments face a difficult financial situation with high inflation, rising costs and a worsening national economic context. Reductions in funding from central government will result in some tough decisions at local level but we will prioritise those who are most vulnerable and focus our delivery on what matters most to residents.

The Business Plan 2023-26 sets out the resources and financial details behind this plan and gives further context on how we will fund our strategic priorities through our Medium-Term Financial Strategy. Developing a new investment strategy, we will explore new avenues for external investment while working with our partners to maximise the funds at our disposal.

Other key strategies and plans

This Council Plan is our overarching strategic plan. However, the Council has more key strategies and plans that will guide how we deliver specific priorities, including how we are governed and our finances. The main strategies and plans are:

- Business Plan
- Community Plan
- Equality and Community Cohesion Strategy
- Housing Delivery Strategy
- Homelessness and Rough Sleeping Strategy
- Health and Wellbeing Strategy
- Local Plan
- Children and Young People's Plan
- Climate Change Strategy and Action Plan

These are available to view online [here](#).

These strategies are informed by Merton Data, a council-run website that acts as a directory for a wide range of data in Merton. This includes population profiles, health and wellbeing statistics, house prices, employment statistics and more. It holds data for the whole borough, as well as for the individual wards, and can generate data profiles for each.

You can find Merton Data [here](#).

Appendix B – Corporate Performance Framework 2023/24

The Corporate Performance Framework is how the Corporate Management Team manages and monitors the performance and effectiveness of the Council as a whole. The Corporate Performance Framework for 2023/24 has been reviewed and redesigned to support delivery of our ambitions in the Council Plan.

The revised indicator set has been selected and structured to align with the new strategic objectives. This will enable the Council to track its own progress on priority areas of delivery - such as keeping our streets clean, building new housing and increasing participation in sports and leisure – but also flag any emerging issues in key service areas.

We will continue to monitor performance in those areas which are critical to our core statutory duties and functions, as well as our financial sustainability and organisational health ('Core Service Areas'). Further work will be carried out with departments to refine indicators, profile targets, and develop an improved approach to corporate performance reporting.

Core Service Areas (13 indicators)				
<i>- Core metrics covering critical areas for the Council to monitor such as safeguarding, homelessness, financial sustainability and workforce.</i>				
	Indicator	Frequency	Council Plan deliverable	Directorate
	CRP 018/SP 154 % Council tax collected	Monthly	N/A - Core service area	Finance and Digital
	CRP 036/SP 155 % Business rates collected	Monthly	N/A - Core service area	Finance and Digital
	CRP 105/SP 469 Delivery against current year MTFS savings targets	Quarterly	N/A - Core service area	Finance and Digital
	CRP 098/SP 193 % complaints dealt with in time	Monthly	N/A - Core service area	Innovation and Change
	CRP 086/SP 411 Number of processing days for new housing benefit claims	Monthly	N/A - Core service area	Innovation and Change
	CRP 109/SP 477 Voluntary turnover rate (rate of resignations)	Quarterly	N/A - Core service area	Innovation and Change
	CRP 099/SP 226 First time fix rate for IT Service Desk	Monthly	N/A - Core service area	Finance and Digital

CRP 080/SP 413 No. Of working days per FTE lost to sickness absence excluding schools	Quarterly	N/A - Core service area	Innovation and Change
CRP 044 Parking services estimated revenue	Monthly	N/A - Core service area	Environment, Civic Pride, & Climate
CRP 061/SP 036 No. Of households in temporary accommodation	Monthly	N/A - Core service area	Housing & Sustainable Development
CRP 062/SP 035 No. Of homelessness preventions	Monthly	N/A - Core service area	Housing & Sustainable Development
CRP 64/SP 075/MP 030 % children who become subject of a Child Protection Plan for a second or subsequent time... (Child Safeguarding)	Monthly	N/A - Core service area	Children, Lifelong Learning, and Families
CRP 057/SP 274 % people receiving "long-term" community services within their homes (Adult Social Care)	Monthly	N/A - Core service area	Adult Social Care, Integrated Care, and Public Health

Nurturing Civic Pride (17 indicators)

- *Priorities include waste services, customer services, high streets and community safety, support for children and education*

Indicator	Frequency	Council Plan deliverable	Directorate
CRP 097/SP 065 % Household waste recycled and composted	Monthly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate
CRP 103/SP 454 % fly-tips removed within 24 hours	Monthly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate

CRP 124/SP 568 % of street reports rectified within the contract standard time frame	Monthly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate
CRP 126/SP 573 Number of refuse collections including recycling and kitchen waste (excluding garden waste) missed per 100,000	Monthly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate
Average no. Of stalls in Mitcham Market/no. Of events in Mitcham <i>(Not existing indicators)</i>	Quarterly	Town centres will attract more footfall, events and investment, becoming better places to visit, do business and live	Environment, Civic Pride, & Climate
CRP 101/SP 389 Carriageway condition – unclassified roads, % not defective	Annual	Town centres will attract more footfall, events and investment, becoming better places to visit, do business and live	Environment, Civic Pride, & Climate
CRP 107/SP 474/MP 003 No. Of volunteers recruited through MVSC	Quarterly	Merton will be a thriving place for voluntary and community organisations where giving back is valued and encouraged	Innovation and Change
CRP 041/SP 192 % FOI requests dealt with in time	Monthly	We will put residents at the heart of everything we do, and be responsive and resident-centric in	Innovation and Change

		our approach to customer service, communication and engagement	
CRP 083/SP 428 % Ombudsman complaints partially or fully upheld	Quarterly	We will put residents at the heart of everything we do, and be responsive and resident-centric in our approach to customer service, communication and engagement	Innovation and Change
CRP 115/SP 535/MP 50 % of total 0-5 year population from areas of deprivation whose families have access to children's centres	Quarterly	1.6. Giving children in Merton the best start in life and a Good or Outstanding education for all, including lifelong learning	Children, Lifelong Learning, and Families
CRP 69/SP 078/MP 052 % outcome of Ofsted Inspection schools rated Good or Outstanding	Annual	Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and qualifications to succeed	Children, Lifelong Learning, and Families
CRP 113/SP 528 % of fostered children living in in-house provision	Monthly	Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and	Children, Lifelong Learning, and Families

		qualifications to succeed	
CRP 114/SP 531 % of children in our care placed more than 20 miles away	Monthly	Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and qualifications to succeed	Children, Lifelong Learning, and Families
CRP 88/SP 404/MP 053 New EHCP requests completed within 20 weeks	Quarterly	Fantastic educational provision and support gives children the best start and equips residents of all ages with the skills and qualifications to succeed	Children, Lifelong Learning, and Families
SP 523 % of repeat MARAC cases (domestic abuse) by volume	Monthly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate
% of CCTV Cameras Upgraded (Not existing indicator)	Quarterly	Residents, businesses and visitors will enjoy clean, safe and welcoming places across the borough	Environment, Civic Pride, & Climate
CRP 111/SP 497 % of ASB cases acknowledged within service timescales	Quarterly	Residents, businesses and visitors will enjoy clean, safe and welcoming places	Environment, Civic Pride, & Climate

			across the borough	
Building a Sustainable Future (13 indicators) <i>- Priorities include housing supply and standards, climate change, air quality, libraries and health services</i>				
	Indicator	Frequency	Council Plan deliverable	Directorate
	New homes completed/started (<i>to check against Local Plan Annual Monitoring</i>)	Annual	New developments deliver more affordable housing and exhibit design excellence	Housing & Sustainable Development
	CRP 133/SP 360 Annual No. Of enforcement/improvement notices issued (Housing) (<i>Being reviewed by Housing Needs</i>)	Annual	A borough where residents can live in good quality housing	Housing & Sustainable Development
	CRP 108/SP 475 Number of publicly available Electric Vehicles Charging Points available to Merton residents	Annual	Take-up of alternative and sustainable modes of transport increases	Housing & Sustainable Development
	CRP 016/SP 401 to reduce CO2 emissions annually across the Council's operational portfolio of buildings	Annual	The Council will aim to reach net zero by 2030	Environment, Civic Pride, & Climate
	CRP 122/SP 566 Number of monitoring stations measuring below the Nitrogen Dioxide air quality objectives	Annual	Air quality will improve across the borough	Environment, Civic Pride, & Climate
	CRP 051/SP 114 % Major applications processed within 13 weeks or within agreed timescales	Monthly	New developments deliver more affordable housing and exhibit design excellence	Housing & Sustainable Development

CRP 052/SP 115 % of minor planning applications determined within 8 weeks or within agreed timescales	Monthly	New developments deliver more affordable housing and exhibit design excellence	Housing & Sustainable Development
CRP 131/SP 439 No. Of apprenticeship starts excluding schools	Quarterly	More residents will be able to access secure and well-paid employment in a local economy that is fairer and more inclusive	Innovation and Change
CRP 110/SP 484 % of care leavers (aged 19-21) in suitable accommodation	Monthly	A borough where residents can live in good quality housing	Children, Lifelong Learning, and Families
CRP 059/SP 008 No. Of people accessing the library by borrowing an item or using a peoples' network terminal	Tbc	We will put residents at the heart of everything we do, and be responsive and resident-centric in our approach to customer service, communication and engagement	Environment, Civic Pride, & Climate
NEW Number of trees on public land (<i>To be confirmed</i>)	Tbc	Our environment and parks will be protected, restored, and well managed	Environment, Civic Pride, & Climate
CRP 130/SP 504 % young people (under 19) leaving treatment where substance misuse has reduced or client has become drug free	Quarterly	Equal access to local health services in Merton	Children, Lifelong Learning, and Families

	SP 503 Proportion of all in treatment, who successfully completed treatment and did not represent within 6 months	Quarterly	Equal access to local health services in Merton	
Creating a Borough of Sport (4 indicators)				
<i>- Priorities include participation in sport and activity, healthy active lives and improvements to sporting and leisure infrastructure</i>				
	Indicators	Frequency	Council Plan Deliverable	Department
	SP 405 No. Of Leisure Centre users	Monthly	More residents will take part in sport and physical activities	Environment, Civic Pride, & Climate
	SP 349 14 to 25 year old fitness participation at leisure centres	Monthly	All 4- to 16-year-olds and over 65s will have access to weekly sporting and wellbeing activities	Environment, Civic Pride, & Climate
	CRP 119 / SP 558 Average Performance Quality Score (Litter and Cleansing Standards - Parks)	Quarterly	Investment in sporting infrastructure and promoting healthy activities	Environment, Civic Pride, & Climate
	NEW Public Health Activity Indicator via Actively Merton (<i>TBC, expected to take 6 months to design</i>)	TBC	More residents will take part in sport and physical activities	Adult Social Care, Integrated Care, and Public Health

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Committee: Council

Date: 19th April 2023

Wards: All

Subject: Confirmation of the Immediate Article 4 Direction in 7 Wards – Results of Consultation; and Update on Proposed Introduction of Landlord Licensing and Empty Homes Project

Lead officer: Adrian Ash, Interim Executive Director Environment, Civic Pride, and Climate
John Morgan, Executive Director Adult Social Care, Integrated Care & Public Health

Lead member: Councillor Andrew Judge, Cabinet Member for Housing and Sustainable Development

Contact officer: Lesley Barakchizadeh, Lead Programme Consultant – Corporate Projects Ext: 3099

Recommendations:

- A. After consideration of the consultation responses and advice from Cabinet and Borough Plan Advisory Committee, Confirm the Immediate Article 4 Direction for small HMOs for the following wards: Figge’s Marsh; Graveney; Longthornton; Pollards Hill; Colliers Wood; Cricket Green and Lavender Fields.
- B. Note that there is an ongoing risk of compensation claims being submitted for any small HMOs (6 persons and under) that relied on the permitted development rights that have been removed in the 7 wards and note that claims are only valid if a planning application is submitted within 12 months from the introduction of the Immediate Article 4 (17th November 2022) and then subsequently refused; or if additional Planning Conditions are applied that reduce the development’s value.
- C. Note also, that the Secretary of State (SoS) must be notified at both the introduction and confirmation of the Article 4 Direction. The SoS is considering whether there was adequate evidence for the introduction of the Article 4 and whether it has been applied to the smallest geographical area. The SoS has the power to pause or stop the Article 4 at any time if it considers that either of these criteria have not been met.
- D. Note the update on Landlord Licensing and Empty Homes, including the proposed charges and conditions appended, and note that once the full consultation report has been provided to the Council by ORS, a further report will be taken to Cabinet in June to agree the way forward for Landlord Licensing, following consideration of representations received. It will not be necessary for Council to confirm Selective and Additional Licensing as this falls within the remit of Cabinet.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report provides an update on three key projects which were reported to Cabinet in March 2023, and a Recommendation that Council Confirm the Immediate Article 4 Direction that was introduced in November 2022.

- The introduction of an Immediate Article 4 Direction, which requires new small house and flat shares (small HMOs) to seek planning permission instead of being covered by Permitted Development (PD). HMOs of 7 or more people, from more than one household, already require planning permission.
- Proposals for Selective Licensing and Additional Licensing schemes, which would require a licence for private rented sector (PRS) properties, and for houses in multiple occupation (HMOs) not covered by the mandatory HMO regulations which cover 5 people and above.
- Empty Homes Scheme – This would bring into use some of the estimated 2,000 long-term empty homes in the borough through a range of measures

1.2 At Cabinet in March 2023, it was resolved to:

- A. Following review of the consultation responses as well as consideration of legal advice from an external barrister, recommend to Council that the Immediate Article 4 Direction for small HMOs be Confirmed for the following wards: Figge's Marsh; Graveney; Longthornton; Pollards Hill; Colliers Wood; Cricket Green and Lavender Fields.
- B. Note that there is an ongoing risk of compensation claims being submitted for any small HMOs (6 person and under) that relied on the permitted development rights that have been removed in the 7 wards, and note that claims are only valid if a planning application is submitted within 12 months from the introduction of the Immediate Article 4 (17th November 2022) and then subsequently refused; or if additional Planning Conditions are applied that reduce the development's value
- C. Note the update on Landlord Licensing and Empty Homes, including the proposed charges and conditions appended, and note that once the full consultation report has been provided to the Council by ORS, a further report will be brought back to Cabinet in June to agree the way forward for Landlord Licensing, following consideration of representations received.
- D. Agree that the additional cost of £75,000 for project management, housing staffing; and external legal fees up to Oct 23 (date of implementation) be funded by a transfer from the corporate contingency fund.
- E. Delegate Authority to the Executive Director for Housing and Sustainable Development in consultation with the Cabinet Member for Housing and Sustainable Development to Approve the draft Supplementary Planning Document on HMOs for at least 6 weeks of public consultation and to approve any amendments required by proposed changes to the National Planning Policy Framework.

- 1.3 Also in March, a report on the introduction of the Immediate Article 4 Direction, including the results of the consultation exercise, was considered by the Borough Plan Advisory Committee (BPAC), which confirmed support for the Article 4 Direction being made permanent (Confirmed) by Council in April for the 7 wards identified.
- 1.4 A large scale consultation exercise, led by the Council's consultants, Opinion Research Services (ORS), commenced on 14th November 2022.
- 1.5 A consultation webpage - www.merton.gov.uk/prsconsultation – was set up which enabled people to:
- Complete a questionnaire designed by ORS
 - Book attendance at a Landlord or Stakeholder Forum
 - Read the proposals for both landlord licensing and the Immediate Article 4 Direction
 - View a wide range of background documents including the October 2022 Cabinet report and the Metastreet report.
- 1.6 The webpage is still up and running and updated to enable people to continue to review the proposals and background information.
- 1.7 An Immediate Article 4 Direction for Small HMOs was introduced and came into effect on 17th November, as agreed by Cabinet in October 2022.. The Consultation Webpage was updated on the 17th November with the Article 4 Direction and Notice. All statutory notification procedures were followed and exceeded including: notification to the Secretary of State; notification to statutory bodies; posting of Notices on lampposts; and publication in the press. Plus, a 10 week Consultation Exercise took place – the statutory consultation period for an Article 4 Direction is 6 weeks.
- 1.8 During, and following the closure of the consultation on 22nd January, 2023, a range of responses were received, including 487 Completed questionnaires; some direct email representations on licensing to ORS; direct email representations to the Council as the Local Planning Authority; 2 solicitors' letters; comments made during 2 Landlords Forums; comments made during a Landlords Forum specifically on Article 4 (requested by landlords); comments made during a Stakeholders Forum.
- 1.9 At the time of writing, the full consultation results and the final report from ORS, is not available, although should be published by the date of Council. However, as it will be necessary to 'Confirm' the Article 4 Direction within a period of 6 months, should it be deemed that it stays in place after consideration of the consultation responses, it was agreed that ORS would provide the consultation results relating to the Immediate Article 4 Direction only (in full), so that these, along with the results received direct to the Local Planning Authority, could be considered by March Cabinet, and subsequently reported to Council in April. These results are fully included in this report.

- 1.10 Once the final consultation report is received from ORS, expected to be early April, a further report discussing the responses for landlord licensing will be taken to June Cabinet – it should be noted there is no Cabinet in April or May.
- 1.11 This report therefore updates briefly on the Empty Homes project and proposals for Landlord Licensing but focuses primarily on the introduction of the Immediate Article 4 Direction.
- 1.12 Funding was agreed for the Consultation at £30,000 and it was possible to secure an agency for this amount. Additional housing and project management staffing costs were also agreed to take the project up to May 2023. To continue to October 2023, when it is proposed that Landlord Licensing will have been introduced, a further amount of £70,000 was agreed by Cabinet.
- 1.13 Additionally, as we have been required to engage an external Barrister to provide legal advice and respond to a legal challenge we received, a sum of £5k was also agreed.
- 1.14 This cost, and the £70,000 identified above, (a total of £75,000) will be funded by a transfer from the Corporate Contingency Fund.

2 BACKGROUND AND CURRENT SITUATION

- 2.1 It is important to reiterate that the Council is committed to improving housing conditions in the Private Rented Sector (PRS); and to tackling the many instances of anti-social behaviour and other issues that arise from poorly managed rented properties and in particular HMOs.
- 2.2 The PRS is an important part of our housing stock and has grown rapidly in Merton. Whilst many landlords operate within guidelines, there are also others who do not, often taking advantage of some of the most vulnerable members of our community. This leads to issues affecting health and safety, the wider community, as well as the environment.
- 2.3 The Council strongly believes that it is necessary to pursue every action it can take to address the many issues and complaints that it receives resulting from the growth of the PRS in Merton and unscrupulous landlords.
- 2.4 To this end, the Council is working on a strategy which will include a raft of measures and actions to be taken to improve the wellbeing of our communities, including proposals for the introduction of Selective and Additional Licensing; the introduction of the Immediate Article 4 Direction in November 2022; as well as targeted and effective enforcement.
- 2.5 A Supplementary Planning Document (SPD) is also being produced (see Para 10.5) to ensure that guidance is in place against which planning applications for change of use to HMOs can be assessed. Once approved for consultation, the SPD Consultation Draft would be a material consideration in the consideration of these applications and will provide guidance to inform when HMOs are likely to be considered acceptable and unacceptable.

- 2.6 Additionally, the overarching ambition of the Administration is to rebuild pride in Merton with three strategic themes as follows:
- Nurturing Civic Pride;
 - Building a Sustainable Future;
 - Creating a Borough of Sport.
- 2.7 The proposals for selective and additional licensing, as well as the introduction of the Immediate Article 4 Direction for small HMOs, supports both the theme of Building a Sustainable Future, and Nurturing Civic Pride.
- 2.8 The Council commissioned Metastreet to gather data to assist in assessing which wards would be most appropriate for the introduction of Selective Licensing; Additional Licensing; and the Immediate Article 4 Direction.
- 2.9 The recently published census 2021 tenure data has been reviewed and compared with the data from the Council's commissioned tenure analysis. Whilst data on the numbers and percentages of PRS dwellings in some wards shows comparable alignment, there are some wards where there is a significant difference between the figures.
- 2.10 The census provides a figure of 29.5% PRS households in Merton, compared with the Council's commissioned analysis projecting the % PRS to be 34%. The government guidance requires an authority to have regard to census and other sources of data in assessing the levels of PRS in areas being considered for licensing.
- 2.11 Having reviewed the census data it is considered that the Council's commissioned data analysis provides a more realistic projection of the level of PRS dwellings in the relevant wards. This is based on a number of considerations. The census reported 81,726 households in Merton, which, whilst allowing for empty homes, is much lower than the government Valuations Office Agency record of 86,740 residential dwellings.
- 2.12 It is known that not all landlords declare that their properties are let, including multiple let dwellings. The census data would be unlikely to identify situations where tenants are sub-letting to other households, or where dwellings conceal informal accommodation such as outbuildings or garden structures.
- 2.13 The census data is considered likely to indicate a lower figure for PRS households in the borough than is actually the case. The census data does not adversely affect the proposals relating to the Article 4 Direction and landlord licensing.

3 OVERVIEW OF INITIAL CONSULTATION RESULTS

3.1 The consultation commenced on 14th November 2023 and closed on 22nd January 2023.

3.2 A consultation webpage was set up which hosted a questionnaire designed and administered by the Council's retained consultants, ORS, as well as enabling interested parties to book attendance on:

- A virtual Landlords Forum held in the daytime
- An in-person Landlords Forum held in the evening
- A virtual Landlords Forum purely to discuss the Immediate Article 4 Direction held in the daytime in response to Landlords' requests
- A Stakeholders Forum – for organisations such as the Fire Services; Public Health and the National Residential Landlord Association (NRLA)

3.3 The forums were hosted by ORS but attended by council officers who responded to numerous questions including clarifying the proposals. The Forums (other than the stakeholders forum) were very well attended with 20/25 individuals at each. However, it was notable that some individuals attended all 3 landlord forums and in particular, several of the attendees held a portfolio of properties, so larger developers/landlords, rather than individual small landlords. In general, the forums were well-natured, and attendees expressed their thanks for the officers listening to their views.

3.4 In addition to the channels above, a dedicated telephone helpline was provided by ORS to enable stakeholders who needed assistance completing the questionnaire to be given suitable support, and an email address was available to request versions of the questionnaire in alternative formats or languages.

3.5 With regard to the questionnaire, a total of 478 were received, with respondents primarily identifying with the following groups:

Stakeholder type	Number of respondents	% of respondents
Letting or managing agent with properties in Merton	25	5
Private landlord in Merton	190	40
Represent an organisation based in or covering Merton	4	1
Live in Merton	251	53
Other respondents	8	2
Total	478	100

3.6 As some respondents identified with more than one category, whilst the above table is what ORS used primarily for reporting the results, the table below also provides a bit more detail on some of the groups. Note that as some respondents identified with more than one group, the total number exceeds the number of questionnaires received:

	Count	Total %
Live in Merton - rent my home from a private landlord	62	13
Live in Merton - rent my home from the council or housing association	4	1
Live in Merton - own my home	239	50
Live in Merton - other type of occupier	9	2
Private landlord in Merton	197	41
Letting or managing agent with properties in Merton	24	5
Represent an organisation based in or covering Merton	7	1
Own or manage a business in Merton	5	1
Work in Merton	13	3
Have another connection with Merton	6	1
No connection with Merton	3	1

3.7 As well as completion of the questionnaire and/or attendance at a forum, it was possible to send a more detailed email representation to ORS about landlord licensing, or a specific representation on the Immediate Article 4 Direction direct to the Local Planning Authority via a Council email address.

3.8 The consultation webpage also contained an extensive amount of information on the proposals such as fees and conditions for landlord licensing; the Metastreet report showing the data that ward selection was based upon; the Article 4 Direction, Notice and map; a consultation document with further information produced by ORS, and other background material.

3.9 The webpage has been updated and is being kept live due to the usefulness of the information whilst proposals are still being considered.

3.10 As could be predicted, from those who responded to the questionnaire, there is a clear split between residents (including tenants) being in favour of the Article 4 Direction and Landlord Licensing and landlords opposing it.

Headline results show:

- Many larger landlords/developers are against introducing an Immediate Article 4 Direction (as opposed to a non-immediate)
- 32% of landlords support an Article 4 Direction

- 54% of landlords disagree with an Article 4 Direction
- 81% of residents and tenants agree with an Article 4 Direction

3.11 However, greater numbers of landlords appear to oppose Landlord Licensing rather than the Immediate Article 4 Direction:

- 89% of landlords disagree with Selective Licensing
- 78% of landlords disagree with Additional Licensing
- 78% of residents and tenants agree with Selective Licensing
- 81% of residents and tenants agree with Additional Licensing

3.12 The full consultation results for the introduction of the Immediate Article 4 Direction only, are reported in Section 11.

4 UPDATE ON THE EMPTY HOMES PROJECT

4.1 At the October Cabinet 2022 Meeting an update was provided on the proposal to introduce an Empty Homes Scheme. This would bring into use some of the estimated 2,000 long-term empty homes in the borough, by providing incentives such as grant funding; loans; and advice for owners to bring qualifying properties up to a required standard for letting. The Council may require leasing of properties back to the Council for the provision of accommodation for households owed a housing duty.

4.2 It was decided that the scheme would be established under the Regulatory Shared Services Partnership (RSSP). This was based on the financial efficiencies achievable and the fact that the RSSP was already operating the Wandsworth and Richmond schemes, and had the organisational infrastructure; system; and processes in place to enable swifter implementation.

4.3 A joint Housing and RSSP project team was established last year and has been progressing the project transition to the RSSP and delivery of Project Delivery Plan requirements. Key elements within the plan are the establishment of the required Finance and IT requirements, and policy and processes, for scheme implementation. The scheme is expected to go live in July 2023.

5 UPDATE ON THE INTRODUCTION OF LANDLORD LICENSING

5.1 As stated in Para 1.8, due to timings and the unavailability of the final consultation report until April, this report primarily deals with the introduction of the Immediate Article 4 Direction. It does not provide the results of the consultation exercise on landlord licensing, other than basic headline figures reported in Section 3. A full report will be submitted to June Cabinet.

5.2 However, meanwhile preparations for the introduction of Landlord Licensing continue and are on target, with proposals being to introduce Selective Licensing to Figge's Marsh; Graveney; Longthornton; and Pollards Hill Wards and Additional Licensing to Figge's Marsh; Graveney; Longthornton; Pollards

Hill; Colliers Wood; Cricket Green and Lavender Fields Wards. All proposals will be subject to consideration of the consultation responses.

- 5.3 Joint working with the IT team to develop the online systems for licensing processing and administration continue, with a focus on current online processing and payment systems utilised across the Council as opposed to procurement of a new software system.
- 5.4 The current financial projections are that the selective and additional licensing scheme will require £3.3m expenditure over the five-year scheme period, including £2.5m staffing expenditure, based on a staff resource of 9.5 staff. These figures are provisional and are subject to further financial modelling, to be informed by consideration of the final consultation feedback.
- 5.5 Scheme operating costs will be required to be covered by the licence fee income. The Council is not legally able to generate a profit on the scheme, and income is ring-fenced to the scheme. Proposed licence fees, as set out in the Appendix B, have been consulted on and will be reviewed when the final consultation responses have been received and considered. The financial modelling will be updated based on the final fee structure and the projected operating model, which will depend on the level of online digital and automated processing established for the scheme.
- 5.6 Each type of license places a list of Conditions on a landlord as well as requiring a one-off license fee which will cover either 5 years or the proportion of time left of the 5 years.
- 5.7 The list of Conditions is appended as Appendix B and the schedule of fees is appended as Appendix A.

6 INTRODUCTION OF AN IMMEDIATE ARTICLE 4 DIRECTION

- 6.1 At its meeting in October 2022, Cabinet approved the introduction of an Immediate Article 4 Direction for small HMOs in 7 wards, as well as approval for a joint consultation exercise on both the Immediate Article 4 Direction for small HMOs and proposed Landlord Licensing.
- 6.2 The Council commenced the consultation process on 14th November and on 17th November 2022, an Immediate Article 4 Direction was introduced into the following 7 wards (the same ones proposed for Additional Licensing).
 - Figge's Marsh
 - Graveney
 - Longthornton
 - Pollards Hill
 - Colliers Wood
 - Cricket Green
 - Lavender Fields
- 6.3 The Immediate Article 4 Direction came into force immediately on 17th November, and subject to consideration of the consultation responses and representations, will be Confirmed at Council in April 2023.
- 6.4 It is necessary to Confirm an Article 4 Direction within 6 months of commencement or it lapses.

- 6.5 There is a clear legal process to be followed for the introduction of an Article 4 Direction which is as follows:
- The Council must give notice of a Direction to be made by site notices and press notice, for a period of not less than six weeks. The General Permitted Development Order 2015 requires notice to be served on the owner and occupier of every part of the land within the area or site to which the Direction relates unless the local planning authority considers that individual service is impracticable
 - A copy of the Direction and the relevant maps must be sent to the Secretary of State on the same day that the notice is first published. Any statutory undertakers and the Crown will also need to be sent individual letters with a copy of the Direction. A copy of the Direction including its associated maps to which it applies should also be placed on the Council's website
 - A period of at least 21 days will need to be specified in the Direction, stating the date on which that period begins and within which any representations concerning the Direction may be made to the Local Planning Authority. Any representations received must be duly considered by the Council before a decision is made whether or not to confirm the Direction.
 - The Article 4 must be Confirmed within 6 months, or it will lapse, and a second notification made to the Secretary of State at the time of Confirmation
 - The Secretary of State has the power to pause or stop the Article 4 at any time.
- 6.6 The above process was followed and exceeded with a wider number of individuals and bodies notified and consulted than was required under the statutory process. The actual consultation took place over ten weeks as opposed to six.

7 EVIDENCE FOR AN IMMEDIATE ARTICLE 4 DIRECTION

- 7.1 It is necessary to produce robust evidence in support of the introduction of an Article 4 Direction. It is also necessary to limit the Article 4 Direction to the smallest geographical area possible as opposed to following a blanket approach across the borough.
- 7.2 Failure to do this can lead to intervention by the Secretary of State who has the power to request that the Council either pause or stop the Article 4 Direction. The Secretary of State is notified at two points in the process – at the initial stage of introducing the Article 4 Direction and at the Confirmation stage.
- 7.3 A response was received from the Secretary of State on 23rd December 2022. It stated that "...We are grateful to the council for the material already provided to support its decision to make this Direction. We or the policy team will be in contact if we require any additional evidence to assist with our assessment of the Article 4 direction and will inform you in writing of the Secretary of State's decision in due course. Please do not assume that the

Article 4 Direction has met the policy tests until you are notified by the Department.”

- 7.4 The National Planning Policy Framework advises that all Article 4 Directions should be applied in a measured and targeted way. They should be based on robust evidence and apply to the smallest geographical area possible.
- 7.5 It further states, that other than for those where it relates to a change from non-residential use to residential use, Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area.
- 7.6 This is further explained in Government Planning Guidance which states that the potential harm that the Article 4 Direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to a wide area (e.g. those covering a large proportion of or the entire area of a local planning authority, national park or area of outstanding national beauty).
- 7.7 For an Immediate Article 4 Direction, additional evidence is required in that the circumstances in which an immediate direction can restrict development are limited. Immediate directions can be where the development presents an immediate threat to local amenity or prejudices the proper planning of an area.
- 7.8 Merton has used data from a number of sources to inform its decision on whether a non-immediate or immediate Article 4 should be introduced, as well as to determine the geographic area – in effect wards – that should be selected.
- 7.9 To ensure that the Council has robust data as required by the National Planning Policy Framework, the Council has analysed its existing planning and licensing records on the PRS and specifically HMOs including anti-social behaviour complaints and other complaints made to the Council. The Council’s Housing Needs team procured a data management company, Metastreet, to provide information on the private rented sector in Merton.
- 7.10 The analysis uses data on council tax records, turnover of council tax names, complaints received by the Council on Anti-Social Behaviour, levels of serious hazards, particularly the most serious hazards, receipt of benefits and other statistics and overlays the data to predict the likely numbers and locations of HMOs and whether there is a link between HMOs and immediate threats to local amenity and the proper planning of any areas in Merton.
- 7.11 As the data demonstrates, HMOs are accessible to many of Merton’s residents who are in receipt of housing benefit and who cannot afford to access other forms of private rent. The data demonstrates that this is more prevalent in the east of the borough, which is less affluent than western wards.
- 7.12 Although this is extensive data analysis, it is far less likely to pick up shared houses and flats (HMOs) where tenants have no anti-social behaviour complaints, don’t have Category 1 hazard records against the property, are in a stable tenancy, and are not in receipt of benefits.

- 7.13 This helps to identify the poorest performing HMOs but not all HMOs; for example, people renting property on a long-term tenancy that aren't in receipt of housing benefit or don't have anti-social behaviour will not be identified by this data.
- 7.14 The data tells us that Graveney, Longthornton, Pollards Hill, Figge's Marsh, Cricket Green, and Colliers Wood wards are likely to have more HMOs that are causing harm to the wellbeing of the area and are an immediate threat to local amenity. This is detailed in the Metastreet report (available on the webpage www.merton.gov.uk/prsconsultation) and is based on the extensive analysis they carried out.
- 7.15 While Lavender Fields ward is ninth in the list of wards with the poorest performing HMOs, it is included in the Immediate Article 4 Direction as it is surrounded to the north, east and south by wards with the worst performing HMOs (with the western side bordering a non-residential area. It is the sixth highest ward for numbers of complaints the Council receives on the private rented sector, and numbers of reports of anti-social behaviour, and it is characterised by housing stock that is typically used as Houses in Multiple Occupation.
- 7.16 The Council considers that this provides robust evidence to require an Article 4 Direction to protect local amenity and the wellbeing of the area.
- 7.17 Some of the most relevant maps/charts illustrating ward selection are shown below in Figs 1 to 4.
- Fig 1: Map of predicted geographic location of the worst performing HMOs by Ward
 - Fig 2: Graph of predicted geographic location of the worst performing HMOs by Ward (same info as Fig 1 presented differently)
 - Fig 3: Total number of complaints received by the Council relating to the Private Rented Sector (PRS) and on anti-social behaviour by Ward
 - Fig 4: Graph of anti-social behaviour linked to HMOs by Ward

Figure 1 – map of predicted geographic location of the worst performing HMOs by ward (source: [Metastreet](#); same data as Figure 2 graph)

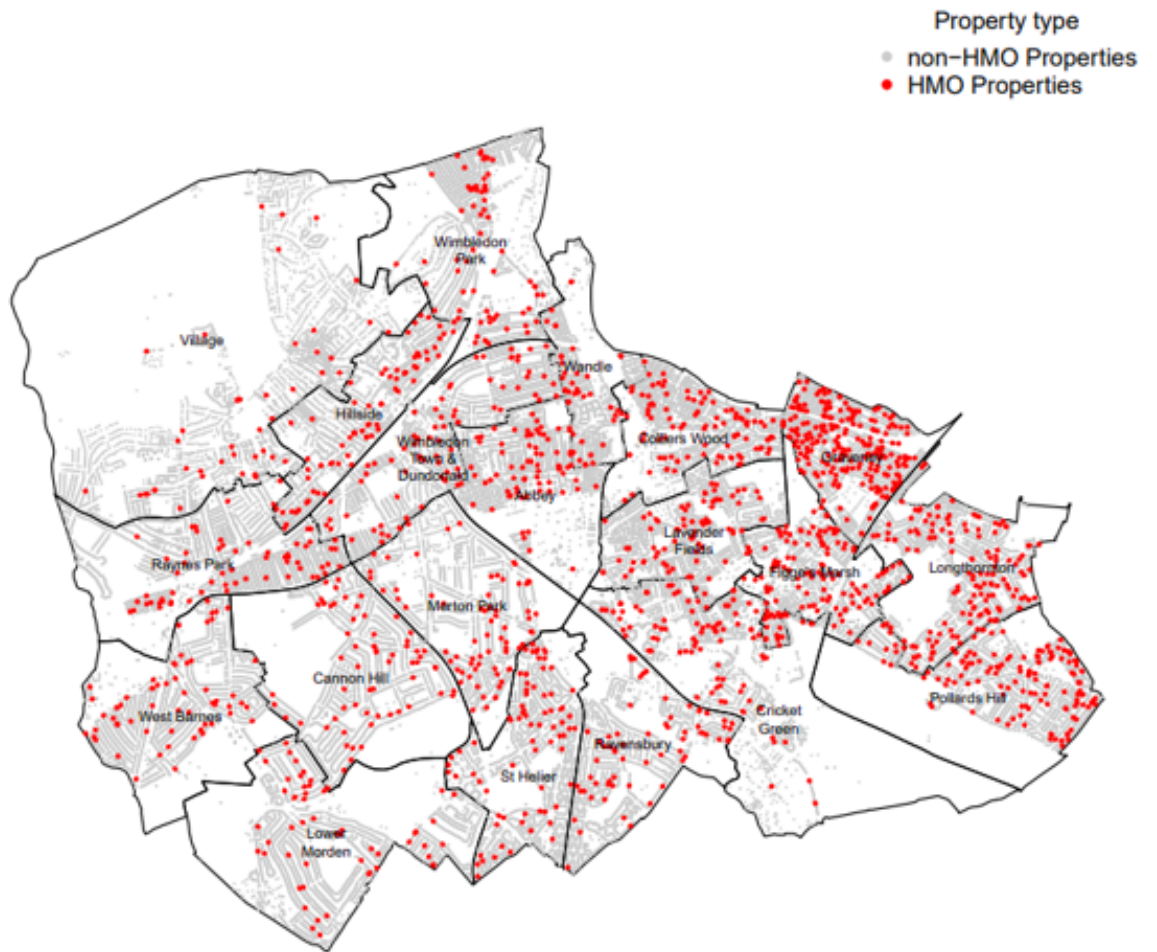


Figure 2: graph of predicted geographic location of the worst performing HMOs by ward (source: Metastreet; same data as Figure 1 graph)

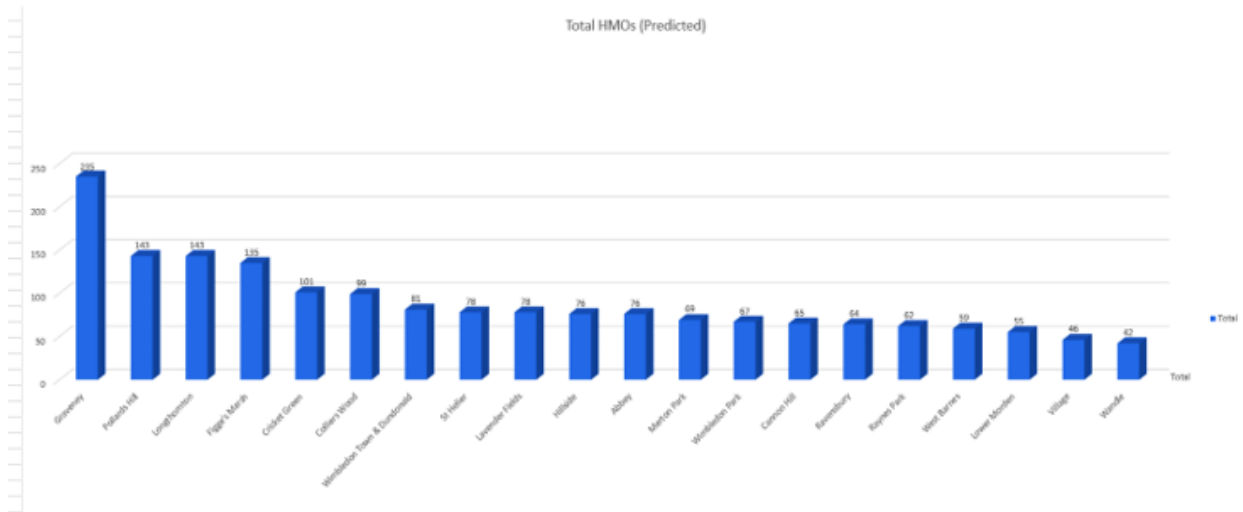


Figure 3: total number of complaints received by the council relating to the private rented sector and on anti-social behaviour

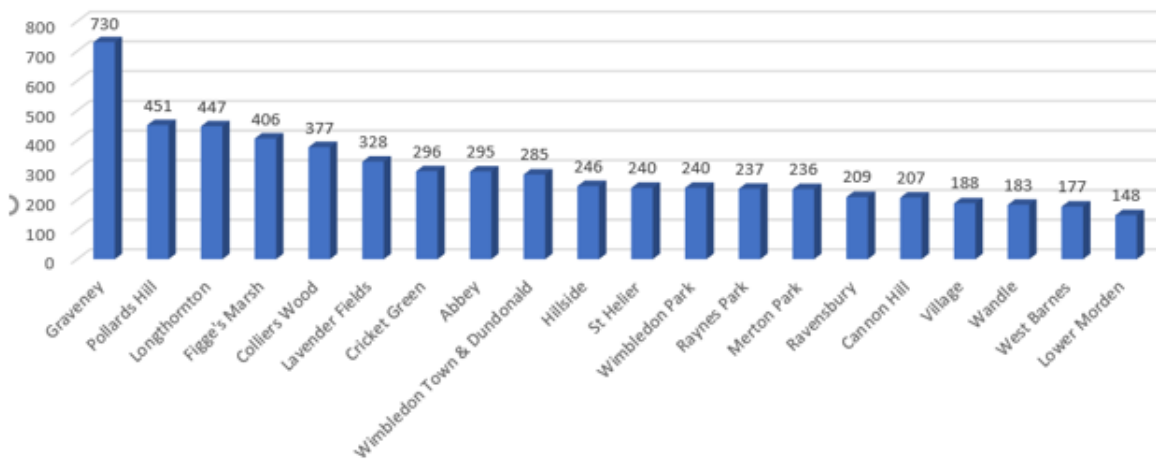
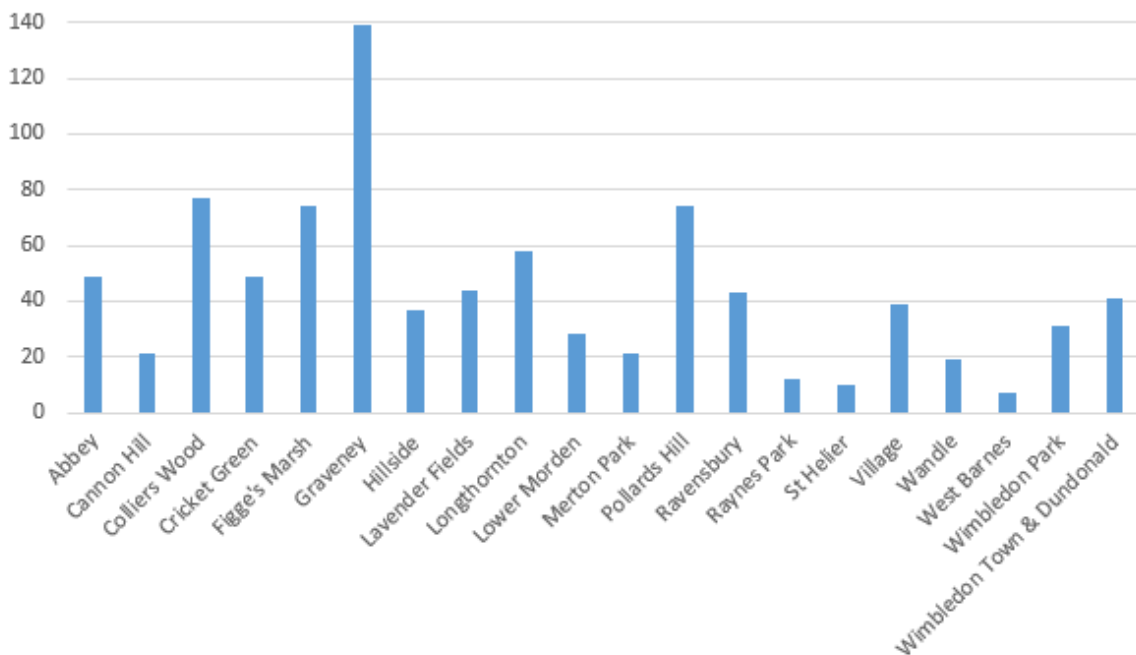


Figure 4: ASB linked to HMOs. Graveney (139) has the highest recorded ASB incidents linked to HMOs



7.18 In addition to the extensive Metastreet data, consideration was given to the frequent complaints being received by several different service areas, including Environmental Health and Planning Enforcement amongst others. Numerous complaints were being received in the year preceding the introduction of the Immediate Article 4 Direction, from MPs; Councillors; and residents, on a regular basis.

7.19 Many of these outlined the harm being caused to local areas and the wellbeing of residents through the many small and badly managed HMOs which were springing up and not being controlled due to being allowed under Permitted Development Rights and in many cases being either too small to be covered by mandatory licensing or avoiding licensing.

7.20 Whilst many issues such as anti-social behaviour and fly-tipping can be dealt with once they have occurred by services and controls such as Environmental Health, it was felt that it was imperative to tackle the problems at source, proactively rather than reactively. Requiring small HMOs to apply for Planning Consent ensures that consideration is given at the time of development to adequate waste facilities; outside amenity space; appropriate internal layout and design; consideration of parking impacts; and proposed external changes which may be out of keeping with the neighbourhood.

7.21 It was agreed that due to the immediate threat posed to the amenity of the area by the many instances of complaints being reported relating to HMOs without planning permission, an Immediate Article 4 Direction was the only option for the Council to prevent further threats to local amenity not only to the areas selected but to local residents, many of whom were distraught by the issues, as well as to protect the wellbeing of tenants who were at risk due to inadequate facilities.

8 IMPACT UPON HOUSING NUMBERS

- 8.1 HMO's are undoubtedly an important source of housing within London as a whole and specifically within Merton. This is recognised in the London Plan 2021 and Merton's own Local Plan.
- 8.2 HMO's provide housing for some of the most vulnerable in our society and flexible accommodation for many people who need to change home due to education requirements; work; family break-ups; or other personal circumstances.
- 8.3 Undoubtedly, HMO's provide a valuable contribution to Merton's overall housing capacity. However, it is really important to ensure that the quality of HMO's is adequate to meet the needs of tenants, without affecting their health and safety and also, that badly managed HMO's, or HMO's that are badly designed with inadequate facilities, do not lead to unacceptable impacts upon the amenity of areas and the wellbeing of residents.
- 8.4 For this reason, where Merton has identified that there is harm being caused to both residents and tenants by poorly designed and managed HMO's, the Council has brought in an Immediate Article 4 Direction – as well as considering proposals to extend mandatory licensing to smaller HMO's in the form of Additional Licensing.
- 8.5 There are concerns from landlords and from the NRLA that the introduction of the Article 4 Direction will result in a reduction or stagnation in housing numbers. However, there is no evidence that this is the case. Additionally, it should be noted that the Article 4 Direction cannot be applied retrospectively so will not affect small HMOs already in operation, although evidence such as a tenancy agreement will need to be provided, if the landlord has not already obtained a Lawful Development Certificate. The additional cost of applying for planning is also relatively low when compared to the potential rental income – for instance, Merton has above average rents for London, with 45.9% of median earnings used to pay rent (source TFL 2020). Therefore it is unlikely to result in a significant number of landlords choosing not to enter the HMO market.
- 8.6 The introduction of an Article 4 Direction will not mean that it is impossible to convert a single-family dwellinghouse into a small HMO. It will mean, however, that the Council will be able to manage the impact of such conversions and will be able to ensure that they are of an appropriate standard and that they do not give rise to a harmful impact on amenity or wellbeing of the area.
- 8.7 It is considered that, combined with the Council's proposed additional licensing scheme which aims to improve housing conditions and standards of management in the private rented sector and to reduce ASB associated with poorly managed HMO's, the Article 4 Direction will be an effective measure to ensure an increase in the standards of HMOs in the borough and to manage their impacts on wider amenity.

9 RISK OF COMPENSATION CLAIMS

- 9.1 As stated in the October and March Cabinet reports, whilst a non-immediate Article 4 Direction, gives 12 months' notice of its introduction, an Immediate Article 4 Direction leaves the Council open to the risk of compensation claims.
- 9.2 A property owner who wishes to change the use of a property from a C3 dwelling to an HMO following the introduction of the Immediate Article 4 Direction and loss of permitted development (PD) rights becomes eligible to claim compensation from the Council provided:
- They submit a planning application within 12 months of the commencement of the Immediate Article 4 Direction; and;
 - Either Planning Consent is refused; or;
 - Planning Conditions are applied to the approval that would reduce the value of the development.
- 9.3 In this instance, the cut-off date for submitting a valid planning application is 16th November 2023 – although the refusal can be at any time after this.
- 9.4 The measure of compensation in a compensation claim follows the rules for compulsory purchase compensation in Section 5 of the Land Compensation Act 1961 and is essentially the difference in the value of the subject property with and without the right to change to an HMO.
- 9.5 Claims could include such matters as:
- Expenditure in carrying out work which has been rendered abortive. It should be noted that this work should have been undertaken prior to the introduction of the Immediate Article 4
 - Loss/damage attributable to removal of Permitted Development (PD) rights i.e., difference between price paid for building with existing use compared with open market value of building with prior approval
 - Reduction in profit in carrying out 'lesser' development where permission refused
 - Cost of complying with Conditions
- 9.6 Claims would be made to the Council and if not agreed, would be determined by the Upper Tribunal of the Land Chamber
- 9.7 In the October Cabinet report, whilst it stated that it was not possible to quantify the cost of compensation claims, 2 statements were made:
- the typical cost of converting a family home to a small (6 bed and under) HMO could be between £10,000 to £30,000

- It has not been possible to identify the difference in value between a small 6 person HMO as opposed to a family home. London property agents have advised that there may well be no difference in value due to a potentially reduced market for an HMO; how well a property has been converted; whether the buyer would need to convert it back to a family home etc. Having said this, as rents are increasing in London, it could be that some purchasers would be willing to pay more for a property with good rental yield.
- 9.8 At the Landlords' Forums, there was criticism of both statements. In particular, the Forums were attended by several larger developers/landlords who develop many HMOs and who are at the upper end of the market as opposed to the many one-off, smaller, landlords. These bigger developers produce schemes which not only meet, but in many cases, far exceed the minimum standards required for an HMO with en-suite bedrooms; extensions; high quality renovations and furnishings.
- 9.9 Such conversions could cost between £100,000 to £300,000 (using their stated costs) so far above the £10,000 to £30,000 quoted. However, these are not typical small HMO conversions, they are at the top end of the market and aiming to attract high rents from professionals. Due to the nature and cost of these conversions any difference in sales value between an HMO and a family home, could also be significantly different.
- 9.10 It is very important to note that whilst the amounts spent on these conversions and property values could run into hundreds of thousands of pounds, the standards required of an HMO are not only met but exceeded, so in general there should be no reason for planning consent to be refused, or Planning Conditions applied that reduce the value, and therefore, no compensation claim could be submitted. An exception to this might be if parking restrictions are Conditioned.
- 9.11 It needs to be born in mind that the amount of compensation, if any, that might be recovered is dependent on the circumstances of a particular property. For example a house that is less suitable for a family, e.g. because of location, lack of amenity space or the number of floors might have a higher value as an HMO compared with a C3 use. Equally, the converse might be true.
- 9.12 Following a Legal Challenge to the Immediate Article 4 Direction, advice from an external Barrister been sought on a number of issues including whether the correct process has been followed, and what could be considered under a compensation claim.
- 9.13 The advice received confirmed that the Council had followed the correct procedure for implementing and consulting on the Immediate Article 4 Direction.
- 9.14 The advice further confirmed what could be claimed for should a compensation claim be submitted, and that these would have to be assessed on a claim-by-claim basis.

10 ASSESSING PLANNING APPLICATIONS CAUGHT BY THE ARTICLE 4

10.1 It is very important to note that:

- Small HMOs that were already operating or ready for occupation prior to the introduction of the Immediate Article 4 on 17th November 2022 are not affected – although evidence of being completed will be required.
- Compensation Claims are only applicable to planning applications submitted within 12 months of the start of the Immediate Article 4 Direction, so by 16th November 2023, which have subsequently either been refused or had Planning Conditions applied that reduces the value of a development.

10.2 A planning application is either dealt with by an officer under Delegated Authority or called into Planning Application Committee (PAC) by a Member, or referred to PAC due to the number of objections received. As well as policies in the Council's Local Plan and the London Plan 2021, there are very clear standards against which HMOs are assessed by planning officers which consider such issues as Licensing space standards; design/layout; amenity space; waste provision; parking. They also seek the view of relevant officers in other teams such as the HMO Officer; Waste Officer; and Parking Officer.

10.3 A number of these are set out in a Housing document called HMO's – Requirements which is available on Merton's website: [Microsoft Word - HMO Requirements \(July 2021\) \(merton.gov.uk\)](https://www.merton.gov.uk/merton-hmo-requirements)

10.4 The Council's [new Local Plan](#) is being examined by independent planning inspectors who have undertaken two public enquiries in 2022 and have stated that their final report is likely in spring 2023.

10.5 The Planning Policy Team is drafting a supplementary planning document (SPD) to provide planning guidance on assessing future planning applications for HMOs across the whole borough, to supplement the existing planning policies that already apply to HMOs in Merton. Topics that will be covered will include space standards, travel and parking, noise, bins and bike storage, and other local amenity issues. The SPD will also signpost to the Council's licensing regime for HMOs and clarify what is dealt with under planning rules and what is considered under licensing to ensure that applicants, decision-makers, tenants, landlords and neighbours are clear how the Council is promoting higher standards in the private rented sector.

10.6 All councils are required to carry out at least six weeks' public consultation on Supplementary Planning Documents. Recommendation E (for Cabinet) of this report proposes delegating approval to start the public consultation to the Executive Director of Housing and Sustainable Development in consultation with the Cabinet Member for Housing and Sustainable Development to accelerate the timetable for starting the consultation on the SPD, once drafted.

10.7 The SPD will be drafted based on the new policies in the Council's emerging Local Plan as these contain more up-to-date policies on design, pollution, travel and parking and other amenity issues that are relevant to guide HMOs.

Developing the HMO guidance base on the newest planning policies will also prevent the SPD being out of date as soon as the new Local Plan is adopted.

- 10.8 The timetable for producing the new SPD will be confirmed with the Cabinet Member and is likely to be published for consultation in Spring 2023, linked to the Council's Local Plan.
- 10.9 Planning Applications Committee (PAC) Members have received a briefing session on the introduction of the Immediate Article 4 Direction and the assessment of HMO applications to ensure that they are fully up to date on issues that are relevant when considering planning applications for HMOs.
- 10.10 Consideration is also being given to a PAC site visit to an example of a high standard HMO with the developers providing information on how house shares of today are:
- Purchased
 - Converted
 - Run
 - Professionally and compliantly managed

11. CONSULTATION RESULTS FOR ARTICLE 4 DIRECTION

11.1 Results from the Forums

As stated in Section 3, three Landlord Forums (one purely on Article 4) and one Stakeholder Forum were held, both virtually and in person, during both the day and evening to maximise attendance. Overall, landlords who attended the events and expressed views, were cautious of the Council's Immediate Article 4 Direction. They mostly questioned its immediacy and the impact that it could have on landlords/developers already in the process of converting properties into small HMOs. The potential to reduce antisocial behaviour and availability of affordable housing was also questioned, amongst other issues.

- 11.2 Some key themes were noticeable, including:
(Note: a full summary provided by ORS is attached as **Appendix D**)

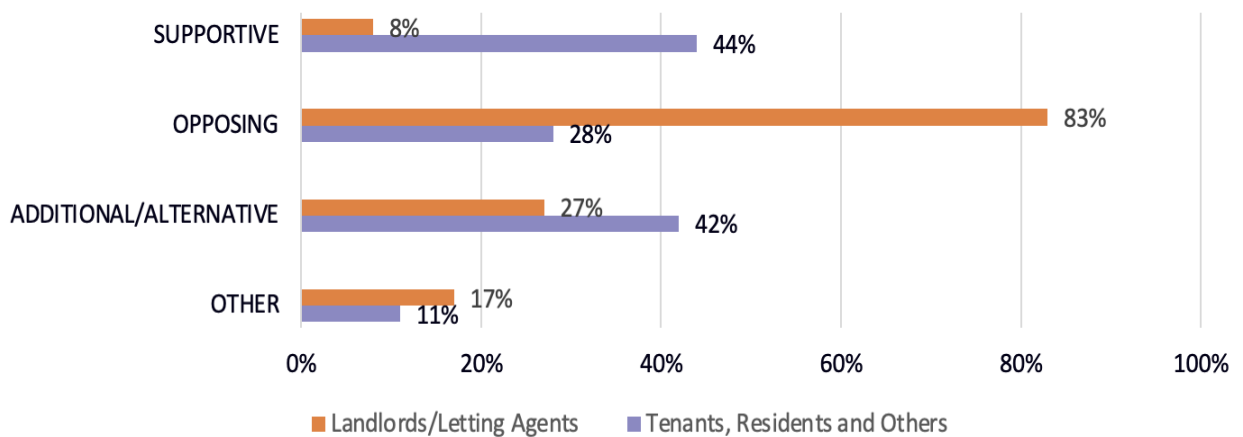
- **Evidence used for the Immediate Article 4 Direction**
Was there adequate evidence to justify it and how did this compare across other London Boroughs
- **Ability to reduce issues**
Are planning controls the right method to reduce ASB and couldn't licensing tackle problems more effectively
- **Potential impact on availability of HMOs and affordable housing**
Some seemed to feel affordable housing could be impacted and in any case the amount of HMO accommodation would be reduced
- **Immediacy of the Article 4 Direction and potential for planning decisions to be delayed or denied**
Considerable concern over this point from landlords who were already in the process of developing properties and were concerned about the cost of delays and whether they would even be granted planning permission

- 11.3 **Article 4 Representations Direct to the Council**
As well as responding to the questionnaire or attending a Forum, there was the opportunity to make a direct representation to the Local Planning Authority (the Council) by emailing Future Merton.
- 11.4 In total 15 different individuals or organisations made direct representations to the Council, including 9 landlords, a for-profit housing association operating in the borough, a legal representative, an MP, and one other who did not categorise themselves.
- 11.5 The full responses received are available (without personal information) on our webpage: www.merton.gov.uk/prsconsultation.
- 11.6 2 respondents were supportive of the initiative, with one respondent stating it should be extended to other parts of the borough.
- 11.7 In addition to the written responses, several phone calls were received by the Future Merton and Development Management teams. Those who called in were asked to also submit their representations in writing.
- 11.8 All telephone representations were calling to object to the proposals, particularly the immediate introduction of the Article 4 Direction. A summary is provided below:
- Most related circumstances where they have purchased an existing shared house in poor condition
 - Their objections are that if they'd known about the Article 4 Direction in advance, they'd either have already applied for planning permission or considered their investment differently.
 - Frustration around the lack of notice. Callers say they'd never have bothered improving the property had they known; they'd have carried on renting it in the original condition.
- 11.9 **Responses to Questionnaire**
As stated in Section 3 – Consultation Overview – a total of 487 questionnaires were received. These were categorised into different types of respondents, with some classing themselves as in more than one category – for instance a landlord could also be an owner occupier. ORS analysed the results based on the key category an individual identified with.
- 11.10 The 2 major groups – Landlords/Letting agents and Residents/Tenants made up the vast majority of respondents with these being quite similar in number. For instance, there were 215 Landlords/Letting Agents and 251 Residents/Tenants.
- 11.11 ORS were able to gather some information on the number of properties a landlord held. Whilst this information was only available for around half of landlords responding, results indicate that levels of disagreement with the Article 4 increase for landlords/letting agents with 2+ properties: 62%

disagree with the general introduction, 66% disagree with the introduction in those seven wards.

11.12 There was a specific open-ended question: **‘If you have any comments about the proposed policy to require planning permission to convert a single property into an HMO (Article 4 Direction) in some parts of Merton, or the areas that it should cover, please explain in the space below’**. The responses have been summarised in chart form. Fig 1 shows the proportions making comments split by high level theme (support, oppose etc) and Figs 2 to 5 indicate the proportions making detailed points within each of the overall themes. Not all respondents provided detailed comments, as can be seen from the limited base sizes shown.

Figure 1: High level summary



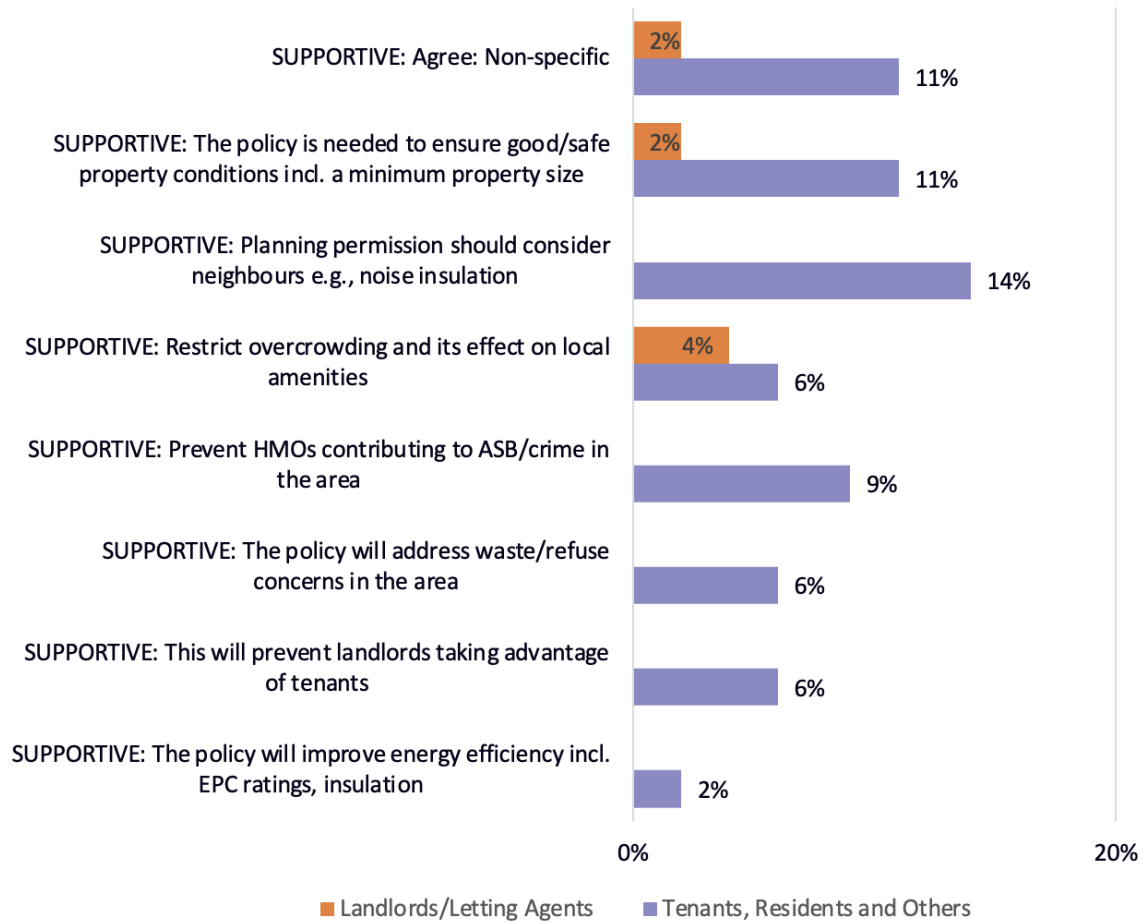
Base: Landlords/Letting agents (52 respondents, 70 comments), Tenants, Residents etc (64 respondents, 80 comments)

11.13 83% of landlords/letting agents providing a comment said something in their response which opposed the Immediate Article 4 Direction with only 8% saying something in support. Tenants/Residents/Others were more likely to say something in support with over 44% doing so.

11.14 Tenants/Residents/Others were more likely to mention an additional/alternative proposal with 42% who provided a comment mentioning one in their response. This compares with 27% of Landlords/Letting Agents mentioning an additional/alternative proposal.

11.15 There were only 3 responses from organisations to this question, with an even split of supportive/opposing comments and additional/alternative proposals provided.

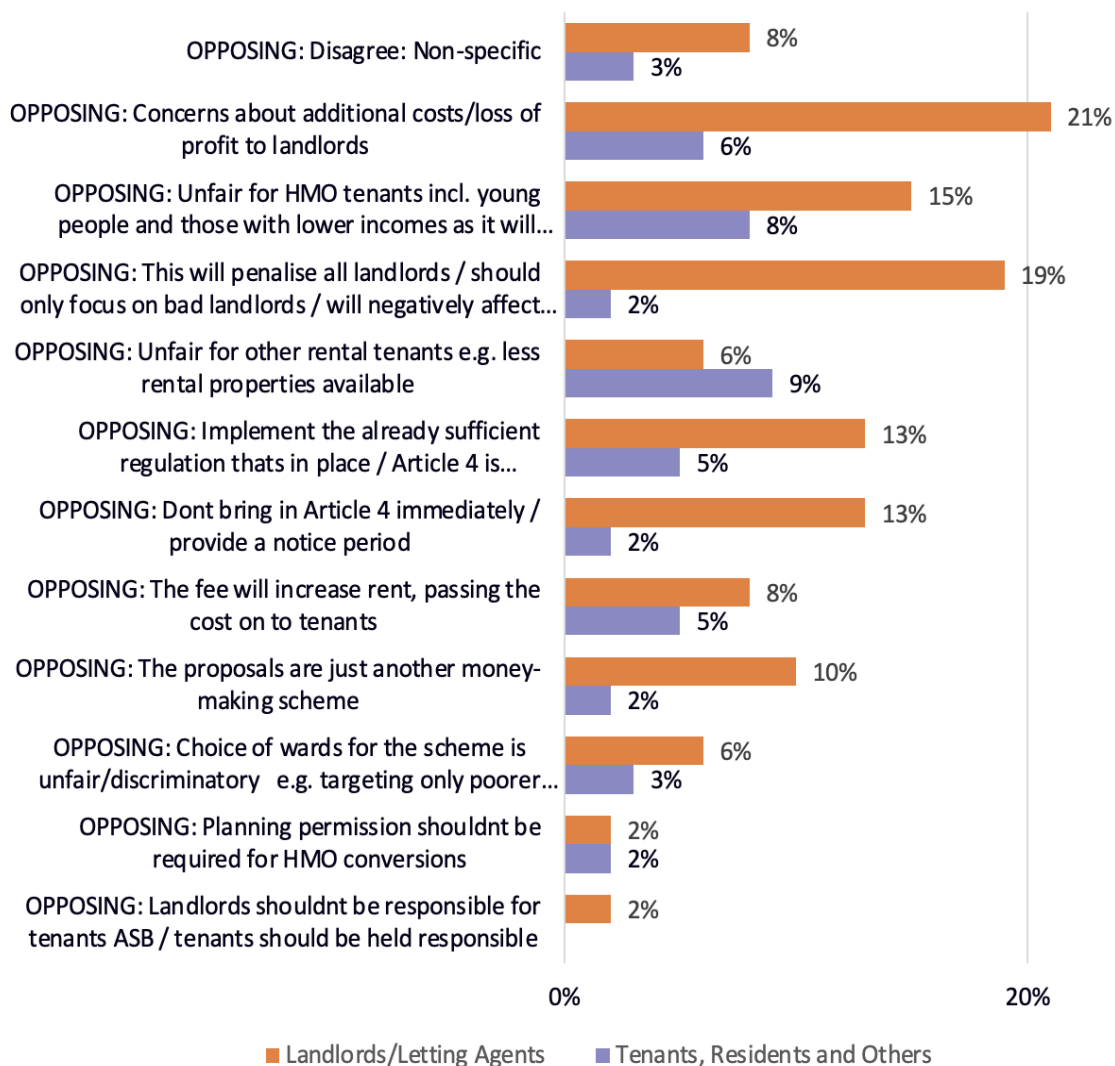
Figure 2: Supportive responses



Base: Landlords/Letting agents (52 respondents), Tenants, Residents and others (64 respondents)

- 11.16 14% of Tenants/Residents/Others providing a comment thought the planning permission should consider neighbours e.g. noise insulation, with a slightly smaller proportion (11%) saying the policy is needed to ensure good/safe property conditions including a minimum property size.
- 11.17 4% of Landlords/Letting Agents who gave a response said it would restrict overcrowding and its effect on local amenities.

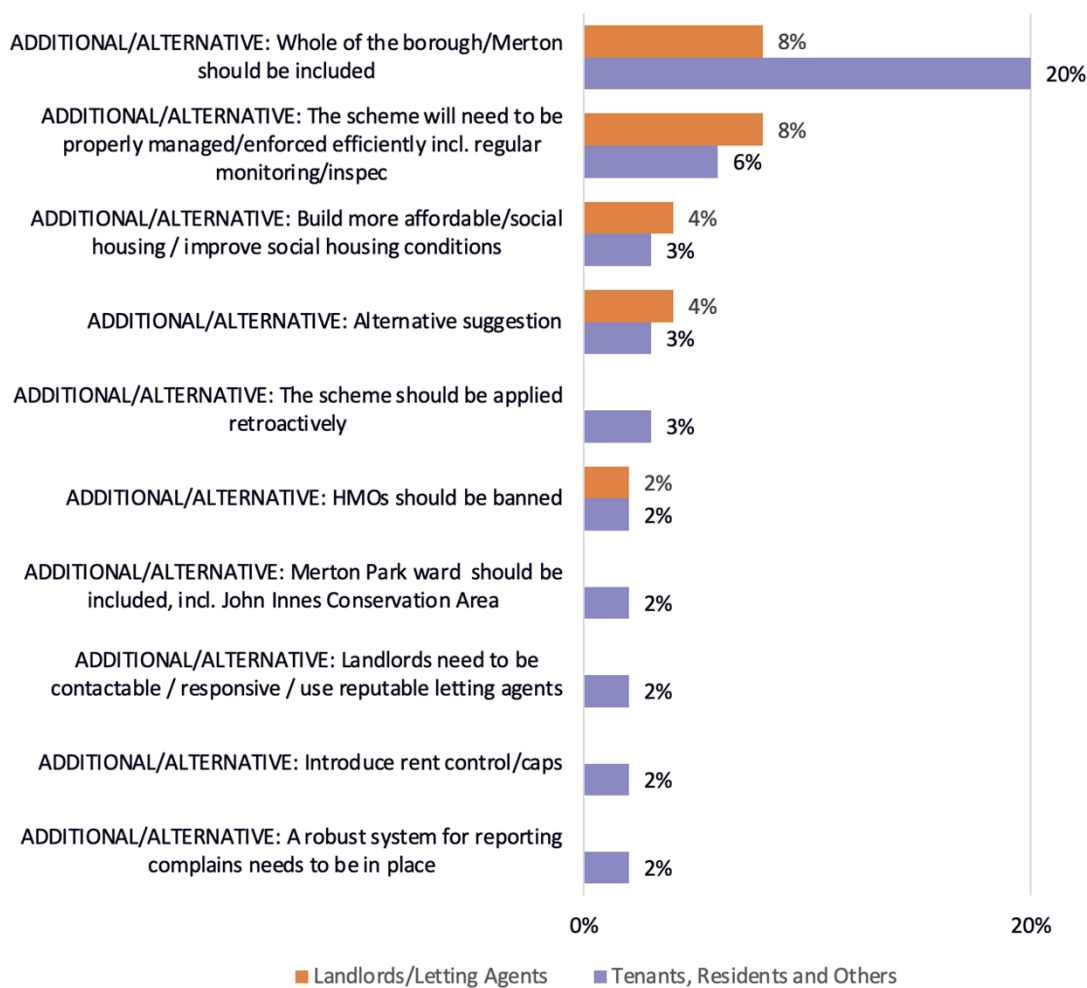
Figure 3: Opposing responses



Base: Landlords/Letting agents (52 respondents), Tenants, Residents and others (64 respondents)

- 11.18 21% of Landlords/Letting Agents who gave a response had concerns about additional costs/loss of profit to landlords, with 19% saying it will penalise all landlords/should only focus on bad landlords/will negatively affect good landlords.
- 11.19 Just under a tenth of Tenants/Residents/Others who provided a comment thought it would be unfair for HMO tenants including young people and those with lower incomes, and also other rental tenants, as it will reduce the amount of available properties often sought out by these groups.

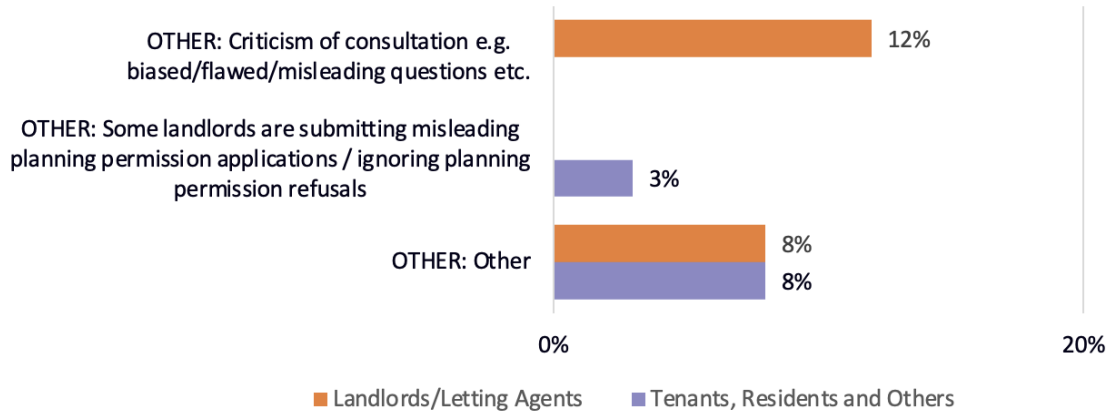
Figure 4: Additional/alternative responses



Base: Landlords/Letting agents (52 respondents), Tenants, Residents and others (64 respondents)

- 11.20 A fifth of Tenants/Residents/Others who gave a response suggested that the whole of the borough/Merton should be included and 6% highlighted the scheme will need to be properly managed and enforced efficiently.
- 11.21 8% of Landlords/Letting Agents providing a comment mentioned that the scheme will need to be properly managed and enforced efficiently with the same proportion suggesting the who whole of the borough/Merton should be included.

Figure 5: Other responses



Base: Landlords/Letting agents (52 respondents), Tenants, Residents and others (64 respondents)

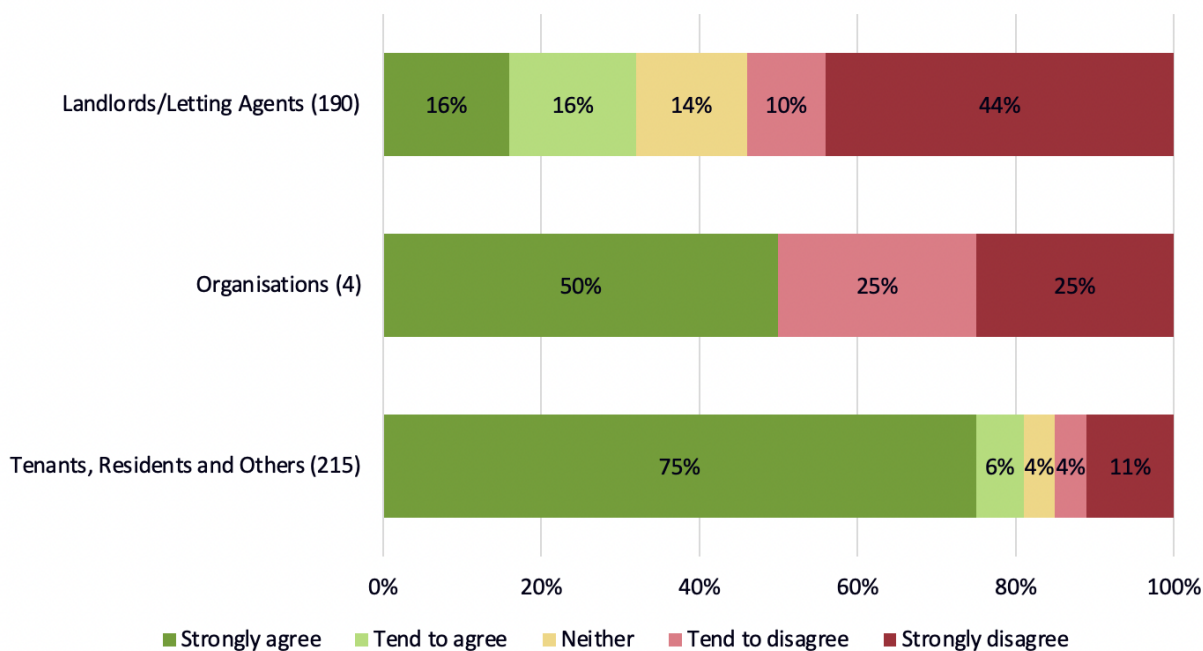
11.22 Fig 5 summaries the other type of comments provided not falling into any of the previous categories of response.

11.23 In addition to the expected concerns expressed by landlords around the immediate introduction of the Article 4 Direction, and the resulting risk to developers and potential compensation claims to the Council, the following points were made via the questionnaire:

- I understand that the Article 4 Direction relates only to the change from Class C3 (dwelling house) to Class C4 (small HMO), and not to changes from C4 to C3. If the latter was also contemplated, that would affect the flexibility with which landlords could use their premises and encourage / risk them leaving the sector.
- The rules outlined would treat the rental of a property to parents who are not married with a child from a previous relationship as an HMO (with only 3 people living in the house). Are un-married couples considered 1 or 2 households? When plans are submitted it may not be known who will be renting the property and the dynamics of the family.
- We think what the council should do is to introduce selective/additional licensing schemes to improve HMO standards then it's a win-win situation for the tenants and council. I am in favour of private landlord registration so that the tenants can check the properties meet all the standard on the website. The key thing is to help landlords increase rental property supplies and improve the standards. HMO article 4 works exactly the opposite.

11.24 The charts below (fig 6 to 9) represent the numerical responses to questions contained within the questionnaire. These are grouped by primary respondent.

Figure 6: Agreement with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction), in some parts of Merton

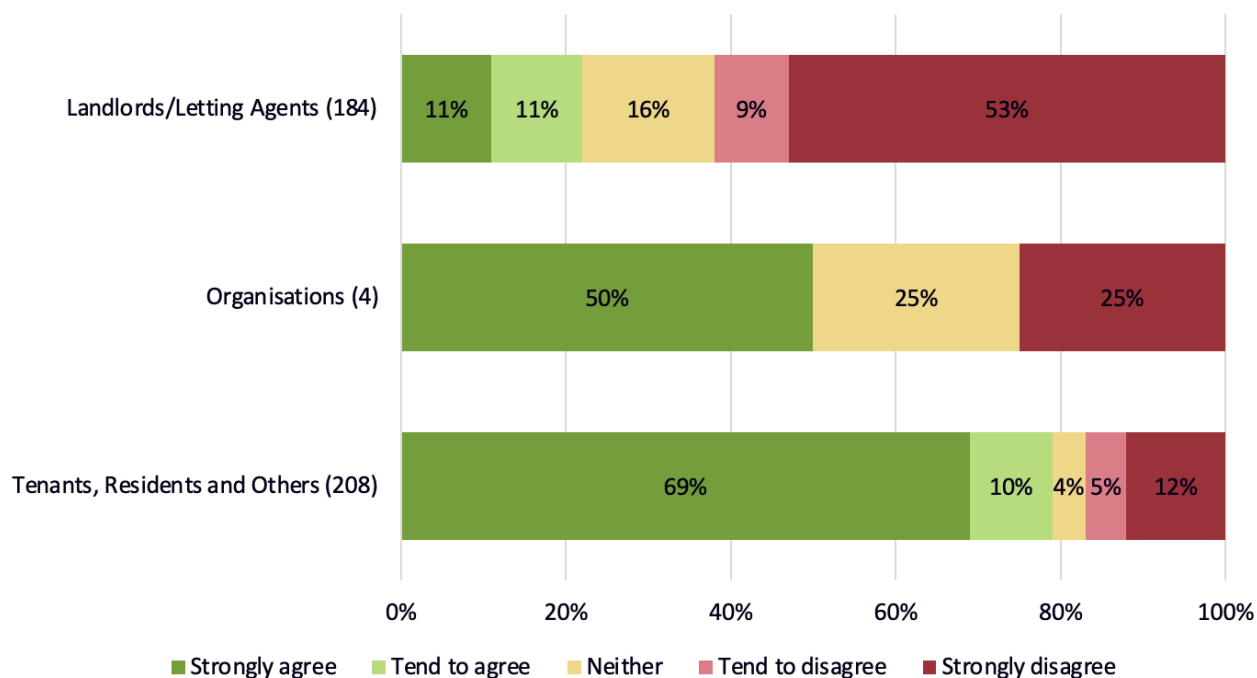


Base: Numbers in brackets show the number of respondents giving a valid answer within each sub-group

11.25 Almost a third (32%) of landlords/letting agents were in agreement with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction) in some parts of Merton, but more than half (54%) disagreed. There was an even split in agreement and disagreement between organisations. It should be noted that the results for organisations are only based on 4 cases.

11.26 Tenants/residents/others, however, were far more supportive with 81% in agreement, and only 15% in disagreement.

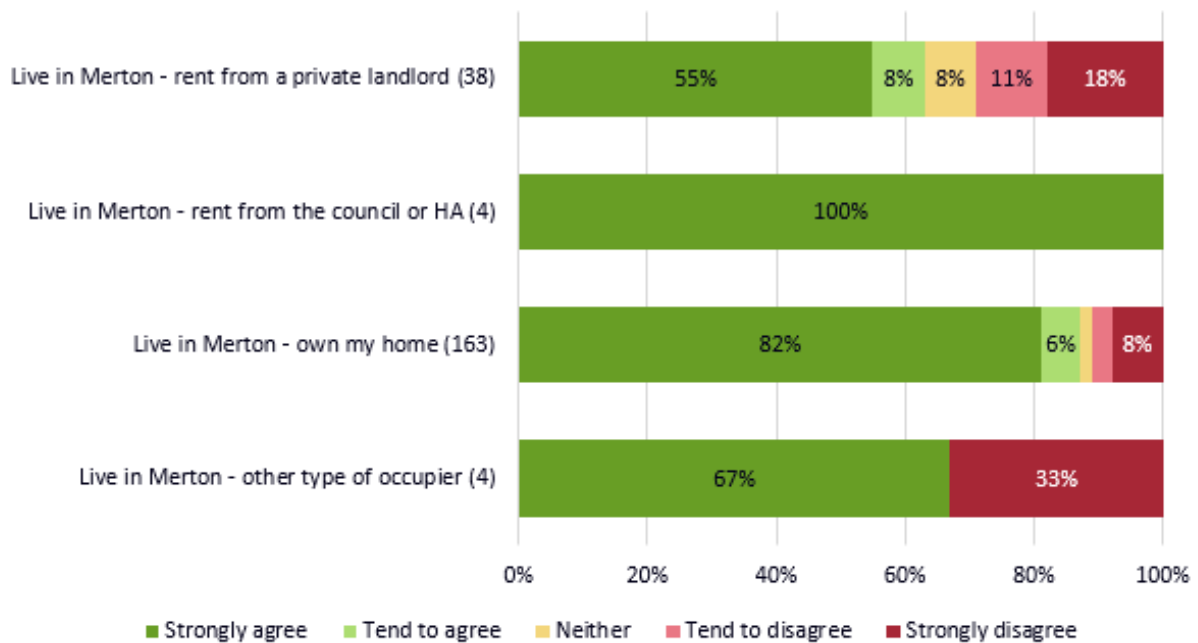
Figure 7: Agreement with the Council’s proposal to introduce this policy (Article 4 Direction) covering seven particular wards



Base: Numbers in brackets show the number of respondents giving a valid answer within each sub-group

11.27 Just over a fifth (22%) of landlords/letting agents were in agreement with the Council’s proposal to introduce this policy (Article 4 Direction) covering seven particular wards, but nearly two-thirds (63%) disagreed. Tenants/residents/others were far more supportive, with nearly four-fifths (79%) in agreement and only 17% in disagreement. It should be noted that the results for organisations are only based on 4 cases.

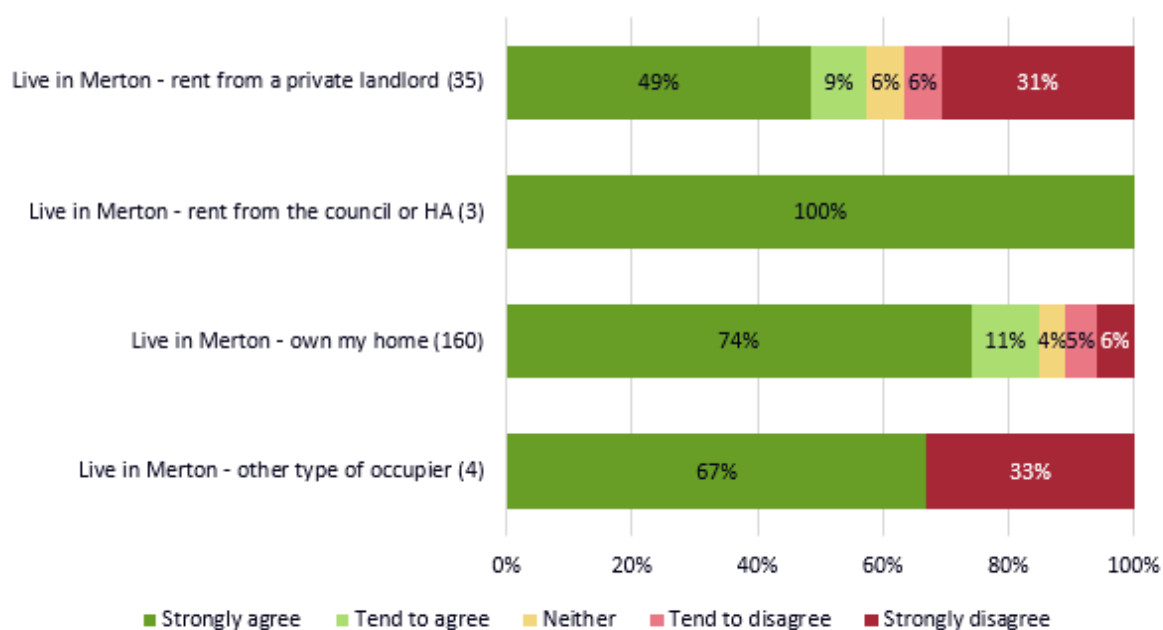
Figure 8: Agreement with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction), in some parts of Merton (only respondents who live in Merton and are not landlords)



Base: Numbers in brackets show the number of respondents giving a valid answer within each sub-group

- 11.28 87% who live in Merton and own their home agreed with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction), in some parts of Merton. In contrast, the proportion of those living in Merton and renting from a private landlord who agreed was somewhat lower at 63%
- 11.29 It should be noted that the results for those who live in Merton and rent their home from the Council or housing association or live in Merton as another type of occupier are both based only on 4 cases.

Figure 9: Agreement with the Council's proposal to introduce this policy (Article 4 Direction) covering seven particular wards (only respondents who live in Merton and are not landlords)



11.30 85% of those who live in Merton and own their home agreed with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction), covering seven particular wards in Merton. In contrast, the proportion of those living in Merton and renting from a private landlord who agreed was somewhat smaller, although still more than half (57%).

11.31 It is worth noting that the results for those who live in Merton and rent their home from the council or housing association or live in Merton as another type of occupier are only based on 3 and 6 cases respectively.

Summary of Consultation Outcome

11.32 The results, from questionnaires; forums; and direct representations to the Local Planning Authority, clearly indicate that whilst there is considerable concern from landlords, there is overwhelming support from residents and tenants for the introduction of a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction) in some parts of Merton, with 87% of those who own their own home, and 63% of those renting from private landlords agreeing with the introduction.

11.33 Additionally, whilst a large number of landlords/letting agents (54%) disagreed with the introduction of a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction) in some parts of Merton, it is important to note that almost a third were in agreement with its introduction.

11.34 With regard to the specific 7 wards selected by the Council for the introduction of the Immediate Article 4 Direction, 79% of

- residents/tenants/others were in agreement with the Council's proposal whilst tenants renting from a private landlord were somewhat lower at 57%.
- 11.35 However, whilst 22% of landlords/letting agents responding to the questionnaire agreed with the Council's proposal to introduce the policy (Article 4 Direction) *in the seven particular wards*, nearly two-thirds (63%) disagreed.
- 11.36 When asked for comments about the proposed policy, or the areas that it should cover, one-fifth of tenants/residents/others providing a comment in the questionnaire suggested that the whole of the borough/Merton should be included and 14% thought the planning permission should consider neighbours, e.g. noise insulation.
- 11.37 Feedback concerning Article 4 indicated that landlords greatest concern related to the *immediacy* of the introduction, suggesting that a notice period should be provided to allow landlords to consider whether or not to go ahead with planned HMO conversions, and to avoid negatively affected landlords from making compensation claims against the Council. Many participants were broadly supportive of the introduction and aims of the Article 4; but felt that the introduction of an immediate directive was unfair, and that its introduction was insufficiently publicised at the time.
- 11.38 There was some concern that the guidance for HMO conversion under the Article 4 is not clear enough, creating risk and therefore stress for those wanting to convert their properties, along with the fear that planning permission would not be granted even if the stipulations of the guidance were exceeded. Related to this sentiment was the notion expressed that 'It's just more loopholes to jump through' and that the process is 'already a headache'.
- 11.39 The length of time required to get planning permission was a further concern, particularly in the case of those needing to utilise bridging finance. It was expressed that there were insufficient resources in the Council to deal with the resultant increase in applications in a timely fashion.
- 11.40 Several participants expressed the view that the Article 4 would lead to a reduction in new units of the only form of housing many residents can afford becoming available (evidence was cited that currently demand for HMOs significantly outstrips supply), and that this would be to Merton's detriment. Furthermore, there was concern that this will lead to the rents of existing HMOs increasing as supply reduces and planning costs are added to mortgages.
- 11.41 Some participants felt that the introduction of the directive was indicative of a generalised "anti-HMO" sentiment amongst members, and that that high quality HMOs were being assumed to be of detriment to the area by default simply by virtue of being a HMO, whilst conceding that there are issues with low quality HMOs.
- 11.42 The NRLA suggested that the immediate article 4 direction would lead to stagnation within the HMO sector in Merton, increasing rents and decreasing the availability of affordable housing. Public Health Merton, on the other hand, argued that the article 4 direction would likely be effective in preventing

illegal development or overdevelopment of rented properties whilst only having minimal impact on housing affordability.

- 11.43 Other comments were around using the licensing scheme and environmental health enforcement as a more appropriate mechanism for dealing with issues, rather than the planning system.
- 11.44 Additionally, some landlords felt that the true costs of compensation claims could run into hundreds of thousands of pounds and that this had been misrepresented in the Cabinet report in October 2022.
- 11.45 It was also felt that there was insufficient evidence to introduce an Immediate Article 4 Direction.

12. RESPONSE TO COMMENTS/REPRESENTATIONS RECEIVED

- 12.1 All of the comments and representations received, either direct to the Council or via ORS, have been carefully considered and analysed. Responses to the key themes are detailed below.
- 12.2 Whilst a number of landlords complained about the lack of consultation over the introduction of the Immediate Article 4 Direction (not the immediacy but being made aware at all), it is quite clear that the consultation went well over and above what was required under the legal framework with regard to contacting affected bodies and individuals.
- 12.3 As stated earlier in the report, a comprehensive consultation exercise was undertaken with regard to the introduction of the Immediate Article 4 Direction.
- 12.4 Commencing with the public Cabinet report in October, 2022, which approved the Immediate Article 4 Direction in 7 wards; the questionnaire launch on the 14th November, 2022 was followed by on 17th November – the date the Immediate Article 4 Direction came into effect - the Article 4 Direction and Notice being posted on our consultation webpage; notification to the Secretary of State; notification to statutory bodies; posting of Notices on lampposts; and publication in the press.
- 12.5 The consultation period for return of questionnaires and comments to the Local Planning Authority was open for 10 weeks as opposed to the 6 weeks required under the statutory framework. Additionally, during this time, 2 public landlord forums were held, as well as an additional landlord forum purely on the Article 4 Direction at the request of some landlords. There was also a stakeholder forum. These were held both virtually and in person, during the day and the evening, to give as many landlords and property agents as possible, the opportunity to attend.
- 12.6 Additionally, further publicity on both the proposed Landlord Licensing and the Immediate Article 4 Direction took place as follows:

During November

- Press releases from the Council's Communications Team
- Article in the printed Council newsletter for Nov 2022 distributed to households across the borough
- Email sent to statutory undertakers and those who have registered to be updated with changes to planning regulations/ policy in Merton (Approximately 1600+ individuals and organisations).
- Associations directly contacted by the Council's retained consultation agency, Opinion Research Services (ORS) included: NRLA, LLAS , Propertymark , The BLA, The Guild of Residential Landlords, SafeAgent, London Property Licensing, UKALA (UK Association of Lettings Agents) and RICS (Royal Institution of Chartered Surveyors)
- Letters sent to HMO licence Holders via post (royal mail first class). (Approx. 370 Landlords).
- Contacted Leaders & Chief Executives of the following Local Authorities; Wandsworth & Richmond upon Thames, Croydon, Sutton, Kingston and Lambeth to assist in raising awareness.
- MPs and Ward Councillors notified

During December

- Email to London Landlord Accreditation Scheme (LLAS). LLAS confirmed they sent the notice of the consultation to approx. 1100 Landlords.
- Email to London Property Licensing informing them of the consultation.
- Email sent to Public Health, Fire brigade, Police service inviting them to a stakeholder engagement meeting.
- Email sent to Local Landlords who are in receipt of housing Benefit informing them of the consultation
- Consultation and forums details passed to the attendees of the regular Merton landlord forum.

During January

- Reminder email sent to statutory undertakers and those who have registered to be updated with changes to planning regulations/ policy in Merton (approx. 1600 individuals and organisations)
- Reminder email sent to Landlords in receipt of Housing Benefit
- Consultation and forums details passed to the attendees of the regular Merton landlord forum.

12.7 The planning process is a concern for a number of respondents with the time taken; adequate staffing; perceived member bias; and cost being cited by many. However, to enable the improvements required in certain wards, and to tackle the many issues identified pro-actively rather than reactively (see Paras 7.15 to 7.17) it was felt that it was necessary to require planning consent for small HMO's in the 7 wards most seriously affected. It is accepted that it will be more time consuming and expensive for landlords to do this rather than just developing under permitted development but it is

believed that Merton had no other option if it wished to improve the situation for residents and tenants.

- 12.8 Planning Committee Members have received a briefing on HMOs to ensure that they are fully conversant with the latest guidance; a Supplementary Planning Document is being developed to enhance the information currently available (see Section 10) and planning case officers are actively assessing planning applications submitted that were previously allowed under PD Rights.
- 12.9 With regard to misrepresenting the potential costs of compensation claims that might be submitted, the October 2022 Cabinet report set out ‘typical’ costs of converting a small HMO. It is recognised that there are some developments that are at the top end of the market where the work undertaken far exceeds the standards required, by adding extensions and en-suite bedrooms and expensive renovations. These are by no means ‘typical’ small HMO conversions and whilst the cost of these can undoubtedly run into several hundred thousand pounds, it is considered that they should meet and exceed the standards required and therefore would be unlikely to be refused planning consent, so no compensation would be payable.
- 12.10 Many landlords were concerned about the ‘immediacy’ of the Article 4 Direction, but the Council felt it had no option but to introduce an Immediate Article 4 Direction into the 7 most affected wards, due to the immediate threat posed to the amenity of the area evidenced by the many instances of complaints being reported relating to HMOs without planning permission (see Para 7.18).
- 12.11 In line with the point above, several landlords raised the issue of whether there was evidence to justify an Article 4 Direction and whether or not the planning process was the correct system to tackle issues such as anti-social behaviour and others as opposed to using licensing and environmental health enforcement. This is addressed in Section 7 and also Para 7.17.
- 12.12 Another issue raised was the potential impact upon housing numbers with the view being that the introduction of an Article 4 Direction for small HMOs would reduce or stagnate the number of HMOs. As detailed in Section 8, there is no evidence of this, and it is important to note that the Article 4 cannot be applied retrospectively, so those HMOs already in operation will not be affected. Additionally, rents in Merton tend to be higher than average and compared with the relatively low cost of applying for planning consent, it is not felt that this would be a barrier to setting up a small HMO.

13 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 13.1 Funding was agreed for the Consultation at £30,000 and it was possible to secure an agency for this amount. Additional housing and project management staffing costs were also agreed to take the project up to May 2023. At Cabinet in March, it was agreed to fund a further amount of £70,000 will be required to take the project up to October when it is proposed that landlord licensing will have been introduced.

- 13.2 Additionally, as we have been required to engage an external Barrister to provide legal advice and respond to a legal challenge we received, a sum of £5,000 was agreed. These additional costs of £75,000 will be funded by a transfer from the Corporate Contingency Fund..
- 13.3 The current financial projections are that the selective and additional licensing scheme will require £3.3m expenditure over the five-year scheme period, including £2.5m staffing expenditure, based on a staff resource of 9.5 staff. These figures are provisional and are subject to further financial modelling, to be informed by consideration of the final consultation feedback.
- 13.4 There will be an increase in the number of planning applications received following the introduction of an Article 4 Direction. It is difficult to quantify how many at this stage but there will additionally be an increase in planning application fees, which could be used to bolster the team. This is being monitored.
- 13.5 Any compensation claims that may be submitted as a result of introducing an Immediate Article 4 Direction are deemed to be capital expenditure and no provision exists in the capital programme for these.

14 LEGAL AND STATUTORY IMPLICATIONS.

- 14.1 This report sets out the statutory and regulatory requirements relevant for the Immediate Article 4. It also highlights the need for robust data in support of both the Article 4 Direction and Landlord Licensing to apply to the smallest, clearly defined, geographical areas based upon the evidence to avoid challenge.
- 14.2 The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010 makes a change of use from a use falling within Class C3 (dwelling houses) to a use falling within Class C4 (houses in multiple occupation) 'permitted development' – i.e., planning permission is no longer needed to do this. Under Article 4 of the General Development Order (as amended) ("GDO") local planning authorities can make directions withdrawing permitted development rights from development across a defined area listed in Schedule 2 of the same order. For all article 4 directions the legal requirement set out in paragraph (1) of article 4 of the GDO is that the local planning authority is satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application.
- 14.3 Under section 108 of the Town and Country Planning Act 1990 there is an entitlement to compensation where planning permission is refused for development that would have been permitted development but for an Article 4 Direction or granted subject to conditions, which were not also imposed under the permitted development, if that has resulted in the property having a lesser open market value than it would have had but for the Article 4 Direction and subject to such planning refusal or conditional planning permission being in

respect of a planning application made within a year of the date of the Article 4 Direction.

- 14.4 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 states that approval to make an Article 4 Direction is not a Cabinet function and therefore should be made by resolution of full Council.
- 14.5 New PD rules that came in force in July 2021, are set out in the National Planning Policy Framework (NPPF)
- 14.6 The Government are currently proposing changes to the NPPF. Under the proposals, In the reformed planning system, authorities will no longer be able to prepare supplementary planning documents (SPDs). Instead, they will be able to prepare Supplementary Plans, which will be afforded the same weight as a local plan or minerals and waste plan.
- 14.7 It is proposed that when the new planning system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period; until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place. For example, if a planning authority's plan is more than 5 years old when the new system comes into force and that planning authority is required to begin new-style plan-making straight away, their SPDs will expire on the date at which they are required to adopt a new-style plan i.e. 30 months after they commence plan preparation . Where an authority is working towards the 30 June 2025 deadline and they miss it, their SPDs will expire 30 months after that date i.e. at the end of December 2027.
- 14.8 As well as the possibility of being paused or stopped by the Secretary of State at any time, there is the possibility of Legal Challenge to the introduction of the Article 4. One legal challenge has already been received but advice from external counsel found it to be without merit.
- 14.9 For Landlord Licensing, as the wards selected are under the 20% threshold, the Secretary of State does not have to give consent. However, there is still the risk of Legal Challenge.
- 14.10 The data will need to constantly be reviewed during the term of the Selective Licensing scheme should it proceed, and Members should be aware of the enforcement powers available to the Council under the Housing Act 2004 to ensure compliance with the scheme.

15 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 15.1 The Council has carried out an equalities assessment at each stage of developing the Article 4 Direction, considering the impact of the proposal on each of the protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion/belief,

sex, sexual orientation, and socio-economic status). The outcome is that Equalities Assessment has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. The Council is also considering the “in-combination” effects of the Article 4 Direction and the proposed new licensing regime and will keep this under review while the new selective and additional licensing proposals are being developed further and reported to councillors prior to their introduction in September 2023.

16 CRIME AND DISORDER IMPLICATIONS

16.1 The selective licensing proposals are intended to reduce incidents of crime and anti-social behaviour related to poorly managed properties in the private rented sector. KPI measures will be set and monitored in relation to these indices if a scheme were progressed.

16.2 There are no direct crime and disorder implications in relation to the introduction of an Article 4 Direction although the requirement to seek planning consent could lead to an improvement through greater awareness and controls.

17 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

17.1 Following the introduction in November 2022 of an Immediate Article 4 Direction, there is a risk of compensation claims being submitted as outlined in the report.

17.2 There is a risk of the Secretary of State intervening and stopping the Immediate Article 4 Direction if it believes there is not adequate robust evidence to support the areas selected or if it believes too large an area has been selected.

17.3 There is a risk of a Judicial Review being brought against the Council for both the Article 4 Direction and Landlord Licensing

17.4 A legal challenge to the Immediate Article 4 has been received which we are taking external legal advice on.

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

A. Schedule of Proposed Charges for Licensing

B. List of Conditions for Licensing

C. Summary of Representations Received for the Immediate Article 4

D. Key Points from the Landlord and Stakeholder Forums from ORS

19 BACKGROUND PAPERS

LSG Report 22 November 2021 – Selective Licensing Options and report on Article 4 Directions

LSG Report 7 March 2022 – Selective Licensing Update and Empty Homes

LSG Report 13 June 2022 - Update on Selective Licensing & Article 4
Directions

LSG Report 22 September 2022 - Update on Selective Licensing & Article 4
Directions

Cabinet Report 10 October 2022

Cabinet Report 20 March 2023

Metastreet Report

ORS Article 4 Results

Subject: Immediate Article 4 Direction – Results of Consultation and Update on Proposed Introduction of Landlord Licensing

Appendices

- A. [Schedule of Proposed Charges for Licensing](#)
- B. [List of Conditions for Licensing](#)
- C. [Summary of Representations Received for the Immediate Article 4](#)
- D: [Immediate Article 4 Direction: Key notes from Landlords and Key Stakeholders from ORS](#)

Appendix A: Schedule of Proposed Charges for Licensing

Fees

How Much Will a Licence Cost?

Licensing costs will be dependent on accreditation and time of application. Merton council will be offering an “Early Bird” discount of 10% to those who apply for a licence within the first two months of the scheme. A discount of 10% of the total fee will be applied to the part B payment, followed by the accreditation discount where applicable.

An applicant who is accredited under, or is a member of one of the following recognised schemes, may be entitled to a discount of £50.00:

- London Landlord Accreditation Scheme (LLAS)
- National Residential Landlords Association (NRLA)
- National Approved Lettings Scheme (NALS)
- UK Association of Lettings Agents (UKALA)
- Association of Residential Lettings Agents (ARLA)
- Royal Institution of Chartered Surveyors (RICS)

Applicants who are both accredited and apply within the Early Bird timeframe will receive a combined discount.

Discounts will be determined on submission and assessment of the full application and supporting documents. A discount will not apply where:

- a. The Council has made two or more consecutive requests for additional supporting documents or information.
- b. The Council has served a warning letter or notice for failure to license a property.

Licence fees are payable in two instalments. Part A fees are payable at the application stage (40%) If the licence application is refused by the Council or withdrawn by the applicant, the Part A payment will not be refunded.

Payment in respect of the Part B instalment (60%) will be required to be paid once the application has been assessed and the decision made to grant a licence. This payment will be required to be made within 7 days.

The licensing fees, including available discounts, are presented in the following tables:

Selective Licensing

	Part A (40%)	Part B (60%)	Total Fee
Standard Fee	£247	£405	£652
Early Bird	£247	£340	£587
Accredited Landlord	£247	£355	£602
Accredited Landlord & Early Bird	£247	£290	£537

Additional Licensing

Additional Licence number of bedrooms	Part A	Part B	Standard (no discount)
2	£247	£868	£1,115
3	£247	£918	£1,165
4	£247	£968	£1,215

Additional Licence number of bedrooms	Part A	Part B	Early Bird Licence Fee
2	£247	£757	£1,004
3	£247	£802	£1,049
4	£247	£847	£1,094

Additional Licence number of bedrooms	Part A	Part B	Accredited Landlord
2	£247	£818	£1,065
3	£247	£868	£1,115
4	£247	£918	£1,165

Additional Licence number of bedrooms	Part A	Part B	Early Bird & Accredited Landlord
2	£247	£707	£954
3	£247	£752	£999
4	£247	£797	£1,044

Additional charges are as follows (these apply to both selective and additional licences):

Process	Fee
Revocation of Licence	None
Application following revocation of licence	New Application Fee
Application refused or rejected	Part A Fee
Application withdrawn by applicant	Part A Fee
Temporary Exemption Notice (TEN) made by the Council	None
Application received following expiry of a TEN made by the Council	New Application Fee

Multiple properties in a single block

Where a multiple-dwelling application is made where the applicant owns, manages, and has control of multiple properties in a single block for which the application is submitted, the normal fee is applicable on the first property, and for subsequent properties a discount of a further 10% off the full fee is applied. This will be taken from the part B sum, in a similar fashion to the other discounts outlined above.

Three examples of the application of this 10% discount are provided below:

Example of Application of Multi-Property Discount	Part A (40%)	Part B (60%)	Total Fee
Standard Selective Licensing Fee (1st property in a single block)	£247	£405	£652
10% Multiple dwelling discount on further properties within that block: (10% of £652 full fee = £65 discount on part B)	£247	£340	£587
Early Bird Selective Licensing Fee (1st property in a single block)	£247	£340	£587
10% Multiple dwelling discount on further properties within that block: (10% of £652 full fee = £65 discount on part B)	£247	£275	£522
Accredited Llord & Early Bird Selective Licensing Fee (1st property in a single block)	£247	£290	£537
10% Multiple dwelling discount on further properties within that block: (10% of £652 full fee = £65 discount on part B)	£247	£225	£472

Licences will be issued for a maximum period of five years. The Council may issue a licence for a shorter period where evidence of concerns relating to the management of the property exists.

In accordance with the Housing Act 2004 section 87(7), the fee amounts are based on:

- a. The staff employed to process and issue the application; and
- b. The costs of monitoring and delivering the scheme, including staffing, operating the scheme, inspections, and enforcement.

Appendix B: List of Conditions

Proposed Selective Licensing conditions

Tenancy Management

MANDATORY

Terms of occupation

1. Supply to the occupants a tenancy agreement or occupancy agreements showing the terms upon which they occupy the property and provide copies to the Council upon request.
2. Tenancy or occupancy agreements to contain terms relating to date of commencement, rent, termination, security of tenure, grounds for possession, repairs, and occupant responsibilities in relation to pets, preventing anti-social behaviour, nuisance, harassment, and annoyance to third parties.
3. The licence holder must demand references from persons who wish to occupy the property. No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing, consideration must be given to the tenant's history, credit and right to rent checks. The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

Deposits

4. The licence holder must protect any deposits taken from the occupiers under an assured short-hold tenancy agreement, by placing them in a statutory tenancy deposit scheme.
5. The licence holder must give information about the scheme being used to the occupier within the statutory time limit (currently 30 days) of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

DISCRETIONARY

Anti-social behaviour (ASB)

1. The license holder agrees to give information to the tenant prior to occupation about anti-social behaviour and the standard of behaviour expected and what the results of anti-social behaviour could be, namely that the police or local authority could become involved, that they may have to appear in Court or lose their tenancy.
2. The license holder must ensure that the responsibilities of occupiers, particularly in relation to ASB, nuisance and refuse, are provided in writing and that documents of occupiers' signed acceptance are retained for inspection by the Council if requested.

Property Management

MANDATORY

Gas

1. If gas is supplied to the property, the Licence Holder must produce to the Council, annually or within 7 days of a written request, a Gas Safety Certificate obtained in respect of all gas appliances in the property within the last 12 months. The Gas Safety certificate must be issued by a registered Gas Safe contractor (as required by the Gas Safety (Installation and Use) Regulations 1998).

Electrical Appliances

2. The Licence holder keep all electrical appliances in the property in a safe condition, in good repair and in a clean condition, and provide when requested by the Council a current Portable Electrical Equipment Test Report.
3. The licensee must ensure that all fixed electrical installations are inspected and tested at intervals not exceeding 5 years by a person qualified to undertake such inspection and

testing and obtain a certificate from the tester specifying the results of the test. Provide when requested a current electrical test certificate.

Furniture and Furnishings

4. The Licence holder agrees to ensure that all furniture and fittings comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

DISCRETIONARY

Refuse and waste

1. The Licence Holder must ensure that sufficient bins or other suitable receptacles are provided and are adequate for the requirements of each household in the property for the storage of refuse and litter pending their disposal, and that overflowing does not occur.
2. The Licence Holder must ensure that no appliances or other equipment, is stored or accumulates within the curtilage of the property. Where such accumulations are unavoidable, they shall be removed as soon as reasonably practicable.
3. License Holder must give instructions to tenants, at the beginning of their occupancy, regarding the storage and disposal and recycling arrangements in place in respect of refuse.
4. Evidence must be provided to the Council on application showing sufficient evidence that arrangements have been made for the collection, storage, and disposal of waste.
5. The Licence Holder must ensure that wherever possible waste arising from building works or improvements to the house, does not accumulate in the curtilage to the property. Where such accumulations are unavoidable, they shall be removed as soon as reasonably practicable.

HHSRS

6. The Licence Holder must ensure that the property is free from Category 1 Hazards and meets the Housing Health & Safety Rating System (HHSRS) standards as set out in the Council's Houses in Multiple Occupation (HMO) Requirements document.

Certificates

7. When requested, the licence holder must provide an Annual Buildings Insurance Certificate on application and thereafter on request, to the Council.
8. The Licence Holder must provide an Energy Performance Certificate for the property on application, and thereafter on request, to the Council.

Fire Safety

MANDATORY

Smoke Alarms and Carbon Monoxide Alarms

1. The licence holder must ensure that a smoke alarm is installed on each story of the house on which there is a room used wholly or partly as living accommodation and keep each alarm in proper working order. The licence holder must also supply the council, on demand, with a declaration by him as to the condition and positioning of the alarms.
2. The licence holder must ensure that the carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker. The alarm must be kept in good working order and the licence holder must supply a declaration, on demand, to the council as to the condition and position of any alarms.

DISCRETIONARY

1. The licence holder must provide on application a BS5389 test reports relating to any fire detection system and thereafter when requested. They must also provide on application a BS5266 test reports relating to the emergency lighting (if applicable) and thereafter when requested.

General

DISCRETIONARY

Space Standards

1. The licence holder must ensure that they address hazards associated with lack of space within the dwelling for living, sleeping and normal family/household life, and comply with the space standards as set out in Schedule 4 of the Housing Act 2004 relating to:
 - a. The maximum number of people allowed to occupy the property
 - b. The maximum permitted number of persons per room

Proposed Additional Licensing conditions.

Tenancy Management

MANDATORY

Terms of occupation

1. Supply to the occupants a tenancy agreement or occupancy agreements showing the terms upon which they occupy the property and provide copies to the Council upon request.
2. Tenancy or occupancy agreements to contain terms relating to date of commencement, rent, termination, security of tenure, grounds for possession, repairs, and occupant responsibilities in relation to pets, preventing anti-social behaviour, nuisance, harassment, and annoyance to third parties.
3. The licence holder must demand references from persons who wish to occupy the property. No new occupiers should be allowed to occupy the property if they are unable to provide a suitable reference. When referencing, consideration must be given to the tenant's history, credit and right to rent checks. The licence holder must provide evidence of such reference and checks carried out when requested by the Council within 14 days on demand.

Deposits

4. The licence holder must protect any deposits taken from the occupiers under an assured short-hold tenancy agreement, by placing them in a statutory tenancy deposit scheme.
5. The licence holder must give information about the scheme being used to the occupier within the statutory time limit (currently 30 days) of the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.

DISCRETIONARY

Anti-social behaviour (ASB)

1. The license holder agrees to give information to the tenant prior to occupation about anti-social behaviour and the standard of behaviour expected and what the results of anti-social behaviour could be, namely that the police or local authority could become involved, that they may have to appear in Court or lose their tenancy.
2. The license holder must ensure that the responsibilities of occupiers, particularly in relation to ASB, nuisance and refuse, are provided in writing and that documents of occupiers' signed acceptance are retained for inspection by the Council if requested.
3. Notice boards in communal areas must display the requirements of occupiers to comply with the requirements in respect of avoiding ASB, nuisance and refuse management issues.

Property Management

MANDATORY

Gas

1. If gas is supplied to the property, the Licence Holder must produce to the Council, annually or within 7 days of a written request, a Gas Safety Certificate obtained in respect of all gas appliances in the property within the last 12 months. The Gas Safety certificate must be issued by a registered Gas Safe contractor (as required by the Gas Safety (installation and Use) Regulations 1998).

Electrical Appliances

2. The Licence holder keep all electrical appliances in the property in a safe condition, in good repair and in a clean condition, and provide when requested by the Council a current Portable Electrical Equipment Test Report.
3. The licensee must ensure that all fixed electrical installations are inspected and tested at intervals not exceeding 5 years by a person qualified to undertake such inspection and testing and obtain a certificate from the tester specifying the results of the test. Provide when requested a current electrical test certificate.

Furniture and Furnishings

4. The Licence holder agrees to ensure that all furniture and fittings comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

DISCRETIONARY

Refuse and waste.

1. The Licence Holder must ensure that sufficient bins or other suitable receptacles are provided and are adequate for the requirements of each household in the property for the storage of refuse and litter pending their disposal, and that overflowing does not occur.
2. The Licence Holder must ensure that no appliances or other equipment, is stored or accumulates within the curtilage of the property. Where such accumulations are unavoidable, they shall be removed as soon as reasonably practicable.
3. License Holder must give instructions to tenants, at the beginning of their occupancy, regarding the storage and disposal and recycling arrangements in place in respect of refuse.
4. Evidence must be provided to the Council on application showing sufficient evidence that arrangements have been made for the collection, storage, and disposal of waste.
5. The Licence Holder must ensure that wherever possible waste arising from building works or improvements to the house, does not accumulate in the curtilage to the property. Where such accumulations are unavoidable, they shall be removed as soon as reasonably practicable.

HHSRS

6. The Licence Holder must ensure that the property is free from Category 1 Hazards and meets the Housing Health & Safety Rating System (HHSRS) standards as set out in the Council's Houses in Multiple Occupation (HMO) Requirements document.

Certificates

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MANDATORY

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1. The licence holder must ensure that a smoke alarm is installed on each story of the house on which there is a room used wholly or partly as living accommodation and keep each alarm in proper working order. The licence holder must also supply the council, on demand, with a declaration by him as to the condition and positioning of the alarms.
2. The licence holder must ensure that the carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker. The alarm must be kept in good working order and the licence holder must supply a declaration, on demand, to the council as to the condition and position of any alarms.

DISCRETIONARY

1. The licence holder must provide on application a BS5389 test reports relating to any fire detection system and thereafter when requested. They must also provide on application a BS5266 test reports relating to the emergency lighting (if applicable) and thereafter when requested.

General

MANDATORY

Space Standards

1. The licence holder must ensure that they address hazards associated with lack of space within the dwelling for living, sleeping and normal family/household life, and comply with the space standards as set out in Schedule 4 of the Housing Act 2004 relating to:
 - a. The maximum number of people allowed to occupy the property
 - b. The maximum permitted number of persons per room

Appendix C: Article 4 representations

Theme	Summary of comments	LB Mertons response
Compensation costs	HMO landlords and developers felt the estimated costs of £10,000 to £30,000 is not a true reflection for the costs of renovations which could be in the hundreds of thousands (£300K - £800K) which could be claimed in compensation if planning permission is denied.	It is noted that the cabinet report estimated costs of £10,000-£30,000 is an average, and it is acknowledged that some costs may exceed this. Where planning permission is sought and an application refused, the applicant is able to seek compensation
Evidence is weak	Respondents felt that there was insufficient evidence to support immediate Article 4 Direction, that the proposal is based on predictions and that the data has been skewed to represent the limited number of HMOs ignoring multiple complaints about the same HMO; the approach is broad brushed.	The Article 4 is considered to be a proportionate response, where there is an urgent, justified requirement for protection. Whilst it is acknowledged there may be small fluctuations in the real number of HMOs, the council are confident that the data used to inform the report is reliable.
Response of Planning Committee	Landlords and Developers stated they were concerned that the planning committee would refuse applications on non-planning related grounds following refusal of a planning application made to the Planning Committee Oct 2022.	Planning applications will be determined in accordance with national, regional and local policy, alongside new supplementary planning guidance which will ensure applications have the best chance of obtaining approval.
Immediacy	The lack of notice for landlords & developers meant projects started under different rules. Landlords & developers could have sought Planning permissions originally when the projects began if they had been given more notice.	The immediate implementation of the Article 4 is legal and is used where there is an urgent, justified requirement for protection. The immediate implementation of the Article 4 is considered to be a proportionate response to the current HMO standards in the borough.
Reputational Damage	One respondent stated they 'Would be forced to go to the media with the story including predicted losses as a result of the (Immediate) Article 4 (Direction)'	The council would decline to comment on any media coverage of the Article 4. Where planning permission is sought and an application refused, the applicant is able to seek compensation.
Merton Staffing	Some respondents noted that planning application take a long time. With the Immediate Article 4 Direction, there will be a significant financial loss to landlords & developers as they wait for planning approval to come through.	The planning decisions team have been well equipped and briefed to deal with additional applications which might be submitted.
Alternative options	Article 4 is not appropriate, and the issues would be better dealt with through licensing schemes and environmental health enforcement.	The council is looking to introduce Selective and Additional Licensing alongside the Article 4 Direction. The requirement for planning permission looks to ensure EH issues are dealt with at source.

Cost for landlords & developers	This is an additional cost to the landlords & developers in submitting planning applications which are expensive and would involve consultants etc..	The planning application fee is consistent across the whole of England, it is noted that additional costs might occur however the council consider that planning applications will ensure long term standards of HMOs are maintained.
No impact on current issues	This ties in with looking at alternative options as the introduction of an article 4 will have no impact on current HMOs operating below standards.	The Article 4 is to be viewed in accordance with the new licensing requirements, which current HMOs would need to comply with when their current license expires.
No guidance	Respondents felt the lack of guidance increased the chances of refusal for landlords & developers to gain planning permission	The council is currently in the process of putting together a formal planning guidance document for HMO planning applications, which will be issued in the spring of 2023. In the meantime, there is guidance included within the Core Planning Strategy, Estates Local Plan and the LBM HMO Requirements document published in 2019.
Number of HMOs reduced	Respondents suggested that the introduction of the Article 4 Direction will reduce the supply of HMOs across the borough, making it harder for residents to find quality accommodation. There is already a big shortage of rental properties and the council is trying to protect family homes.	It is not anticipated that the Article 4 would result in any overall decrease in the number of HMOs available but would ensure the quality of HMOs is improved.
Penalising good landlords & developers	Believes there should be exceptions for landlords & developers who already have a licence	Planning permission is not required in retrospect therefore LL already operating HMOs will not be required to apply for planning permission.

Appendix D: Immediate Article 4 Direction: Key notes from Landlords and Key Stakeholders from ORS

Immediate Article 4 Direction

Key notes from Landlords and Key Stakeholders

Overview

Overall, landlords who attended the events and expressed views, were cautious of Merton Council's Immediate Article 4 Direction. They mostly question its immediacy and the impact that it could have on landlords/developers already in the process of converting properties into small HMOs. The potential to reduce antisocial behaviour and availability of HMOs and affordable housing was also questioned, amongst other issues, as explained below.

Evidence used for the Immediate Article 4 Direction

- Some landlords claimed that the Metastreet data was "lonely" arguing that it should compare the saturation of HMOs across Merton with the rest of London, pointing out that if this is done, the density of HMOs in the borough is lower than elsewhere and the London average
 - o *"The Metastreet data about saturation of HMOs across the 7 wards... we consider that to be quite lonely data because it relates to the saturation of HMOs within those 7 wards but doesn't actually compare Merton to other boroughs and the saturation of HMOs that would be normal across London. When we've looked into that in more detail, what we've found is that the London average saturation of HMOs is 5.6% across each borough, whereas Merton as a whole, when you measure it borough-wide, is 2.7% saturation."*
- Some questioned whether the evidence available demonstrated sufficiently urgent problems to justify the introduction direction immediately (i.e. without a notice period).

Ability to reduce issues

- Many landlords questioned the link between well-managed HMOs and antisocial behaviour, feeling that ASB was more of a licensing issue (i.e. a problem related to management rather than planning). This led many to doubt whether the Article 4 Direction would have a meaningful impact on antisocial behaviour in the affected wards.
 - o *"Most people living in HMOs are probably a bit younger and single, so they will probably produce a little bit more noise... they will be louder than the next-door couple in their 50s... but it does not mean that those people cannot live in that neighbourhood..."*

Potential impact on availability of HMOs and affordable housing

- Numerous landlords expressed concern that the Article 4 Direction would lead to a restriction in the number of HMOs becoming available in the affected wards, or even a decrease in the number of HMOs in total.
- It was argued that a shortage of more affordable housing options in the area could be caused as a result, increasing housing costs in a sector that would have a potentially serious impact on those on low incomes, at risk of homelessness, or otherwise most vulnerable.
- It was also suggested that the Article 4 Direction could create a lack of student housing if it results in a reduction of HMOs
- The NRLA agreed that an Article 4 Direction would stagnate the HMO market in the affected wards and raise housing costs as a result
 - o *“there’s plenty of evidence in other boroughs up and down the country with Article 4 Directions: it crystalises what’s in place, stops new entries in the market, it drives rent up, and that’s the outcome.” – NRLA*
- On the other hand, Public Health agreed that the Article 4 Direction would likely be effective in preventing illegal development / overdevelopment of rented properties whilst having a minimal impact on housing availability.

Immediacy of the Article 4 Direction and potential for planning decisions to be delayed or denied

- Some landlords suggested that they were not wholly opposed to the Article 4 Direction, they were primarily concerned over the immediacy of its introduction.
- As a result of the Article 4 Direction being introduced immediately, it was felt that landlords already converting their properties to small HMOs would be at risk of being denied planning permissions. Notably, this was of concern to both landlords of individual properties and those with larger portfolios.
- Some landlords were concerned that their applications may be denied regardless of whether their properties meet the criteria, in an effort to restrict the number new of HMOs in Merton overall.
- Feeling that Councils are in a position that means they only deal with the worst issues and have little to know involvement in all of the benefits provided by HMOs. Therefore, concern over the Council’s position towards HMOs in general.
- Even if planning was eventually granted on some converted properties, the delays in application and approval as a result of the article 4 direction introduces significant cashflow issues, and risk to developers, meaning that they would be unlikely to invest in improving properties in the area in future, potentially the whole of Merton, not only the seven wards
- Some landlords also questioned whether the Immediate Article 4 had been communicated well enough to the public.
 - o *“looking at October’s committee cabinet report in particular there was mention of an Article 4 being brought in, but it was going to be post-consultation and subject to the outcome of that, and the earliest it would be brought in is September 2023. That obviously hasn’t happened. Post hearing about the immediate Article 4 direction on 17th November the following week, I went back onto Merton Council’s website and... up until the 5th or 6th of November there was absolutely no mention whatsoever on the website that this had been brought in.”*

- Some landlords who should have received a notification based on the council's stated plan of publicity (existing HMO landlords currently with licenses) stated they did not receive anything.
- Due to the immediacy of the Article 4 Direction and its potential to deny planning permission to landlords that were in the process of converting their properties before it was introduced, numerous landlords suggested that they and others will be forced to seek financial compensation, should their planning applications be denied.
- It was suggested that the Article 4 Direction should instead have a prior notice of up to 12 months to ensure that landlords can make better-informed decisions on whether or not to go ahead with planned conversions, thus reducing the financial risk of having planning denied
 - o *"I'm not surprised you're bringing in HMO [planning applications] because Croydon had similar issues... [but] I was surprised that it was immediate. The other boroughs in my experience did 1 year's notice... I think a lot of landlords are in the middle of refurbishment and so this is significant."*
- It was also felt that planning guidance should be in place before an Article 4 Direction is introduced so that landlords can maximise their ability to meet the planning criteria and reduce the financial risks associated with having their planning denied
 - o *"My concern is people like us are needing help with planning... especially when it's not cut and dry..."*

Committee: Council

Date: 19 April 2023

Subject: Local Government Act 1972, Section 85 (1): Approval of Absence

Lead officer: Louise Round, Managing Director, South London Legal Partnership

Lead member: Councillor Ross Garrod, Leader of the Council

Contact officer: Amy Dumitrescu, Democracy Services Manager

Recommendations:

That, in the event that Councillor Dennis Pearce is unable to attend a meeting of the authority before 13 September 2023, approval is given to the absence for reason of ill-health.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council to acknowledge the possibility of Councillor Dennis Pearce's non-attendance at meetings of Merton Council for the period 18 November 2022 – 13 September 2023 and to approve the absence for reason of ill-health.

2 DETAILS

- 2.1. Due to ill-health Councillor Dennis Pearce has not to date been able to attend a meeting of the authority since 17 November 2022 when he chaired a meeting of the Borough Plan Advisory Committee. The Council is required to consider this matter prior to the expiration of the six month period up to 17 May 2023.
- 2.2. Under section 85 of the Local Government Act 1972, if a Councillor does not attend any relevant meeting for a period of six months, they automatically cease to be a member of the Council unless before the expiry of that period the authority has approved the reason for that absence.
- 2.3. It is not currently possible at this stage to say whether Councillor Pearce will be able to attend any meetings in person within the near future so Council is being asked agree that if he is unable for reasons of ill health to attend another meeting between now and the full Council meeting on 13 September, such absence will be authorised. Whilst remote attendance is possible, such attendance does not count for the purposes of section 85.
- 2.4. It is noted that whilst Councillor Pearce will attend meetings wherever possible either in the Council Chamber or remotely, in the event this is not possible this approval will come into force.
- 2.5. The legal provision is detailed at paragraph 7.1.

3 ALTERNATIVE OPTIONS

- 3.1. It is the responsibility of the Council to consider this matter and agree the reason for absence.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purpose of this report.

5 TIMETABLE

5.1. Council is required to consider this matter prior to the expiration of the six month period detailed in this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. Section 85(1) of the Local Government Act 1972 (LGA) prescribes:

“...if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.”

7.2. Whilst the power to approve a reason for failure to attend a meeting (which in effect allows a Councillor a leave of absence) is not one which is required by law to be reserved to Full Council, due to the timetable of upcoming meetings it was thought Council to be the most appropriate body to consider this matter.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. It is understood that Councillor Pearce has been apprised of the position as detailed in this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purpose of this report.

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

- None

12 BACKGROUND PAPERS - NONE

Committee: Council

Date: 19 April 2023

Subject: Changes to Membership of Committees and related matters

Lead officer: Hannah Doody, Chief Executive

Contact officer: Amy Dumitrescu, Democracy Services Manager

Recommendations:

That the Council:

1. Notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks Council to note the changes made to committee memberships under delegated authority since the publication of the agenda for the last ordinary Council meeting on 1 February 2023.

2 DETAILS

- 2.1. The following membership changes have been made by the Chief Executive under their delegated authority in accordance with part 3E of the Constitution:

2.2.

Committee	Member resigning	Replaced by	Date
Borough Plan Advisory Committee	NA	Cllr Martin Whelton – Substitute	22 March 2023

3 CONSULTATION UNDERTAKEN OR PROPOSED

- 3.1 None for the purposes of this report.

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 4.1. None for the purposes of this report.

5 LEGAL AND STATUTORY IMPLICATIONS

- 5.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.
- 5.2. The Housing and Local Government Act 1989 contains provisions relating to the political balance on committees, the duty to allocate seats to political groups and the duty to give effect to allocations.

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

8.1. N/A

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

9.1 None.

10 BACKGROUND PAPERS

Documents from the authorised officer confirming approval of the membership changes agreed under delegated authority.