

Merton Council Overview and Scrutiny Commission



Date: 7 September 2022

Time: 7.15 pm

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

AGENDA

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**This is a public meeting – members of the public are very welcome to attend.
The meeting room will be open to members of the public from 7.00 p.m.**

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Overview and Scrutiny Commission membership

Councillors:

Edward Foley (Chair)
Mike Brunt (Vice-Chair)
Agatha Mary Akyigyina OBE
Billy Hayes
Usaama Kaweesa
Paul Kohler
Gill Manly
Nick McLean
Stuart Neaverson
Tony Reiss

Substitute Members:

Stephen Mercer
Thomas Barlow
Martin Whelton
Anthony Fairclough
John Oliver
Edith Macauley MBE

Co-opted Representatives

Mansoor Ahmad, Parent Governor
Representative - Secondary and Special
Sectors
Becky Cruise, Parent Governor
Representative
Dr Oona Stannard, Catholic Diocese
Roz Cordner, Church of England Diocese

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.

What is Overview and Scrutiny?

Overview and Scrutiny describes the way Merton's scrutiny councillors hold the Council's Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. Scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people. From May 2008, the Overview & Scrutiny Commission and Panels have been restructured and the Panels renamed to reflect the Local Area Agreement strategic themes.

Scrutiny's work falls into four broad areas:

- ⇒ **Call-in:** If three (non-executive) councillors feel that a decision made by the Cabinet is inappropriate they can 'call the decision in' after it has been made to prevent the decision taking immediate effect. They can then interview the Cabinet Member or Council Officers and make recommendations to the decision-maker suggesting improvements.
- ⇒ **Policy Reviews:** The panels carry out detailed, evidence-based assessments of Council services or issues that affect the lives of local people. At the end of the review the panels issue a report setting out their findings and recommendations for improvement and present it to Cabinet and other partner agencies. During the reviews, panels will gather information, evidence and opinions from Council officers, external bodies and organisations and members of the public to help them understand the key issues relating to the review topic.
- ⇒ **One-Off Reviews:** Panels often want to have a quick, one-off review of a topic and will ask Council officers to come and speak to them about a particular service or issue before making recommendations to the Cabinet.
- ⇒ **Scrutiny of Council Documents:** Panels also examine key Council documents, such as the budget, the Business Plan and the Best Value Performance Plan.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at, or have views on current reviews being carried out by scrutiny, let us know.

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Agenda Item 3

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

OVERVIEW AND SCRUTINY COMMISSION

13 JULY 2022

(7.15 pm - 9.10 pm)

PRESENT: Councillor Edward Foley (in the Chair), Councillor Michael Brunt, Councillor Agatha Mary Akyigyina, Councillor Billy Hayes, Councillor Usaama Kaweesa, Councillor Paul Kohler, Councillor Gill Manly, Councillor Nick McLean, Councillor Stuart Neaverson, Mansoor Ahmad, Cruise and Dr Stannard

ALSO PRESENT: Councillor Ross Garrod (Leader), Councillor Billy Christie Hannah Doody (Chief Executive) and Tracy Swan (Manager Property, Planning & Procurement)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Cllr Tony Reiss (Cllr John Oliver as substitute) and from co-opted Member Roz Cordner.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes were agreed as a true and accurate record.

Matters arising:

Lis Chapple data was sent to members on 22 March 2022. Details below:

The split of officers and staff is as follows:

- Current posts allocated to South West BCU - 1474 - this is 1344 officers and 130 staff
- Current numbers of people in South West BCU as at 17/3/22 - 1569 - this is 1453 officers and 116 staff (we are awaiting more PCSOs to be posted to us)

4 QUESTIONS TO THE LEADER OF THE COUNCIL AND THE CHIEF EXECUTIVE (Agenda Item 4)

The Chair invited Cllr Ross Garrod, Leader of the Council, to share his priorities.

The Council has been built on solid foundations and I want to use this opportunity to pay testament to my predecessors but now, as custodian of the position of Leader which I'm fortunate to be in, it's my responsibility along with the Chief Executive and the whole council to build on this, using all my energy and enthusiasm, to make Merton a better place to live and work.

As you'd expect with a new administration there's a fresh vision and a new approach and the guiding principle for the administration is that the council is responsive to the needs of our residents and reactive to the challenges we face as a borough, whilst also delivering excellent services. It will be a Council embedded in the community making residents part of that decision-making process and bringing services closer to them.

Our priority as an administration is to rebuild pride in Merton and that's pride in our people, in our services and in our place and I want people to feel proud to live and work in this borough. We want to nurture that sense of loving where you live and work and this will include how we can improve our town centres and high streets and getting on with the regeneration of Morden town centre. It also means having to take difficult decisions to keep our streets clean and the Cabinet is due to decide the future of our waste contract later this year.

The second priority is building on a sustainable future. I want Merton to be recognised as the easiest place to own or hire an electric car or bike, positively encouraging our residents to use sustainable transport. I want to see a shift in planning so that we can get good quality energy efficient developments built right across the borough but also be a champion for the greater provision of genuinely affordable properties.

Thirdly I want this borough to build on its sporting heritage and for it to be recognized as the borough of sport. We've got some amazing local sporting facilities and clubs and we'd like to explore how we can all work together to create a bigger voice for Merton in sports funding, driving investment into the borough and into grassroots sports. This will promote healthier lifestyles, greater sporting opportunities and will provide a legacy for our residents.

There is a lot of hard work ahead and this administration is committed to delivering a borough that all our residents can be proud of.

In response to Commission Members questions:

There's been many years of ambition to regenerate Morden but we've all seen the challenges that TFL face so we're going to explore how we can deliver Morden town centre in piecemeal and in stages rather than one big bang and hopefully that will spur investment and will spur other organisations that have an interest in the town centre to get on board also.

Turning to Mitcham - you'll see in the local plan that there are some suggestions around the future use around Majestic Way and that development on the left-hand side, so I do think there will be some interesting proposals later down the line with regard to Mitcham regeneration.

We recently announced an additional £2million to the climate fund and we are currently looking at ways of how we can use that money in alignment with the climate action plan.

Action: Cllr Garrod agreed to share the figures on what's been spent already

A key priority for me in this administration is seeing how we can increase supply of affordable properties and that's why I've tasked my Cabinet Member for housing and sustainable development to review all the assets that the Council owns to see what land we can use towards providing affordable properties to our residents.

We have put an additional two million pounds aside for our cost-of-living fund. This will be used in the autumn and winter periods, after consultation with our voluntary sector and organisations such as housing associations who are on the front line listening to residents' challenges and are going to feed back to the council to see how we can best target that two million pounds to maximise the effect

In addition to the two million pounds fund, we've also put together a cost-of-living hub on our website for residents or anybody in the public really to access information about grants and support.

Building on that, we're also running three cost-of-living events at our libraries. We recently had a successful one in Morden Library last Saturday that about 200 people attended to get advice and support from council services and voluntary organisations. The next event is this Saturday in Mitcham Library and then the following Saturday in Wimbledon Library. We're also going to be writing to our most vulnerable residents around eligibility for future grants around energy efficiency.

With regards to the borough of sport ambition, firstly, I'd like to put on record that the Friends of Wimbledon Park do a fantastic job at looking after our parks. In terms of our investment in our sporting infrastructure, there is a paper before cabinet on Monday that outlines the investment that we are putting into our sport and infrastructure including tennis courts and other facilities. We will also need to put together a blueprint to really embed the borough of sport within our borough and that will be work that will be going on over the next coming months and years.

All England Club - What is the attitude of the leader with regards to that asset of the council?

My understanding is that it forms part of a potential planning application and therefore I do not wish to pass any judgment on that or influence the planning process with my personal views.

The Chair invited Hannah Doody, Chief Executive, to share her priorities.

I am incredibly proud of the partnership work that takes place in our borough, particularly during the Covid recovery and the Ukraine crisis (we currently we have 258 Ukrainian citizens registered on the homes for Ukraine scheme).

Merton has recently been rated by Ofsted as outstanding.

Looking forward, there are big policy changes coming down the line and we're already starting some background work around the care reform, the children's social care paper and we will also have building and control reforms following Grenfell.

In response to Commission Members questions:

Climate change is a priority, a responsibility but also a culture shift. Changing culture must come from the top down and needs to be embedded in all our policies, whether it's a new library, our high streets or affordable housing. Councillors were assured that staff are committed to working with the new administration in tackling and delivering on the promises of climate change.

Planning decisions are a matter for planning committees however one of the key priorities that I have been involved in with the Leader, is around the EV infrastructure and looking at rapid charging stations across the borough.

The Chief Executive formally acknowledged the fantastic foster carers we have in Merton. We are an incredibly lucky borough with the quality and care our foster carers give. As we all know Covid impacted recruitment and we have now gone back at that recruitment campaign with a vigour, and it is starting to show results.

We have now recruited two young carers to the Corporate Parenting board, who shared their experiences with us last month.

We have a five-year plan with regards to our Dedicated Schools Grant. The recovery plan is based on two key issues - one is that the social care reform comes, and we get those funding allocations. The second is issue is one we don't have control over, but it's something that it must be monitored as part of the plan, and that is the increase or decrease in the number of children with special educational needs. We are working very closely with schools around how we manage children at an early age and using those preventative measures within our education environments.

The five-year plan went through real rigour, and it certainly would not have been signed off by the DfE if it wasn't robust enough to deliver. Yes, you must have a plan b but looking forward its important to focus our energy and effort into getting on with the agreed plan and being committed to delivering that plan.

In relation to the Veolia contract, we are meeting regularly with Veolia to monitor the service improvement notice. My ambitions going forward is that it's multifactorial - there is a big education piece around resident behaviour with regards to waste disposal, work in engagement and continuously talking to residents and a continued responsibility to continue to hold Veolia to account.

When can we expect updated stats for the new wards data
Action: Chief Exec to check with officers (see john email re ward data)

Regular meetings are held with Clarion management along with regular visits onto the estate and continued monitoring of their responses to resident queries, complaints, and repairs.

AELTC - The council will take independent advice and make sure the correct processes are followed both with regards to planning process and the covenant.

Initial report on Peel House car park is due imminently. The Cabinet Member and officers will be able to give a further brief on next steps once that report comes through.

5 CHAS PROPOSALS (Agenda Item 5)

These minutes are exempt from publication.

6 IDENTIFY QUESTIONS FOR THE BOROUGH COMMANDER (Agenda Item 6)

The Chair asked Members to submit their questions for the Borough Commander who will be attending on 7 September. The deadline is 19 August 2022.

7 WORK PROGRAMME (Agenda Item 7)

The work programme was agreed.

Members RESOLVED to re-establish the Financial Monitoring Task Group for this year.

Merton Crime Pack – August 2022

SW BCU Senior Leadership Team



ROGER ARDITTI
Superintendent
Neighbourhoods Lead



ELISABETH CHAPPLE
Chief Superintendent
BCU Lead



LUKE MOONEY
Superintendent
Response Lead



RICHARD SMITH
Superintendent
HQ Lead

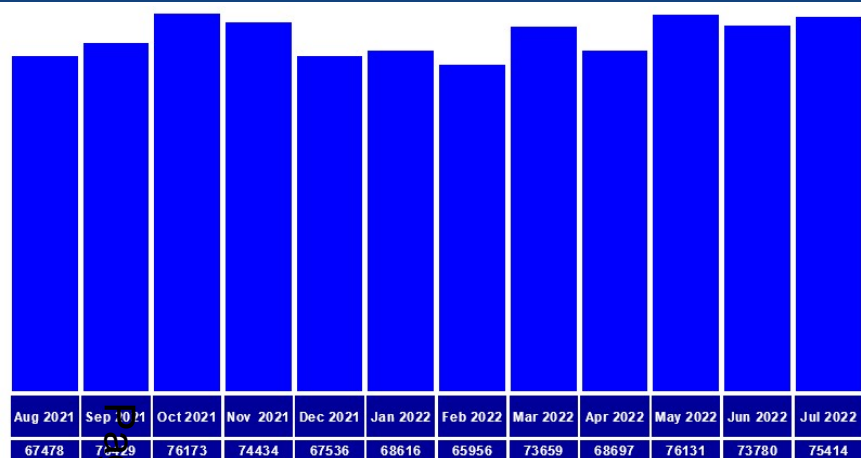


ANDREW WADEY
Detective Superintendent
Public Protection Lead



SUZANNE JORDAN
Detective Superintendent
Investigations Lead

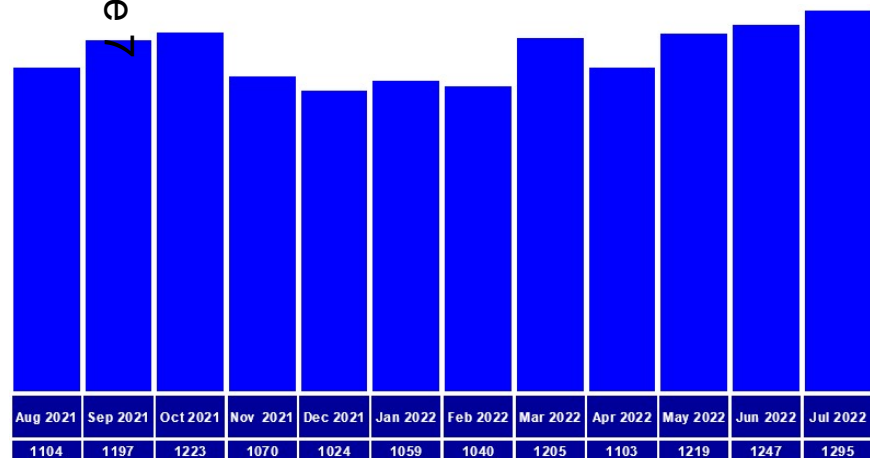
Total Notifiable Offences MPS Comparison



MPS August 2020 to July 2021 TNO Total = **777787**

MPS August 2021 to July 2022 TNO Total = **858303**

Average TNO MPS wide increased by 10% over 12 months period from August 2021 to July 2022 across MPS



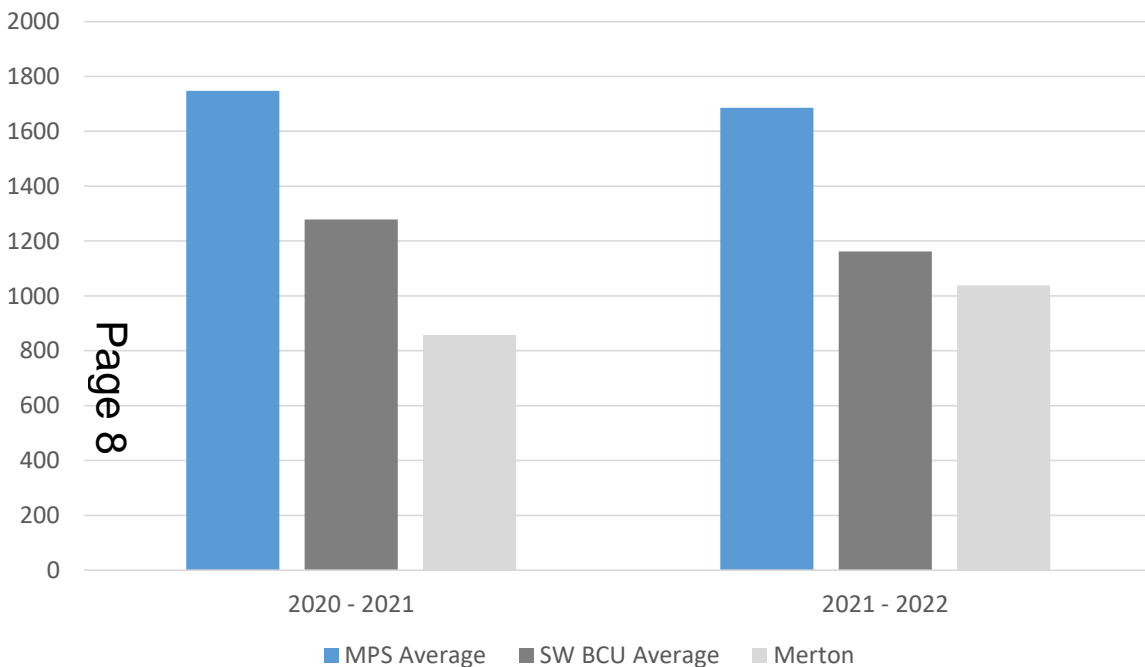
Merton August 2020 to July 2021 TNO Total = **13075**

Merton August 2021 to July 2022 TNO Total = **13786**

5% increase over 12 month period within Merton

Total Burglary Offences MPS Comparison

Burglary Comparison 2020 to 2022



MPS Average 2020 to 2021 – **1748**
MPS Average 2021 to 2022 – **1686**

SW BCU Average 2020 to 2021 – **1279**
SW BCU Average 2021 to 2022 – **1162**

Merton 2020 to 2021 – **858**
Merton 2021 to 2022 – **1038**

Some areas of Wimbledon have had a decrease in burglary, but overall there is more we can do to replicate the reductions we have seen elsewhere in the BCU.

Total Robbery Offences MPS Comparison

Merton 20-21	35	58	44	45	26	28	31	26	23	24	25	24	Total – 389
Merton 21-22	21	39	37	24	17	26	36	43	35	43	43	42	Total – 406
MPS 20-21	2546	2626	2488	2332	2022	1473	1346	1691	1721	1795	1936	1908	Total – 23884
MPS 21-22	1977	2280	2360	2281	2018	2085	1972	2077	1928	2477	2427	2493	Total - 26375

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In the past 12 months in Merton there has been a total of 406 robbery offences which is a 4% increase on the total number of robbery offences that were committed in the previous 12 month period of August 2020 to July 2021.

However, over the past 12 months in the MPS, there has been a total of 26375 robberies which brings the average increase per Borough to 11%.

So although we are not happy that our total robberies have increased by 4% on the previous year, to be 7% under the average increase shows that we are still getting some things right and gives us some good foundations to build on.

Merton Stats Overview

January 2022 to August 2022

<p>Offences ↑</p> <p>7,109</p> <p>offences recorded +743 (+11.7%)</p> <p>MORE than previous period</p>	<p>SD Rate ↓</p> <p>8.3%</p> <p>Detection Rate</p> <p>A DECREASE of -0.5% ppt</p>	<p>'I Calls' Calls in Target ↓</p> <p>80.6%</p> <p>in target</p> <p>A DECREASE of -0.8% ppt</p>	<p>'S Calls' Calls in Target ↓</p> <p>56.0%</p> <p>in target</p> <p>A DECREASE of -4.3% ppt</p>	<p>ASB Calls ↓</p> <p>2,793</p> <p>ASB calls received -1,234 (-30.6%)</p> <p>FEWER</p>	<p>Stop & Search ↓</p> <p>1,522</p> <p>Stop & Search -158 (-9.4%)</p> <p>FEWER</p> <p>Click here to go to the Stops dashboard</p>
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Borough Commander Questions – Scrutiny Committee - 7 September 2022

	Question	Response from Borough Commander
1	<p>Conservative Group</p> <p>Breaking and entering in order to steal car keys is increasingly common in Merton, what steps have been taken to stop this form of crime and have the police identified this to any known criminal gangs?</p>	<p>We don't target burglaries of specific items at residential houses, we treat burglary the same so we do not think of those that break in to steal car keys as less or more important than other theft burglaries. Dependant on the decisions made at Ward Panel meetings by the public, burglary can be chosen as one of the local priorities and would therefore get more resources used towards tackling the issue as it is our one of the priority targets. Officers will always give out prevention advice even if the ward they are on does not have burglary as a priority to make sure that residents are as informed as they can be. Over the past couple of months we have tried different things to reduce burglary crime in the area and have had some success with a reduction in these offences. Compared to our 3 year average, burglary offence in Merton have been reduced by 21% over the past 2 months so we will aim to replicate elements of activity that have worked well. These offences have not been attributed to any specific criminal gang however, within our Police systems, we have specific individuals that are known to us – and are proactively monitored - due to their offending history and we monitor arrests that take place to identify trends/patterns that suggest they are actively offending. Otherwise, we are making the most of our partners' resources/skills and working alongside CCTV operators and colleagues from around the MPS to identify offenders and what we can do to prevent more offences.</p>
2	<p>Conservative Group</p> <p>What action is being taken to stop the theft of catalytic converters as this is a common form of theft in Merton?</p>	<p>There is information on the MPS website on catalytic converter theft and how to prevent/report it (link below).</p> <p>https://www.met.police.uk/cp/crime-prevention/keeping-vehicles-safe/catalytic-converter-theft/</p> <p>I've included a leaflet with this document on what we are doing locally in Merton to combat this crime.</p>

<p>3</p>	<p>Conservative Group</p> <p>The theft of keyless vehicles is rising in Merton, what action can the MET take to stop this?</p>	<p>Theft of keyless vehicles has become a problem across the MPS and the UK. In order to combat the issue, officers provide the public with prevention advice for car owners that have keyless car entry which includes putting the keys somewhere safe within your house, not having them where they are visible to those outside of your home (next to windows etc). Criminals committing these crimes often try to obtain the keys' signal from outside of the home, so the further away the keys are from the exterior walls, the better. You can also use some metal boxes/tins that you may find around your home to store the keys in to prevent the signal being obtained. Additionally, signal-blocking pouches which are metal lined wallets can be used. These can be bought online for a relatively low price Anything else you can do to make the car harder to steal will be a deterrent. Putting the car in a garage, getting a lockable post on your driveway and in-car security devices such as steering wheel locks can also help. If you have a high-value car, consideration to getting a tracking device fitted should also be made. However, if despite prevention advice, someone is unfortunate enough to fall victim to this type of crime, when the report is made to police, it will be investigated by the relevant team who will complete any enquiries, giving us the best chance at locating the vehicle and arresting the criminals. We are also working with car manufacturers to design-out this crime and our specialist crime teams are targeting gangs who may be involved in this activity.</p>
<p>4</p>	<p>Conservative Group</p> <p>Moving traffic offences continually annoy residents in wards such as Hillside, especially heavy lorries squeezing down narrow residential roads (e.g. Woodside), what action will you take to a) Enforce the weight restrictions? b) Enforce the speed limits?</p>	<p>a) Enforcing weight restrictions is not something that we can do locally on neighbourhood teams as we do not have the required training or equipment which is carried by safer transport and traffic teams. Weight restrictions are only deemed necessary when there may be a risk of the road/ground being unsafe if driven on by vehicles of/over a certain weight. These restrictions cannot be used as a way to prevent vehicles driving down narrow roads, width restrictions would be more suitable in these circumstances. More information would have to be gathered before width restrictions could be considered as this would be a council decision/implementation and would require specific reasons to implement.</p>

Borough Commander Questions – Scrutiny Committee - 7 September 2022

		<p>Are cars being damaged by heavy/wide Lorries travelling down these roads or are there blind spots/layout issues on the road whereby these specific vehicles are creating danger to pedestrians that cars alone would not.</p> <p>b) When the Ward teams are contacted by local residents or are made aware that there is a specific problem in certain areas with vehicles speeding, we have multiple options available to us. Firstly, setting up speed watches with officers to alert drivers in the area that we are monitoring vehicles speeding and to act as a deterrent. Also, we are always keen to set up Community Speed watches with residents who would like to volunteer in support us carrying out this work to allow them to see what we do and contribute to the work we put in place targeting speeding. If these options do not have the desired impact, we can then also consider other measures such as working with the council to see the tools they have at their disposal (speed cameras, width restrictions, clearer signage etc).</p>
5	<p>Conservative Group</p> <p>Will you commit to doing a couple of town hall style meetings with local councillors and MPs to reassure the public?</p>	<p>Yes I am very happy to do this, alongside my neighbourhood team.</p>
6	<p>Liberal Democrat group</p> <p>What % of Officers in the BCU have received the accredited domestic abuse training recommended by the College of Policing as detailed in this article?</p> <p>Millions living in areas where police not trained in handling domestic violence Domestic violence The Guardian</p>	<p>85% of officers in the SW BCU on the training list have currently received this training.</p> <p>Long-term sickness and covid-related absence is typically the reason the other officers are yet to be trained.</p> <p>The MPS average number trained for BCU is 80%.</p>
7	<p>Liberal Democrat group</p> <p>Does the BCU currently have a strategy to enforce speed and weight limits on residential and/or distributor roads across Merton?</p>	<p>SW BCU do not have a specific/all-encompassing plan in place to enforce speeding or weight limit restrictions.</p> <p>With regard to speeding, I have mentioned above the type of things we consider and put in place to target</p>

		<p>issues when we become aware of them to ensure residents and road users are as safe as possible. But this is very much a fluid approach as the reason speeding offences are taking place varies. Sometimes it can be a lack of clear signage on the roads to people in fast cars just deciding to drive fast because they think they can. For this reason, it is important we adapt our approach on a case by case basis in each area switching from education to enforcement depending on what is deemed most appropriate at the time.</p> <p>In terms of weight restrictions, this is something that doesn't often get brought to our attention but can be addressed if it is. Due to the risk posed by vehicles breaching weight restrictions at the specified locations (roads/bridges etc), if we are made aware of specific locations where vehicles are continuously ignoring these restrictions, there can be a joint approach between the relevant teams to ensure compliance.</p>
<p>8</p>	<p>Liberal Democrat group</p> <p>What is being done to deter organised theft of catalytic converters, motor bikes, cycles and private vehicles and is there, as residents perceive, an increase in this type of crime in Merton?</p>	<p>Catalytic Converter Thefts: This is answered in the question 2 above.</p> <p>Bicycle Theft: Including 2021 and 2022, we are below our 5 year average for these offences in most months, so this is a perception which is not borne out by the figures. However, our teams will keep doing work to provide preventative advice and also deterrents to ensure this crime is kept to a minimum and does not begin to increase.</p> <p>Vehicle Theft: For vehicle theft, in the last month we were 30% above our 5 year average. But it's difficult to interpret this data properly as it will include the 12-18 months during COVID restrictions which would have seen a significant reduction in this crime as people were often not leaving their homes and so the data is slightly misleading. Even so, the number of offences that are taking place shows there is a need for us to address these issues and although we often locate the offenders after they have committed these crimes, it is important we continue to work with our partners to put preventative measures in place (CCTV, crime prevention advice, adequate street lighting) to drive down these crimes.</p>

Borough Commander Questions – Scrutiny Committee - 7 September 2022

<p>9</p>	<p>Liberal Democrat group</p> <p>What are the current response times in Merton (or if this is not known across the BCU) for the following three categories of call and how do these figures relate to target and average figures across the Metropolitan Police District?</p>	<p>Figures based on the average total over the past year: CM: Calls made AW: Attended within Target Time (I = 15 minutes, S = 60 minutes, E = 24 hours)</p> <p>I – Immediate (High urgency) Merton – CM: 6899 calls – AW: 5474 (80%) SW BCU – CM: 30,628 – AW: 24,456 (80%) MPS – CM: 389,823 – AW: 314,507 (81%)</p> <p>S – Significant (Low urgency) Merton – CM: 7725 – AW: 4329 (56%) SW BCU – CM: 33,704 – AW: 20,672 (61%) MPS – CM: 430,473 – AW: 264,285 (61%)</p> <p>E – Extended (Non-urgent) call Unable to get figures for E Grade calls at present These are not regularly monitored in the BCU or beyond due to the number of ways they are resolved e.g. moved to a report on line, responded to by phone, no longer needed etc.</p>
<p>10.</p>	<p>Liberal Democrat group</p> <p>Is the Borough Commander aware of the council’s work on VAWG and is there any evidence of the impact this is having on crime against women and girls?</p>	<p>Yes I am aware of the councils work on VAWG. It is difficult to make a causal link between local council and police activity in relation to VAWG matters. Numerous issues influence the crimes committed, such as the weather and environmental changes as well as context e.g. what has been in the news.</p> <p>We believe VAWG is underreported and trust from victims is a challenge – however we do know there has been increased oversight and interest in VAWG which has both increased reports and increased preventative activity.</p> <p>Examples of current activity include:</p> <ul style="list-style-type: none"> • Merton VAWG strategy completed in April 2022 – Police an integral part of this. E.g. intelligence and data driven hot spot patrolling. • South West four LA boroughs - led by Kingston’s VAWG lead - including Merton have secured 180K of funding to spend on VAWG activity. This includes evaluation and monitoring and

Borough Commander Questions – Scrutiny Committee - 7 September 2022

		<p>identifying what activity has the most impact – we will know more in 6 months.</p> <ul style="list-style-type: none"> • Merton developing training in Trauma Informed Practice, supporting police officer dealing with DA to understand how they can better support victims – evidence suggests that victims have concerns about not being believed. There will an evaluation of this and best practice / lunch and learns / identified. • Walk and talks / ask for Angela with license premises. <p>VAWG offences – last 12 months in Merton reduction of 4.4% (n171 offences) this is the fourth lowest in the MPS.</p> <p>VAWG Offence - Detection rate 7.2% (increase of 1.2%) this financial year – still not enough!</p> <p>Concern is an increase is violence against the person – 10% increase this FYtD.</p>
11	<p>Liberal Democrat group</p> <p>Does the BCU have a restorative justice strategy and to what extent does the BCU utilise restorative justice in its approach to combatting crime?</p>	<p>The MPS follows the guidance set out by the Restorative Justice Council. The BCU does not have a stand-alone strategy but a Detective Chief Inspector, new to the BCU, who was a contact for restorative justice for the MPS, will be writing one. Currently the process is underused and I would be interested in changing this or at least making sure that the principles and the availability of restorative justice as an option is understood.</p>
12	<p>Liberal Democrat group</p> <p>Are police officers given any advice on how to interact with members of the public when out on patrol apart from those they specifically encounter when going about their duties? Is it for example, suggested officers routinely greet members of the public they pass in the street?</p>	<p>Yes this is suggested - we often use the language of “engaging” with people. However we also hope that people - community and police - will just talk to each other. We are aware that there is sometimes feedback about officers not doing this - perhaps talking to each other and/or not looking up whilst in cars. We do give this feedback to officers. The MPS is focussing a lot more on what engagement means and looks like now than historically - starting in training when we talk to new officers and staff about</p>

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		the history of London’s communities and the value of building trust and relationships.
13	Liberal Democrat group What is the current status of Merton’s Independent Advisory Group and are there lessons to be learned as to how Merton’s IAG performs in contrast with other London borough IAGs in improving public confidence in the police?	Merton’s Independent Advisory Group (IAG) remains in place and is well chaired by Father David Pennells. As with other IAGs across London it is sometimes hard to ensure that all parts of the community are represented and we would always welcome new members and have done adverts to promote this. I attend the vast majority of IAG meetings. The Chairs of each borough’s IAG meet together regularly to share best practice. I would welcome ideas on how to improve further - one idea perhaps could be promoting the IAG on a more consistent basis and again at critical points of low trust.
14	Liberal Democrat group Is the Borough Commander aware of any developments since her last update on the long-term future of Wimbledon Police Station?	Unfortunately I have no further news on this matter and await a decision from MOPAC.

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CATALYTIC CONVERTER THEFT ALERT

The Met Police have teamed up with Kwik Fit Garages to attempt to reduce catalytic converter thefts in the area. The Met Police have supplied a limited number of catalytic converter marking kits to Kwik Fit.

If you'd like one please phone the garage ahead of time as supplies are limited.

Kwick-Fit 12 Kingston Road, London, SW19 1JZ.

☎ Tel: 020 8542 0233

If you would like to speak to your local ward team then please contact:

Wimbledon Park Neighbourhood Policing Team

Tel: 0208 7212452

Email: WimbledonPark@met.police.uk

Crime Notifications

If you would like to be made aware of crimes in your road and the neighbouring roads, our team sends out road specific crime alerts, witness/CCTV appeals along with relevant crime prevention advice. This enables you to be aware and vigilant to the crime directly affecting their area. If you would like to receive these updates please email WimbledonPark@met.police.uk requesting to receive notifications along with your Name, Address and Email.

We are patrolling your area and targeting offenders. To assist us please take note of the general advice on how to prevent vehicle crime

Precious metals inside catalytic converters make them attractive to thieves. Make yours harder to steal:

- Contact your vehicle dealership about fitting an aftermarket product, approved by the vehicle manufacturer and tested to Sold Secure Gold, to prevent your converter being removed.
- Depending on the make and model, they can advise on the best way to secure it (a clamp or guard).
- Consider installing a Thatcham approved alarm that activates if your vehicle is lifted or tilted.

Watch out for thieves:

- People carrying metal cutters, car jacks or metal from an exhaust pipe.
- People underneath cars which are jacked up.
- A vehicle parked nearby and sometimes in the middle of the road.
- Etching it with a serial number can help police track it and reduce opportunities for thieves to sell it.
- Consider installing CCTV or a video recording doorbell which records when motion is detected and allows live streaming to your phone whilst you're away.
- If you have CCTV of people committing crime, contact your local SNT or call 101.
- If you see a crime in progress always call 999 at the time it is happening.

Neighbourhood Watch

If you would like to become a member of Village Neighbourhood Watch please use www.mertonnhw.co.uk and sign up for information.

Reporting Crime

- CALL 999 - any Emergency requiring immediate Police assistance.
- CALL 101 - 24 hour Police Non-Emergency Contact Number.
- Report a crime / ASB online – <https://www.met.police.uk/>
- Tweet @MetCC
- Visit your local Police Station – Wimbledon Police station, 15-23 Queens Road, SW19 8NN.

Kind regards,

Wimbledon Park Neighbourhood Policing Team

PC Georgia Hall, PC Jamie Chand and PCSO Brett Fox

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Overview & Scrutiny Committee

Date: 7th September 2022

Wards: All

Subject: Update on the work of Safer Merton and Violence against Women and Girls (VAWG) and the new VAWG Strategy 2022-2025

Lead officers: Calvin McLean (Interim Assistant Director of Public Protection), Alun Goode QPM (Interim Head of Safer Merton), Zoe Gallen (Domestic Abuse and VAWG Lead), Katy Saunders (Interim Community Safety Team Manager)

Lead member: Councillor Eleanor Stringer, Cabinet Lead for Civic Pride

Contact officer: Zoe Gallen, Domestic Abuse and VAWG Lead

Recommendations:

- A. For the Overview & Scrutiny Committee to note the update on the work on the VAWG agenda and the new VAWG Strategy 2022-2025 - *Merton's Ending Violence Against Women & Girls Strategy 2022–2025*.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1. This report provides an update on the work of Safer Merton in delivering for Domestic Abuse and Violence Against Women and Girls and sets out the new VAWG Strategy to guide our work from 2022-2025.

2 DETAILS

2.1. Safer Merton continues to co-ordinate the partnership approach to respond to VAWG, working with a range of council departments, Police, and other agencies to tackle and prevent violence against women and girls in Merton.

- The Independent Domestic Violence Advocacy Service (IDVAs).
- Running the weekly One Stop Shop drop in advice surgeries.
- Joint commissioning of the Complex Needs IDVA Service with Wandsworth, Kingston and Richmond.
- Refuge provision – run by Hestia, 17 beds for women fleeing domestic abuse.

2.2. The team directly commissions and manages the delivery of front-line services for victims of Domestic Abuse.

2.3. Beyond the commissioned work, the team coordinates cross-borough activity including:

- Developing and delivering the annual VAWG Strategy being discussed today, and the forthcoming Action Plan.
- The management of the VAWG Strategic Board (quarterly meetings), whose membership includes Police, Probation, Children's Services, Health, Victim Support, Hestia, Adult Services, Public Health, South West London Integrated Care System, Rape Crisis and 3rd Sector organisations.

- Running the monthly domestic violence MARAC¹ meetings.
- Raising awareness of Domestic Violence and Abuse (DVA) and VAWG across the Council, partnership, and community.
- Ensuring we meet policy and statutory requirements, specifically conducting Domestic Homicide Reviews (two active at present) and co-ordinating the implementation of the Domestic Abuse Act 2021.

2.4. Following the murder of Sarah Everard in March 2021, there has been increased interest in the work undertaken to keep women and girls safe. Following a cross-party motion accepted by Merton's Full Council in April 2021, Safer Merton has established a Safety of Women and Girls task group, whose role includes considering how we develop safe and confidential opportunities for women and girls to share their experience with the Council and partners and addressing male behaviour.

2.5. The VAWG Strategy underpins the work we do in Merton to support victims and survivors of all forms of domestic abuse and VAWG.

2.6. The Strategy sets out our vision for ending violence against women and girls. This replaces the previous strategy from 2016-18 and was developed in consultation with VAWG partners across the borough. It has been further developed with feedback from the VAWG Board and Safer Stronger Executive Board.

2.7. If agreed by Cabinet, the Strategy's ambitious vision will be realised through a robust Action Plan.

2.8. We will work closely with residents, survivors, and multi-agency partners to develop this in order to address our 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

2.9. An action plan will be published later in the year setting out the steps to be taken. Initial conversations suggest that these actions will 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,

¹ Multi Agency Risk Assessment Conference for high risk domestic abuse cases.

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

- and a focus on improving systems and referral pathways.

2.10. This work links 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. 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.

2.11. **Update on other key pieces of work in tackling Violence Against Women and Girls:**

2.12. **Safer Streets Round 4 Funding:** Safer Merton has been successful in its joint bid with Wandsworth, Kingston, and Richmond for Round 4 of the Home Office's Safer Streets funding. Funding of £183,300 will be shared between the four boroughs on supporting interventions aimed at preventing violence against women and girls in public places and on engaging with men to change attitudes and behaviours. Work will begin on implementation of the bid in the autumn of 2022.

2.13. **White Ribbon Accreditation:** The Safety of Women and Girls Task Group is overseeing the work for Merton Council to achieve White Ribbon accreditation status. 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. This has previously been agreed by Cabinet. £3,000 in membership for three years will be covered under the Safer Merton budget.

2.14. **Merton 2030 and Mayor's Office for Policing and Crime (MOPAC) London Crime Prevention Fund (LCPF) funded work:** Additional work being delivered with Merton Council and MOPAC LCPF joint funding. The interventions delivered include investing in extra capacity for Street Pastors to be trained and deployed to busy night-time economy locations (£11,000 costs were funded by LCPF 2021-22 paid out last financial year and £15,000 funded by the Merton 2030 budget).

2.15. Merton has also signed up to the **Mayor of London's Night Safety Charter**². 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. There are no direct costs in signing up to the Charter.

2.16. 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. Funding secured under

² <https://www.london.gov.uk/what-we-do/arts-and-culture/24-hour-london/womens-night-safety-charter#acc-i-57686>

the Safer Streets bid (2.9) will contribute towards publicity campaigns and promotional materials.

3 ALTERNATIVE OPTIONS

3.1. There are no alternative options as this strategy covering 2022-25 is needed to inform our work.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. The draft strategy has been developed by the VAWG Board and shared with partners. Through the work we currently do we have feedback from victims and survivors which has been incorporated into the strategy.

5 TIMETABLE

Action	Date
<i>Safer Stronger Executive Board</i>	20 th July 2022
<i>Overview & Scrutiny Committee</i>	7 th September 2022
<i>Cabinet</i>	19 th September 2022
<i>Official launch of VAWG Strategy 2022-25 and annual action plan</i>	During 16 Days Against Domestic Violence & Abuse Campaign 25 th November -10 th December 2022

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Currently the domestic abuse service is funded by the Council and MOPAC. The women’s refuge is funded by the Council’s Housing Department. We will continue to look for additional funding to maintain and grow our services.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. The Domestic Abuse Act 2021 (the Act) received Royal Assent on 29/04/21 and is being brought into force in stages. The purpose of the Act is to raise awareness and understanding of domestic abuse and its impact on victims, to further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice, and to strengthen the support for victims of abuse and their children provided by other statutory agencies.

7.2. Part 4 of the Act, which came into force on 01/10/21, places new duties on the GLA and London Boroughs in respect of the provision of accommodation-based support to domestic abuse victims and their children in refuges and other safe accommodation. A copy of Part 4 of the Act is available under Appendix 2.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. Domestic violence and abuse can have major implications on community cohesion. With 1 in 20 residents affected by this crime, the partnership's work in supporting victims, taking action against perpetrators, and ensuring that our communities understand the work we are doing on this subject is vital in achieving our ambitions for more victims to report and for more friends, family and/ or neighbours to report matters of concern.

8.2. The United Kingdom ratifies the Istanbul Convention, and this will be a positive way forward supporting victims and survivors.

9 CRIME AND DISORDER IMPLICATIONS

9.1. As Safer Merton oversee the work as lead service, the team ensure that all crime, disorder, and safeguarding concerns are considered within this work.

9.2. The Domestic Abuse Act 2021 and subsequent guidance from the Home Office and MOPAC sets out the responsibilities for the local authority and the Community Safety Partnership.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. As a response to the ongoing concerns of the Covid pandemic and now living with Covid, the Safer Merton service and our partners have evolved our business continuity plans to cope with associated challenges.

10.2. Victim Support and Safer Merton have shared each other's plans and are working on a daily basis to understand one another's pressures and challenges as we work to ensure that the service is continued to be delivered to our victims.

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

- **Appendix 1 - Draft Merton VAWG Strategy 2022-2025 – Merton's Ending Violence Against Women & Girls Strategy 2022–2025**
- **Appendix 2 – Part 4 of the Domestic Abuse Act 2021.**

12 BACKGROUND PAPERS

12.1. None.

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Merton’s Ending Violence Against Women & Girls Strategy 2022 – 2025

DRAFT

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Foreword

Preventing and responding to violence against women and girls remains a priority for Merton's Safer Merton Partnership.



As more victims and survivors come forward to report domestic abuse and violence and VAWG, we need to ensure that they get the support they need. We also want our services reduce the impact on children and families who witness incidents.

This strategy sets out our partnership commitment to work together to prevent all forms of violence against women and girls (VAWG) including domestic abuse (DA) in Merton.

We want to see an increase in reporting as a result of raised community awareness and victim confidence, but this must go hand in hand with an increase in prosecution and convictions for what can still be hidden crimes.

We want to see early intervention and prevention, working with men and boys to tackle sexist and misogynistic attitudes, and building resilience in families.

We have committed to reviewing and developing our services so that fewer victims reach crisis point and that every victim is able to access co-ordinated support at the right time.

We will achieve these outcomes by raising awareness, providing early intervention, supporting victims and their families, and bringing perpetrators to justice.

Councillor Eleanor Stringer, Deputy Leader and Cabinet Member for Civic Pride

The Way Forward: A Call to Action

This strategy sets out our vision for ending violence against women and girls. This is an ambitious vision which will be realised through a robust action plan.

We are working closely with residents, survivors, and multi-agency partners to develop this in order to address our 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

An action plan will be published later in the year setting out the steps to be taken. Initial conversations suggest that these actions will 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 disadvantage,
- 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.

The emphasis of the action plan will be on our coordinated community response and the role we can all play in ending VAWG. The action plan will also build on best practice work that we have been delivering across the borough.

Conclusion

Together we can end violence against women and girls. We are determined to end violence against women and girls and believe that partnership working in a coordinated community response can help us achieve this.

This strategy sets out the role we can all play in responding to and ending VAWG.

We welcome professionals, residents, and survivors to join us in achieving our objectives.

Together, we can work to make our borough safer for anyone who is living, studying, working, visiting, and travelling in Merton.

Introduction

Violence against Women and Girls (VAWG) is a fundamental human rights violation, which harms the lives of millions.

It is recognised as a worldwide issue of epidemic proportions. Nationally we know that on average two women are killed every week by a current or former partner and one in five women have experienced some form of sexual violence since the age of 16. But VAWG is also something that is happening here in Merton, estimated to be affecting around one in 20 women and girls at some point in their lifetime.

In many instances VAWG remains hidden and under-reported, but it is not inevitable and collectively we can end it. This strategy sets out the role we can all play in ending VAWG as part our coordinated community response

Preventing violence against women and girls is everybody's business. We want to ensure that everyone can identify victims and can intervene early to prevent situations from escalating to crisis point. We also want to ensure that we understand the needs of victims and their families.

This strategy builds on the nationally recognised best practice work that has been happening across our borough.

Survivor is a nationally recognised term to describe someone who has been a victim of abuse but who has continued to live, it is a positive term of empowerment and therefore used throughout the strategy.

This strategy will be accompanied by a robust action plan which will outline the steps we will take as a partnership to achieve our objectives. Our approach will use this strong foundation to continue our priority to end VAWG

Our strategy recognises many strategies including:

- The Government's 'Ending Violence Against Women and Girls Strategy 2021,
- Home Office's 'Violence Against Women and Girls National Statement of Expectations' (NSE) published in December 2016, which outlines the expected standards for local areas when commissioning services.
- Mayor of London – VAWG Strategy 2022
- CLCH
- Probation
- Met Police, Action plan on tackling VAWG
- Mental Health

We have developed five shared partnership objectives that we will all work towards.

Our approach is framed within a VAWG strategy because we know that these crimes are disproportionately gendered. However, we intend to benefit all victims of these crimes.

Men and boys can also be victims of violence and abuse and so supporting men's services will not be excluded from consideration in this strategy. Our strategy puts the victim at the centre of service delivery, has a clear focus on perpetrators, keeping victims safe, and acknowledges the need to raise local awareness of the issues.

In developing this strategy we have consulted with users, elected members and our local partners. Our strategy also acknowledges the gendered nature of VAWG.

Definition of Violence Against Women and Girls (VAWG)

Violence Against Women and Girls (VAWG) is the umbrella term used to describe a range of violent and abusive acts and behaviours, which are predominantly, but not exclusively, directed against women and girls. This term is used to describe abuse against all genders but highlights the disproportionate impact on women and girls.

Locally and nationally, we have adopted the United Nations definition of VAWG, which defines VAWG as:

"Any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

There are multiple forms of VAWG, whether physical, sexual, psychological, or economic. This can include violence in public places, such as sexual harassment, or within the private sphere such as intimate partner violence, which can often lead to homicide. Two women are killed every week by a partner or ex-partner in the UK. Some forms of violence are technology based, such as internet stalking, or driven by economic factors such as international trafficking of women and girls. Others are the result of harmful practices, such as Female Genital Mutilation, Forced Marriage, and virginity testing. These abuses can differ in how they are experienced, but all are the result of the misuse of power and control

Type of Abuse	What does this mean?
Domestic abuse (including coercive control)	This is when a partner or family member has power and control over their victims and uses abuse to maintain it. Abuse can be physical, emotional, economic, psychological and/or sexual.
Rape and sexual violence	Rape is sex without consent. This means that rape isn't just people being physically forced into a sexual act, it also includes pressure that makes someone feel like they have no choice but to have sex or perform/receive a sexual act.
Female genital mutilation	This is the partial or total removal of external female genitalia for non medical reasons.
Early and Forced marriage	This is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so.
So called "honour" based violence	This is abuse and violence which is carried out in order to protect or defend perceived "honour" of the family and/or community. We are clear that there is no honour in honour-based violence.
Faith-based abuse	This is when someone uses religion or faith to justify the abuse of another person, usually a child or vulnerable adult. It could be caused by the perpetrator's belief in witchcraft, spirit or demonic

	possession, ritual, or satanic abuse. It is not caused by religion or faith.
Sexual harassment	This is unwanted behaviour of a sexual nature which violates someone's dignity, makes someone feel intimidated, degraded, or humiliated and/or creates a hostile or offensive environment.
Stalking	This is a pattern of persistent and unwanted attention that makes someone feel pestered, scared, anxious, or harassed.
Modern Slavery	This is an umbrella term for human trafficking and servitude. It is used when somebody is forced or controlled to do something, and another person gains from this.
Prostitution and Sexual exploitation	This is where someone is being coerced or forced into selling sex or performing sexual acts. Victim/survivors may also be trafficked into prostitution. Children, young people, and vulnerable adults may also be sexually exploited and coerced into receiving or performing sexual acts. Abuse of children and adults can include sharing pornographic images and the use of technology.

The Domestic Abuse Act 2021 definition:

Domestic abuse is behaviour between those aged over 16 years who are personally connected to each other that is they are or have been intimate partners or family members, even after separation. Regardless of age, gender identity or reassignment, religion, ethnicity, class, sexual orientation, marital status or background.

Behaviour is considered abusive when it consists of any of the following:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour, even after separation
- Economic abuse – means any behaviour that has a substantial adverse effect to acquire, use or maintain money or other property, or obtain goods or services
- Psychological, emotional, or other abuse

Includes so called 'honour-based' violence, female genital mutilation (FGM) and force marriage.

Controlling behaviour is a range of acts designed to make a person subordinate and/ or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts to assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

A child who sees, or hears, or experiences the effects of, domestic abuse and is related to the person being abused or the perpetrator is also regarded as a victim of domestic abuse in their own right.

What causes VAWG?

Many different reasons are given as to why VAWG happens. This includes blaming substances, mental ill health, anger issues, growing up in an abusive household, cultural practices, and stress. These issues might have an effect, but none of these issues CAUSE violence or abuse. Instead, evidence has shown that gender inequality is a key driver of VAWG.

The Council of Europe give three factors which lie at the root of the problem:

Cultural Factors	Legal Factors	Political Factors
Sexist views and the idea that men can have more power over women and children, results in abuse being used to maintain this power. Gender stereotypes reinforce this inequality and creates an acceptance of violence and abuse.	Although abuse is illegal, sadly we see many victims blamed for the abuse and low sentences for abusers. This results in low reporting and abuse being allowed to continue.	The under-representation of women and minority groups in power and politics means they have fewer opportunities to shape the discussion and to affect changes in policy, or to adopt measures to end VAWG
For example: Sexist attitudes like believing men must be tough, strong, and always in control can result in them exerting control over a partner or family member. These attitudes are harmful to all genders.	For example: Rape convictions remain low and have got worse in recent years, with only 1.6% nationally leading to conviction in 2020. Survivors have told us that this sends a terrible message that rapists can 'get away with it' and allows abuse to continue.	For example: Rape in marriage only became a criminal offence in 1991 and coercive control only became an offence in 2015. Both happened because of lobbying by women's groups

General Recommendation 19, Committee on the Elimination of Discrimination Against Women: UN, 1992.

<https://www.coe.int/en/web/gender-matters/what-causes-gender-based-violence>

We also know that experiences of racism, classism, ageism, homophobia, transphobia, and ableism can make people more vulnerable to abuse and they may face additional barriers in accessing support.

We know that disabled people including those with mental ill health,, are twice as likely to experience abuse and 80% of trans people have experienced emotional, sexual, or physical abuse from a partner or ex-partner. The Oxford dictionary defines Intersectionality as “the interconnected nature of social categorisations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage”. It can also give some people advantage and opportunities that others don't have access to. Our strategy recognises the need for an intersectional approach which understands the barriers people face and how these connect with each other and with their experiences of abuse

What are some of the common myths about VAWG?

<p>Myth: To stay safe, women should not go out late at night Women should not have to restrict their lives to be safe. We need to tell abusers to stop the abuse, not tell women to restrict their freedoms. Telling women this is victim blaming. It is important to note that staying at home doesn't necessarily mean women will be safe either. Statistically, women are more likely to be harmed in the home than on the street. Telling women to change behaviour does not address the root cause of abuse and will not result in change.</p>	<p>Myth: Violence against women and girls only affects certain groups of women Research has repeatedly shown violence can affect women from all social, economic, cultural, and family backgrounds. There is no evidence to suggest that violence is more prevalent in some communities than others. Instead, barriers to accessing support can increase vulnerability. Experiencing racism, ableism, or homophobia can influence someone reaching for support. This is why an intersectional approach is important</p>
<p>Myth: Leaving an abusive relationship means the abuse will end There can be many barriers to leaving an abusive relationship, and access to support and resources plays a role. Survivors should not be blamed if they do not leave, this is victim blaming. We also know that risk escalates when survivors leave so survivors must be supported to leave safely if they choose to. Even after leaving, survivors can still be at risk. Survivors recall abusers continuing to stalk them and even using institutions, such as the family courts, to continue abuse. Support for survivors must therefore always be long-term</p>	<p>Myth: Abuse is the result of an anger problem, use of substances or mental ill-health There is no research to support this. Abuse and violence are about power and control. Abusers often choose when they abuse, often where there are no witnesses. We know that substances or mental ill health do not cause abuse. Many people who use substances or have a mental health condition do not abuse. However, substance use or mental ill health can make existing abuse worse. It's important to offer abusers wider support, but there should be no excuse for abuse.</p>
<p>Myth: Abusers can still be good Parents Children are recognised as victim/survivors in the Domestic Abuse Act 2021 because where children are exposed to domestic abuse this is a form of psychological abuse. They do not have to witness the abuse to be affected by VAWG. However, many children do see and hear abuse taking place within the home and children may also be physically harmed by the abuser particularly if they are trying to defend the non-abusive parent. "An estimated 90% of children whose mothers are abused witness the abuse. The effects are traumatic and long-lasting.</p>	<p>Myth: VAWG is mainly about physical violence VAWG extends beyond just physical violence. Instead, VAWG is about the different ways that victims are controlled, intimidated, humiliated, or threatened. VAWG is about being denied human rights, to achieve this, abusers may use physical violence, but they also use methods such as psychological, emotional, and economic abuse. They may also use reproductive abuse whereby abusers prevent the survivor from making their own choices about pregnancy and having children. These types of abuse can be just as harmful as physical abuse.</p>

<p>When a child witnesses domestic abuse this is child abuse. Between 40% and 70% of these children are also direct victims of abuse". (Women's Aid) Where there are children the onus should not be put on the mother to protect her children, abusers must be held to account for their behaviour and challenged on their parenting responsibilities.</p>	<p>Abusers may use children to abuse the non-abusive parent making a partner or ex-partner feel guilty about their children, using the children to relay messages, using children to monitor and report on the survivor's movements, using contact arrangements to harass their partner, or threatening to take children away.</p>
<p>Myth: Sexual violence is more likely to be committed by a stranger At least two thirds of sexual assaults are committed by someone known to the survivor. According to some studies only 2% of abusers are complete strangers. 97% of women who contacted Rape Crisis said they knew the person who raped them</p>	<p>Myth: Women involved in prostitution cannot be raped or sexually assaulted Sexual violence is any sexual act that a person did not consent to or is forced into against their will. Women involved in prostitution do experience rape and sexual assault. Women involved in prostitution face discrimination and are often blamed for the abuse. This is not acceptable, and we believe everyone should be supported to access support.</p>
<p>Myth: Forced marriage only happens in South Asian communities Forced marriage affects a wide range of communities from different cultural backgrounds. It affects men and women all over the world, regardless of race, ethnicity, or religion. Labelling it as a problem for 'certain' communities creates harmful stereotypes and can create barriers for people accessing support.</p>	<p>Myth: If a young person accepts drink, drugs, or money for sex its their choice to do so This is a form of exploitation and usually the people supplying alcohol, money and gifts have the power in this relationship and will use this to their advantage. Often the victims may not recognise what they are experiencing as abuse and may have misplaced loyalty to the person abusing them.</p>

Strategic Context

National Strategic Context

Addressing VAWG is recognised as a priority area regionally, nationally and internationally. The UN Declaration (above) was adopted by the General Assembly in 1993. This was followed by a resolution of intensification of efforts to eliminate all forms of violence against women in 2009.

In 2022, the Mayor of London published **Tackling Violence Against Women & Girls (VAWG) Strategy for London** – a London-wide plan aimed at ending all forms of violence against women in London.

In March 2016, the Government published its '**Ending Violence Against Women and Girls Strategy 2016 to 2020**' and in **2021 Tackling Violence against women and girls - The safety of women and girls across the country is our priority**– outlining a commitment to make tackling VAWG everyone's business and outlining plans for increased support for service commissioners to assist women who have experienced violence.

[Tackling violence against women and girls strategy \(accessible version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/561212/Ending_Violence_Against_Women_and_Girls_Strategy_2016_to_2020_accessible_version.pdf)

[Tackling Domestic Abuse Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/561212/Ending_Violence_Against_Women_and_Girls_Strategy_2016_to_2020_accessible_version.pdf)

[Mayor's Violence Against Women and Girls Strategy 2018-2021 | London City Hall](#) – due to be refreshed in May 2022

Supporting male victims of crimes considered violence against women and girls

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1064154/Supporting_Male_Victims_2022.pdf

In 2021 the Met launched their **VAWG Action Plan**.

Tackling violence remains our top operational priority, including crimes that disproportionately affect women and girls, such as domestic abuse and sexual violence. Male violence against women and girls has a profound and long-lasting impact on those directly affected, shattering the lives of victims, their families and those closest to them. Such violence also affects local communities and impacts on the public's confidence in the safety of their area, and in the effectiveness of their police service.

Make no mistake, we in the Met will work relentlessly both to tackle violence perpetrated by men against women and girls, and to rebuild trust in the highest professional standards that we expect in policing



MPS VAWG Plan
(002).pdf

Prevalence of violence against women and girls in Merton

It is widely acknowledged that all strands of VAWG are underreported, and that many victims/survivors do not come to the attention of services.

Over the next three years, a key priority for the partnership will be to increase this reporting.

1. Domestic violence and abuse (DVA) flagged offences account for 13.6% of all recorded crime in Merton. This equates to 8.5 offences/1000 population.
2. 80% of DVA flagged offences are classed as Violence Against the Person offences (VAP) which are sub classified as those in which a physical injury occurs and those that don't including stalking and harassment.
3. The proportion of Merton DV offences which result in any physical injury (classified as Violence with injury VWI) fell by 6% to 22.5%. The MPS average was down marginally at 24%.
4. Around 4% of all DV flagged offences result in a physical injury described as moderate or serious. This is unchanged from the last report
5. The correlation between the location of DVA offences and those areas with higher levels of social deprivation in the east of the borough remains unchanged from the last profile.
6. The Detection Rate in Merton for DV offences was up 0.2% to 14.6% in 2021.

Between April 2020 and December 2021

- Merton's IDVA service received 1169 referrals
- 55 referrals for our Merton refuge service,
- Cases were supported virtually for the One Stop Shop (closed March 2020 – November 2021, virtual service provided) and
- 1044 cases referred to DV Multi Agency Risk Assessment Conference (MARAC).

Other data sources

The lasting impact of violence against women and girls - Office for National Statistics
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/thelastingimpactofviolenceagainstwomenandgirls/2021-11-24>

Violence against women and girls: Data landscape - Office for National Statistics
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/violenceagainstwomenandgirlsdatalandscape>

Forced Marriages

We have reported cases within Merton, even though the numbers are low we will continue to support our victims and survivors of forced marriage.

Victims Of Honour Based Violence (HBV or so called honour based violence)

We have reported cases within Merton, even though the numbers are low we will continue to support our victims and survivors of honour based violence.

Female Genital Mutilation (FGM)

We have reported cases within Merton even, though the numbers are low we will continue to support our victims and survivors of Female Genital Mutilation.

<https://digital.nhs.uk/data-and-information/publications/statistical/female-genital-mutilation>

Sexual Violence

Merton has the third lowest number of sexual offences of the 32 London boroughs in FY2021-22.

The overall proportion of sexual offences increased by 1% from the last report accounting for 3% of all reported crime in Merton.

84% of victims of sexual offences in Merton were female.

What did survivors with lived experience tell us?

Survivor is a nationally recognised term to describe someone who has been a victim of abuse but who has continued to live, it is a positive term of empowerment and therefore used throughout the strategy.

- Survivors told us that professionals need to be curious about abuse.
- Survivors should not be stereotyped as there is no 'type' of survivor.
- There needs to be long-term support, not just a response to crisis
- Support should be made available sooner, not when survivors reach crisis
- Services need to work together better so that survivors don't have to keep telling their story
- Schools and education settings need to be part of the coordinated community response to VAWG.

We need to make sure professionals, friends and family can identify abuse and understand how to ask and respond.

Abby's words:

I'd been controlled half my life. I'd been in the relationship with him since I was 13 or 14 years old.

When I was at hospital, when I gave birth, I couldn't tell anyone working there I was being abused. I had all his family there. Even when the midwives took me to a room to ask if I was okay, I would say "No, I'm fine".

The neighbours knew what had been going on, but I'd begged them not to tell anyone. I was scared of social services taking my kids away, and this had stopped me from coming forward sooner.

He manipulated me so much.

What is our approach to ending VAWG?

The Coordinated Community Response:

We recognise that real change in responding to and ending VAWG can only be achieved when all agencies, residents, and communities work effectively together.

On a survivor's journey, they are likely to encounter a number of services, organisations, and individuals. Each will hold vital information and can help build a picture of what support is needed so survivors do not have to navigate services to get the help they need. Ensuring everyone knows the role they play in responding to VAWG and how they work with each other is a process known as the Coordinated Community Response (CCR).

Our CCR approach ensures a whole system response to a whole person. The following diagram shows some of the different agencies and groups who may need to be involved in the response.



Partnership Objective 1: Raise awareness and coordinated partnership working

Ambition: Fostering and integrated and coordinated approach to tackling domestic abuse and VAWG (Coordinated partnership working)

We will create a culture change to address the issues that cause VAWG and develop services that meet the intersecting needs of survivors and their families.

An effective partnership will have robust ways of working to ensure it is meeting its objectives, has a shared understanding of what best practice looks like, has respect between agencies and is informed by the voice of survivors.

We will:

- have shared objectives, vision, joint responsibility, and equality between partners
- have clear structures and governance in place, with two way information flow, accountability and space for both strategic and operational input
- have a partnership strategy and action plan setting out who is doing what and when, and ensuring that outputs and outcomes are measurable
- have partnership and agency-specific policies, protocols and processes to ensure effective project delivery
- use data to measure and define success
- ensure the partnership has good representation from all agencies – including the voluntary sector
- there is clear co-ordination across the partnership – supported by the Community Safety Team
- there is continuous training and a commitment to effective change, awareness raising and skill development across the partnership workforce
- have specialist services to respond to VAWG
- our approach considers and meets the needs of Merton's diverse community victims and survivors will be consulted on all areas of the strategy and service provision
- work closely with housing departments and organisations to ensure that victim and survivors are safe.
- we will work towards achieving White Ribbon status

Partnership Objective 2: Prevent VAWG through early intervention

Ambition: Preventing domestic abuse, VAWG and intervening early when people have experienced or are at risk of domestic abuse or VAWG (Prevent VAWG & Early Intervention)

Prevention of VAWG must always be our first priority. In order to prevent VAWG we must address the root causes of the problem. As VAWG is the result of gender inequality and discrimination, we will work collaboratively with agencies and communities in tackling the harmful behaviours and attitudes that underpin abuse. This approach must include challenging sexist and misogynistic attitudes

Once patterns of violence are entrenched the harder it is to break the cycle of abuse, support victims to recovery and independence, and deter perpetrators. We recognise that abuse can happen at any stage of a person's life, this strategy will take a life course approach to ensure all victims – and their families – have access to the right support at the right time to help them live free from domestic violence and abuse

We will :

- We will make prevention and early intervention a core foundation of our approach to tackling VAWG.
- We will work with partners to identify domestic abuse and VAWG early.
- We will train professionals, so they understand the dynamics of VAWG.

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Partnership Objective 3: Support victims, survivors and their children

Ambition: Providing accessible, evidence based, holistic support to people who have experienced or are at risk of domestic abuse and VAWG (Supporting victims & survivors and their children, improve outcomes)

We understand that survivors not only need specialist support for the abuse they have experienced, but may also need support with housing, mental health, substance use, child care, immigration, and other support. We are determined to create a joined-up approach with services working together, so that survivors are provided the right support at the right time.

There will be a continued focus on improving outcomes for victims and their children – to ensure they can access the right support at the right time by the right service. We will ensure that the victim is at the centre of service delivery and will ensure that services are flexible and responsive to the victim's experience and voice.

We will:

- Provide an IDVA service for Victim and Survivors of domestic Abuse.
- We will provide a refuge for women fleeing to our borough.
- We will work with partners to ensure victim/ survivors and their children are safe.
- We will have a Multi-Agency Risk Assessment Conference (MARAC) to ensure high risk cases are known and discussed with our partners.
- We will have a One Stop Shop so victims and survivors can access support.
- We will offer victims and survivors local and national support services to support them.
- We will ensure that victims and survivors of VAWG have access to services.
- We will work in partnership with Children's services to ensure that victim/ survivor and children's safety is not just the responsibility of the victim/ survivor and the perpetrator is part of the safety planning ensuring the victim and children are safe.

Partnership Objective 4: Hold perpetrators to account

Ambition: Implementing effective systems and interventions for working with perpetrators or those at risk of becoming perpetrators (hold perpetrators to account)

Ending VAWG can only happen if perpetrators stop their abuse.

Where abuse does happen, perpetrators must be brought to justice. We will continue to ensure that effective sanctions are taken against perpetrators, and that they are prevented from influencing children and other vulnerable people from becoming perpetrators in turn.

We will:

- increase the number of perpetrators brought to justice for violence against women and girls.
- improve processes and victim care across the criminal justice system to reduce the number of cases failing.
- reduce repeat victimisation of women and girls.
- increase women's confidence in the police so as to improve the reporting of crimes which disproportionately affect women and girls within London.
- see an increase in reporting to police, but a decrease in women being abused, i.e. the proportion of women experiencing these crimes in each year (measured through reporting in the Crime Survey in England and Wales); and
- work in partnership, and with the wider Met, in the management of serial and dangerous perpetrators.
- Partnership working through MAPP (Multi Agency Public Protection Agency) will control and monitor perpetrators to reduce repeat victimisation.
- Use GPS tagging to control and monitor our highest risk Domestic Abuse offenders.

Partnership Objective 5: Improve the safety of women and girls

Ambition: For women and girls to feel safer and be safer within the borough

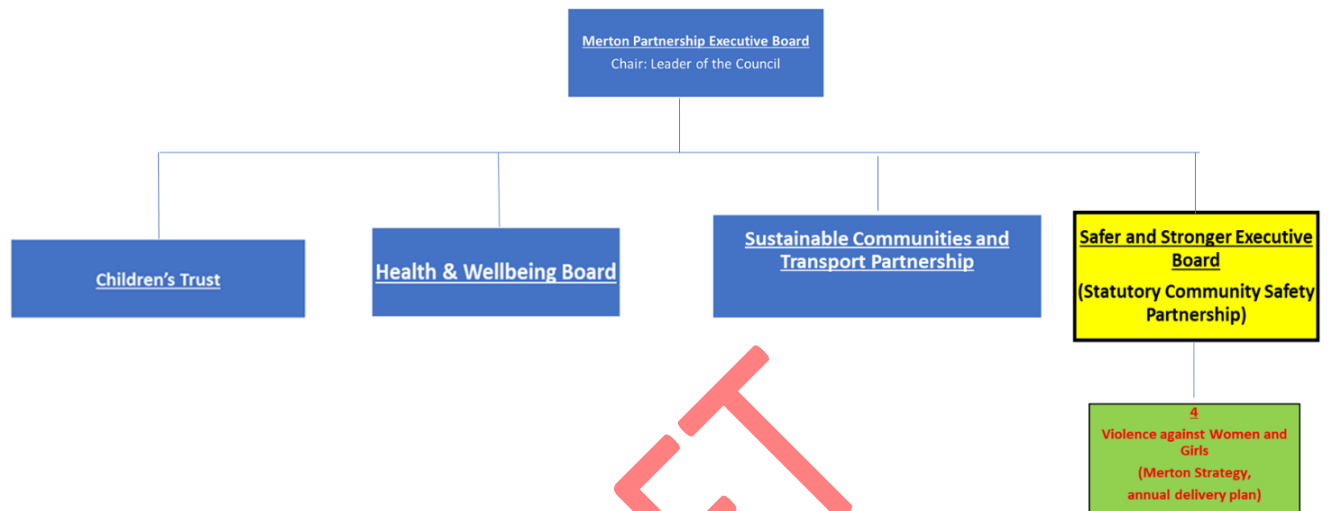
Working with partners, we aim to reassure women and girls in public spaces and protect them from victimisation. We will increase our understanding of key locations where women feel unsafe and work with partners to design-in safety, as well as increase police visibility and enforcement in these hotspots.

We will:

- We will review and look at improve our public spaces in the borough.
- We will work with licenced premises to ensure they are keeping women safe.
- We will provide a communication plan.
- We will expand the Ask for Angela campaign, working with Safer Sounds and bars, clubs and other night time-economy venues. This will build on the comprehensive Welfare and Vulnerability Engagement (WAVE) training to frontline officers that took place in venues across London in the summer.
- We will promote the Mayor's Women's Night Safety Charter and encourage businesses to sign up.
- have a violence against women and girls problem profile within the Police to drive problem solving.
- include violence against women and girls sector organisations in their key partnerships, known as a key individual network.
- work in partnership to tackle identified violence against women and girls concerns.
- work in partnership, and with the wider Met, in the management of serial and dangerous perpetrators.

Governance

This strategy will be overseen by Merton's VAWG Strategic Board – a sub group of Merton's Safer and Stronger Executive board (the statutory board overseeing delivery of Merton's Community Safety Partnership, which includes a priority on responding to and preventing violence against women and girls)



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Appendix 1: List of Services within Merton



Appendix 2: List of Abbreviations

ASB - Anti-Social Behaviour

SWLMHT - South West London Mental Health Trust

MSAB - Merton Safeguarding Adults Board

MSCB - Merton Safeguarding Children Board

CCG - Clinical Commissioning Group

CJS - Criminal Justice System

DA - Domestic Abuse

IDVA - Independent Domestic Violence Advisor

LGBT - Lesbian, gay, bisexual, and transgender

MARAC - Multi-Agency Risk Assessment Conference

MOPAC - Mayor's Office for Policing and Crime

MPS - Metropolitan Police Service

NHS - National Health Service

SSEB - Safer & Stronger Executive Board

VAWG - Violence Against Women and Girls

VCS - Voluntary and Community Sector

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Appendix 2 – Domestic Abuse Act 2021

Part 4: Local authority support

Section 57: Support provided by local authorities to victims of domestic abuse

Section 57 (1) of the Act places a duty on the Greater London Authority (GLA) to assess the need for "accommodation-based support" for victims and their children within its area, to prepare and publish a strategy for the delivery of the support within its area, and to monitor and evaluate the effectiveness of this strategy.

"Accommodation-based support" is defined as meaning support, in relation to domestic abuse, for victims and their children who live in "relevant accommodation". Such support may include:

- Overall management of services within safe accommodation – including, the management of staff, payroll, financial management of services and maintaining relationships with the local authority (such functions will often be undertaken by a service manager);
- Support with the day-to-day running of the service, for example scheduling times for counselling sessions, group activities etc.;
- Advocacy support – development of personal safety plans, liaison with other services (for example, GPs and social workers, welfare benefit providers);
- Domestic abuse-prevention advice – support to assist victims to recognise the signs of abusive relationships, to help them remain safe (including online) and to prevent re-victimisation;
- Specialist support for victims with relevant protected characteristics and / or complex needs, for example, translators and interpreters, faith services, mental health advice and support, drug and alcohol advice and support, and immigration advice;
- Children's support – including play therapy and child advocacy;
- Housing-related support – providing housing-related advice and support, for example, securing a permanent home and advice on how to live safely and independently; and
- Counselling and therapy for both adults and children.

What constitutes "relevant accommodation" for these purposes is specified in Domestic Abuse Support (Relevant Accommodation and Housing Benefit and Universal Credit Sanctuary Schemes) (Amendment) Regulations 2021 (SI 2021/991).

The GLA must, in carrying out its functions, give effect to the strategy.

Prior to publication of a strategy the GLA must consult the domestic abuse local partnership board, the London Boroughs and any other persons considered appropriate (for example, local providers of domestic abuse services).

The GPA must keep the strategy under review. It may make any changes to or replace the strategy, and must publish any revised or replacement strategy. The GLA must also keep under review any effect of that strategy on the provision of other local authority support for victims of domestic abuse or their children that is provided or funded by the authority.

The London Boroughs are required to co-operate with the GLA in any way that the GLA considers necessary for the purpose of discharging its functions under section 57, so far as is reasonably practicable, for example, through the provision of information.

The Secretary of State has made the Domestic Abuse Support (Local Authority Strategies and Annual Reports) Regulations 2021, (SI 2021/990), which make provision about the preparation and publication of domestic abuse support strategies.

Section 58 Domestic abuse local partnership boards

Section 58 places a duty on the GLA to appoint a domestic abuse local partnership board for the purposes of advising it authority on the exercise of its functions under section 57 and the provision of other local authority support in the GLA's area.

In addition to a representative from the GLA, is expected to chair the board, the membership must include at least one person representing the interests of London Boroughs; victims of domestic abuse; children of domestic abuse victims; charities and other voluntary organisations that work with victims of domestic abuse; persons who provide or have functions relating to health care services; and policing and criminal justice agencies.

Section 59: places a duty on the GLA to submit an annual report to the Secretary of State on the exercise of the functions under this Part 4 of the Act. This is to help the Government and others to monitor how the new duties on local authorities are working, understand where there may be challenges and how the funding is being used, and help identify and disseminate good practice.

Section 60: places a duty on the Secretary of State to issue guidance to local authorities relating to the exercise of their functions under Part 4 and Local authorities are under a duty to have regard to the guidance when exercising functions under Part 4.

Overview & Scrutiny Committee

Date: 7th September 2022

Wards: Cricket Green, Figge's Marsh, Graveney, Lavender Fields and Ravensbury

Subject: London Borough of Merton Public Spaces Protection Order (PSPO)

Lead officer: Calvin McLean, Interim Assistant Director Public Protection

Lead member: Councillor Eleanor Stringer, Cabinet Member for Civic Pride

Contact officer: Alun Goode QPM, Interim Head of Community Safety, Katy Saunders, Interim Community Safety Team Manager

Recommendations:

- A. For the Overview & Scrutiny Committee to have the opportunity to comment on proposals for an extension of the current PSPO in Merton and to conduct further consultation in view of applying for a future borough wide PSPO to make Merton a responsible drinking borough.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

- 1.1. A PSPO identifies a public space (the Restricted Area) 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 should focus on identified problem behaviour(s), rather than targeting specific individuals or properties. A breach of a PSPO is a criminal offence.
- 1.2. In 2013, the Council made the *Alcohol Consumption in Designated Public Places London Borough Merton Order 2013*, which created a borough wide 'Controlled Drinking Zone'. In 2017, the Order transitioned into a PSPO under the provisions of the Act. This Order expired in October 2020.
- 1.3. At Cabinet on 7th September 2020, a new more localised PSPO was approved covering five wards (*Lavender Fields, Graveney, Ravensbury, Figge's Marsh and Cricket Green*).
- 1.4. On 13th October 2020 th Council made the London Borough of Merton (Alcohol Consumption in Public Places) Order 2020 which came into force on 21st October 2020 and is due to expire on 20th October 2022 (the current PSPO).
- 1.5. This report outlines our recommendation to extend the Current PSPO for a further three years.
- 1.6. It is important to note that the Current PSPO only applies to ASB related alcohol consumption. Officers will continue to only enforce this prohibition when people drinking alcohol are *currently or likely to cause ASB*.

- 1.7. An Equalities Impact Assessment (EIA), attached as Appendix 3, conducted in July 2022, concluded that extending the Current PSPO will not have a detrimental effect on any person with protected characteristics living, working, or visiting the area.
- 1.8. A multi-agency engagement and enforcement approach to support the extension of the PSPO is being agreed with partners, subject to the decision whether to extend the duration of the Current PSPO. The engagement and enforcement activity will be monitored through the Locations Board.
- 1.9. If Members agree to the extend the duration of the Current PSPO as proposed in this report, in accordance with the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 (the Regulations), the Council will publish the full order as extended on the Council's website advising that it will not expire on 20th October 2022 but has been extended for a further three years, or whatever period the Cabinet decides.
- 1.10. Public notices which are currently erected to mark the boundaries of the PSPO will also be updated to reflect its extension for a further three years. A draft of the notice is attached as Appendix 4 of this report.

The Council may extend the period the Current PSPO has effect if satisfied on reasonable grounds that doing so is necessary to prevent—

 - (a) occurrence or recurrence after the expiry of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
- 1.11. In considering whether to extend the Current PSPO, and if so for how long, the Council must follow the requirements of the Act, the Regulations, and the Statutory Guidance – *Anti-social Behaviour, Crime and Policing Act 2014: ASB Powers Statutory guidance for frontline professionals (Revised June 22)*. The validity of a PSPO can be subject to a statutory challenge in accordance with the Act, or an application for Judicial Review.
- 1.12. On the 27th June 2022, a six week public consultation on the Current PSPO was launched. In total the Council received 186 responses via the online survey. In summary, 86% of respondents agreed with the renewal of the Current Order and 82% agreed with the renewal of the geographical area of the current prohibition. The full results of the consultation are attached as Appendix 1.
- 1.13. From gathering evidence from our partners and the results of the public consultation, we believe there is a case to extend operational area of the controls in the Current PSPO to other areas of the Borough.
- 1.14. Therefore, the further recommendation, if approved by Cabinet, is to begin work on making on a borough wide alcohol consumption PSPO in the autumn of 2022. This will aim to make Merton a responsible drinking borough that does not prohibit the drinking of alcohol in public but reflects a decision to control ASB linked to alcohol consumption.

- 1.15. This work will include a broader consultation with residents which will take into account the increased of the geographical area of the proposed PSPO, across the whole of the Borough not just the five current wards . It will also provide an opportunity to include in the consultation on other ASB issues of concern having a detrimental effect on the quality of life of all those in the borough.
- 1.16. **Proposal for a borough wide PSPO**
- 1.17. Tackling ASB and the detrimental effect it has on quality of life is a strategic priority of the Community Safety Partnership. The recommendation to make Merton a responsible drinking borough under a borough wide PSPO will give the Police and Council enforcement officers additional powers to target those causing alcohol related ASB and offer them additional support.
- 1.18. It will provide reassurance to residents that something is being done to tackle these issues which can have a detrimental effect on communities.
- 1.19. This work links with Merton’s corporate priorities in terms of creating civic pride and a borough where residents feel safe to enjoy our high streets and town centres. It also links to clean streets and the environment with regards to ensuring that our parks and open spaces are a place where residents can enjoy a safe environment free from anti-social behaviour.
- 1.20. In addition, a responsible drinking borough will aid the development of a safe and prosperous Night Time Economy and assist in preventing displacement of problematic drinkers from one area of the borough to another.
- 1.21. It also links with the Government’s 10-year drugs strategy ‘From harm to hope¹’ which focuses on tackling drug supply, reducing drug demand and improving drug and alcohol treatment and recovery services. The strategy states ‘local partnerships should ensure that their plans sufficiently address alcohol dependence and wider alcohol-related harms.’ Under this provision the Combatting Substance Misuse Partnership is being established, which will focus on a multi-agency approach to coordinating action to prevent and reduce drug and alcohol related harm in Merton.
- 1.22. We have briefed the boroughs whose borders surround Merton on the borough wide PSPO proposal. A borough wide PSPO is already in place in Wandsworth. Kingston and Sutton also have PSPOs in place for tackling alcohol related ASB. For Kingston this is very localised but for Sutton, 17 alcohol related ASB PSPOs have been made covering much, but not all of the Borough.

2 DETAILS

2.1. Background

- 2.2. The Act introduced a set of streamlined tools to address ASB and the impact that such behaviour can have on individuals and communities. PSPOs are one of these tools. Through the provisions of the Act, local authorities are empowered to implement PSPOs, providing certain criteria and legal tests

¹ [Guidance for local delivery partners \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

are met. PSPO's differ from other tools as they are Council-led and are designed to prohibit certain activities and/ or can require that people do certain things when engaging in certain activities within a defined public area. They should focus on an identified problem behaviour rather than targeting specific individuals or properties. A breach of a PSPO is an offence, although as an alternative a Fixed Penalty Notice (FPN) may be issued.

- 2.3. In 2013, Merton made the *Alcohol Consumption in Designated Public Places London Borough Merton Order 2013*, which created a borough wide 'Controlled Drinking Zone' (CDZ). The CDZ was designed to target alcohol related ASB across Merton. In 2017, the Order transitioned into a PSPO under the transitional arrangements in the Act and the restrictions on the public consumption of alcohol became subject to the PSPO regime. This transitioned order expired on 20th October 2020 and was replaced by a more localised PSPO which began on 21st October 2022 called the London Borough of Merton (Alcohol Consumption in Public Places) Order 2020 (the Current Order). This covers five wards (*Lavender Fields, Graveney, Ravensbury, Figges Marsh and Cricket Green*).
- 2.4. The Current Order will expire on 20th October 2022 unless extended. The Council may extend the period it has effect if satisfied on reasonable grounds that doing so is necessary to prevent—
 - (a) occurrence or recurrence after the expiry of the activities identified in the order, or
 - (b) an increase in the frequency or seriousness of those activities after that time.
- 2.5. Before extending the Current Order the Council must also carry out the consultation and publicity required by the Act, including publicising its proposal to extend. We have considered the impact the extension. We have gathered this information by consulting on the proposal with the Police, MOPAC, other partners, a public consultation and through the completion of an Equalities Impact Assessment. Finally, we have considered whether the proposed extension satisfies the legal test in paragraph 2.4 above, via consultation with our legal advisers.
- 2.6. **Evidence led approach and proportionality**
- 2.7. Robust evidence is essential when considering whether an extension to the Current Order is appropriate. The Council needs to be satisfied that the evidence demonstrates that the conditions in paragraph 2.4 have been met. A detailed review of the available alcohol related data has taken place and the results of the public consultations have been considered. The Evidence paper can be found in Appendix 2.
- 2.8. However the effectiveness of the PSPO should not solely be judged on the number of enforcements, as its benefits are broader, and the preventative effect of the controls should be noted. Officers using the PSPO powers to intervene at an early stage by asking individuals in the first instance to desist from drinking alcohol is a good way to prevent unreasonable behaviour escalating. For example, occasions where Officers worked positively with

individuals, asking them to stop drinking and encouraging them to access support, before it was necessary to escalate to the level of issuing an FPN. There is difficulty in recording these encounters.

- 2.9. The current PSPO covers the Mitcham area, in particular Mitcham town centre, where there has been a longstanding issue with ASB linked to street drinking. It should be taken into consideration that without the PSPO, the situation in this location could have escalated. Seeing officers patrolling the area and enforcing the PSPO enhances feelings of safety and also acts a deterrent, sending the message that this behaviour is not acceptable.
- 2.10. It should also be noted that following a review of the Community Safety Partnership’s Locations Board meeting, going forwards the engagement and enforcement of the PSPO will monitored via a standing agenda item on a monthly basis to ensure this is a key focus of the partnership.
- 2.11. The current number of street drinking reports to either the Council’s ASB team or Police is low. Enforcement figures for the Current Order are also low, with six Fixed Penalty Notices (FPNs) issued by Council Officers in the last year. Furthermore, conversations with the Police have highlighted the fact they do not have the facility to record action taken by Officers to support the PSPO, this is a common feature across London.
- 2.12. There were 14 calls from public to the Police classified as Street Drinking. The Police are supportive of the proposal to extend the Current Order and consulting on a proposal for a borough wide alcohol related ASB PSPO.
- 2.13. Table 1.1 summary of figures

Data Source	FY 2021-22
ASB Complaints related to alcohol	80
CCTV Logs	300
Alcohol Related Ambulance Callouts (time period) via Safe Stats	709
Street Drinking Police Calls	14
PSPO FPN’s Issued	6

- 2.14. In addition to the quantitative data, it is also important to consider the views of the public; we therefore, considered the perception information from the surveys that have been conducted recently on the Borough. When looking at the results of the borough’s surveys:
- 2.15. The Annual Resident’s Survey (2021)² indicated that concern about drunk and rowdy behaviour has increased compared to the previous survey in 2019. Concerns regarding drunk and rowdy behaviour are more concentrated in East Merton and Mitcham and South Merton and Morden.
- 2.16. The Safer Merton Strategic Assessment Survey (2021) showed that residents thought alcohol disorder and street drinking were the biggest problem in their area, followed by drug paraphernalia (canisters) and drug use.

² [Performance : Residents’ surveys | Merton Council](#)

- 2.17. The Your Merton consultation showed that ASB and safety in public spaces were concerns for East Merton and Mitcham residents, with alcohol consumption often cited as an issue.
- 2.18. **Location**
- 2.19. The Current Order covering five wards expires on 20th October 2022. Recommendation B is to extend the Current Order for a further three years.
- Since the Current Order was made, the London Borough of Merton Electoral Changes Order 2020³, has come into force. This Order makes changes to electoral arrangements for the Borough following recommendations made by the Local Government Boundary Commission for England. Whilst the area of the Borough remains unchanged, the Order abolishes all the existing electoral wards and replaces them with 20 new ones. It also establishes the names and areas of the new electoral wards. The 5 Wards identified in the Current Order as the restrict areas to which the controls apply have not been renamed but there have been slight adjustments of the former Ward boundaries. The Current Order identified the Restricted Areas by reference to the name of the Wards but also a plan so the extent of the areas subject to the alcohol related ASB controls remains clear and certain. Accordingly, if the Cabinet resolves to extend the duration of the Current Order it will operate in relation to the former ward boundaries, shown edged red on the Plans to the Current Order.
- 2.20. **Engagement and enforcement**
- 2.21. If Members agree to extend the Current Order it will come into force on 21st October 2022. Public signage will be updated a week before the go live date and the Order will be publicised in accordance with the Act and the Regulations. During the first three weeks the extended PSPO is in operation, we will focus on engagement and raising awareness of the controls, following which the enforcement will begin.
- 2.22. Enforcement is a key element of the PSPO and as such, ensuring the right controls is vital. The following restrictions area proposed for the PSPO:
- (i) Constables, police community support officers and persons authorised by the Council will be authorised to require a person consuming alcohol in the restricted area so as to cause or be likely to cause a nuisance or annoyance: -
 - a) To stop drinking and/or
 - b) To surrender any alcohol, or container for alcohol, and dispose of anything surrendered.
- 2.23. There are a number of enforcement options ranging from a Warning, and or issuing an FPN, prosecution where the FPN is not paid or where it is not considered appropriate to issue an FPN. For more persistent breaches of the extended PSPO, consideration will be given to issuing Community

³ <https://www.legislation.gov.uk/ukxi/2020/1382/contents/made>

Protection Warnings (CPNW), followed by Community Protection Notices (CPN) and seeking Criminal Behaviour Orders (CBO), where appropriate⁴.

- 2.24. A draft of the PSPO signage can be found in Appendix 4. The signage outlines the area and controls which apply with the restricted area identified by the PSPO. It explains how any ASB can be reported and where people can go to find more information. Note the sign will be updated with the relevant date following approval of the extension of the PSPO.
- 2.25. It is important to add that whilst the Council may issue an FPN offering the opportunity to extinguish liability to prosecution on payment of £150, reduced to £100 on early payment,, the maximum fine to prosecution for breaching the PSPO is a level 2 fine on the standard scale, currently £500. The Council may prosecute if the fixed penalty is not paid or instead of issuing an FPN. Where a person believes to have breached the PSPO refuses to give his/her name and address they may be prosecuted and on conviction fined up to level 3 fine on the standard scale, currently £1,000.
- 2.26. We are working with partners to deliver a co-ordinated Engagement and Enforcement Plan. The plan not only covers the direct enforcement of the PSPO, via the Police and Kingdom Security, but will outline pathways for accessing support, which might be needed to help those where alcohol has become a challenge, through our partnership with Public Health and Westminster Drugs Project (WDP), our commissioned adult substance misuse service.
- 2.27. As part of the Equalities Impact Assessment we will ensure that the PSPO signage is clear, and there is good engagement and publicity. Moreover, we will consider making the information available in different languages.

3 ALTERNATIVE OPTIONS

- 3.1. *Allow the Current Order to expire and not extend its duration.* This would mean that the Council was not effectively using the power to make a PSPO to prevent, deter and reduce the known impact alcohol related ASB is having on specific locations and communities within the Borough. It would leave the Borough with no operational PSPO until the time a borough wide PSPO is made, assuming the statutory tests for make such an order are satisfied. This option is therefore not recommended.
- 3.2. *To extend the Current Order, targeted on the five former Wards for a further period of up to three years and not consider making a borough wide alcohol*

⁴ A CPN is a Community Protection Notice. The Council can issue a CPN to anyone who is 16 or over, or business, or organisation if satisfied, on reasonable grounds, that a person's conduct is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and the conduct is unreasonable. Before issuing a CPN the Council must give a community protection warning (CPW) advising that a CPN may be issued unless the conduct having the detrimental effect does not ceases within such period as is sufficient for him/her to address it.

For more information, see the government advice here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823316/2019-08-05_ASB_Revised_Statutory_Guidance_V2.2.pdf

related ASB PSPO. This would not take into account evidence gathered that such ASB is also an issue in other areas of the Borough which needs to be addressed and the benefits of making Merton a responsible drinking borough.

- 3.3. *To implement a new targeted PSPO in other specified areas of the Borough, based on the evidence of ASB related to alcohol consumption*. Due to the legal process required, such a PSPO could not be made before the expiration of the current PSPO. If the Current Order is extended any new PSPO could be made in addition to that Order, or a new PSPO could be made “absorbing” the existing restricted area, in which case the Current Order could then be discharged.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Before extending the duration of an existing PSPO a local authority is required to carry out *necessary consultation* and *necessary publicity* as specified by the Act. A six-week public consultation was launched on the 27th June 2022 and in total we received 186 responses to our online survey. To publicise the survey, it was circulated to members of Merton Neighbourhood Watch, Merton Safer Neighbourhood Board, members of the Council’s Equality Forums, Merton Connected, Merton Chamber of Commerce, the borough’s drug and alcohol service, Catch 22, the borough’s homelessness service, all Members and via the council’s social media channels on Facebook and twitter.
- 4.2. The public consultation asked respondents whether they supported the current prohibition, of which 86% did. The respondents were also asked whether they were in agreement with the renewal of the geographical area of the current prohibition, of which 82% did. The full results can be found in appendix 1.
- 4.3. We have also taken on board resident feedback provided through other council surveys including the Annual Residents Survey and the Your Merton consultation.
- 4.4. In addition we consulted with our partners including the Police, MOPAC, Public Health, WDP and Kingdom Security.

5 TIMETABLE

- 5.1. Next steps should the recommendations be approved by Cabinet

Milestone	Date to be completed
Report submitted to Overview and Scrutiny Committee	7 th September 2022
Final report submitted to Cabinet	19 th September 2022
If Cabinet agrees the proposal to extend the Current Order for a further period of up to 3 years, make an extension Order	20 th October 2022 at latest (Critical Date)
Publish the Current Order as extended	Once the extension comes into force 21 st October 2002

Extension of current PSPO comes into force	21st October 2022
Regular Monitoring of the PSPO	Via the Locations Board
If agreed by Cabinet, preparation of legal process and further consultation for introduction of a borough wide PSPO begins	1 st November 2022

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The preparation of the extension of the Current Order is being completed within existing officer resources. There will be legal costs to draft the extension of the Order and ensure all due statutory processes are followed, and costs associated with the production and installation of updated signage, should the extension be agreed.
- 6.2. Should it be agreed that a further borough wide PSPO be obtained, there will be additional legal costs to draft the new order and ensure all due statutory processes are followed, subject to a further Cabinet report to decide whether a further PSPO should be made borough wide or for specific areas of the Borough. There will be costs associated with production and installation of signage borough wide.
- 6.3. It is expected that the costs outlined above can be funded from existing resources.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The power and requirements for making, extending, varying and charging a PSPO are Part 4 of Chapter 2 of the Act and is supplemented by the Anti-Social Behaviour Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 and Statutory Guidance issued by the Secretary of State referred to at para 1.11 above. The basic requirements for the extending the duration of an existing PSPO are set out in the body of this report.
- 7.2. In deciding whether to extend the Current Order and if so, for how long, the Council must, by Section 72 of the Act, have particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms 1950 ("the Convention").
- 7.3. Under Section 66 of the Act any challenge to the validity of a PSPO must be made in the High Court by an interested person within six weeks of it being made. An interested person is an individual who lives in, or regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The validity of a PSPO can be challenged on two grounds only:
- (a) that the Council did not have power to make the order or vary, or to include particular prohibitions or requirements imposed, or
- (b) that the procedural requirements for making, or varying, the PSPO (for instance, consultation) were not complied with.
- 7.4. On any application to the High Court challenging the validity of an Order the Court may suspend its operation or any of the prohibitions or requirements

imposed by it until the final determination of the proceedings. If the Court is satisfied the Council did not have the power to make the PSPO, or it did but the Council failed to comply with the procedural requirements and, the applicant has been substantially prejudiced by that failure, it may quash the Order or any of the prohibitions or requirements imposed by it.

- 7.5. The statutory challenge procedure in Section 66 of the Act does not appear to apply where an existing order is only extended and not also varied. The decision to extend the Current Order would however be susceptible to challenge by way of an application for judicial review which must be brought promptly and in any event, not later than 3 months after the grounds to make the claim first arose.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. To ensure that we consider the rights of individuals who live, work and visit the area, we will ensure the proposed PSPO is proportionate to the needs in the area, as identified through the analysis and consultation.
- 8.2. As detailed in section 7 above, in deciding whether to extend the Current Order and, if so for how long, the Council is required to have regard to the Convention and Articles 10 and 11 in particular.
- 8.3. We have also undertaken an Equalities Impact Assessment which will be monitored to ensure that future intelligence and information which better informs our understanding and impact of the extended PSPO is considered.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. The purpose of extending the Current Order is to help tackle alcohol related ASB in the Borough and to help improve the quality of life for those who live, work, and visit the Borough, with the aim of continuing to have a positive impact on the levels of crime and ASB within the restricted areas specified.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. The focus of the Current Order is around enforcement, but it is acknowledged that this may identify individuals for whom alcohol is particularly problematic. If the Current Order is extended we will continue to work closely with support services to ensure that such individuals can be offered the support they need, should they want it.
- 10.2. Officers enforcing the PSPO will, if it is extended take into consideration existing organisational policies and procedures for personal safety and risk management.

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

- Appendix 1 - Public Consultation Results
- Appendix 2 - Evidence Paper
- Appendix 3 - Equalities Impact Assessment
- Appendix 4 - Draft PSPO sign

12 BACKGROUND PAPERS

- 12.1. *The London Borough of Merton (Alcohol Consumption in Public Places) Order 2020*
- 12.2. *ASB Crime and Policing Act 2014 ASB Powers Statutory guidance for frontline professionals (Rev's 06.22).*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088750/2022_Updated_ASB_Statutory_Guidance_FINAL.pdf

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August 2022

Public Spaces Protection Order (PSPO)
Public Consultation Results

Page 65

Methodology

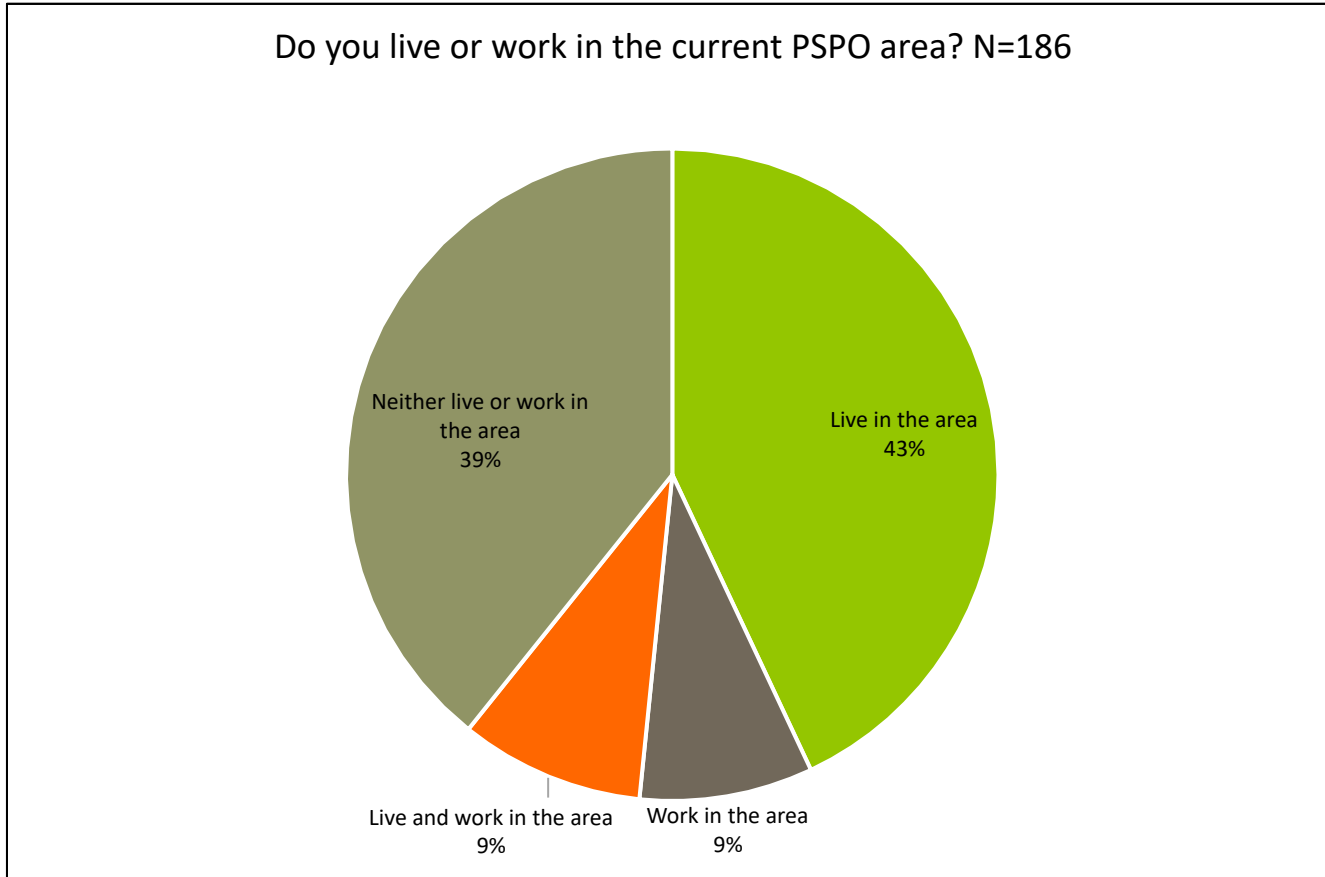
- The Public Spaces Protection Order (PSPO) consultation launched 27th June 2022 and closed on 1st August 2022.
- The survey was widely circulated to many partner organisations, community groups via Merton's Safer Neighbourhood Board, Merton Connected, Merton Neighbourhood Watch, Members distribution lists and Community Safety Partnership and LBM forums. It was also publicised widely via the Council's social media and email channels.
- Partner organisations including Police, Public Health, Kingdom and WDP were also consulted.
- We received 186 responses via the online survey, which was live for six weeks. Not every respondent answered every question. The number of respondents (n=) is indicated on each slide.
- We would like to thank everyone who participated in the consultation for their input.

Summary of consultation results

Below is a summary of the key points highlighted in the consultation

- 43% of respondents live in the PSPO area.
- People feel less safe in the area at night.
- 54% of respondents felt that street drinking was a fairly or very big problem.
- 53% had witnessed anti-social behaviour (ASB) in relation to street drinking in the current PSPO area.
- 38% stated that they had witnessed ASB related to street drinking in the current PSPO area more than 10 times in the last year.
- 86% support the renewal of the current prohibition.
- 82% support the renewal of the geographical area of the current prohibition.

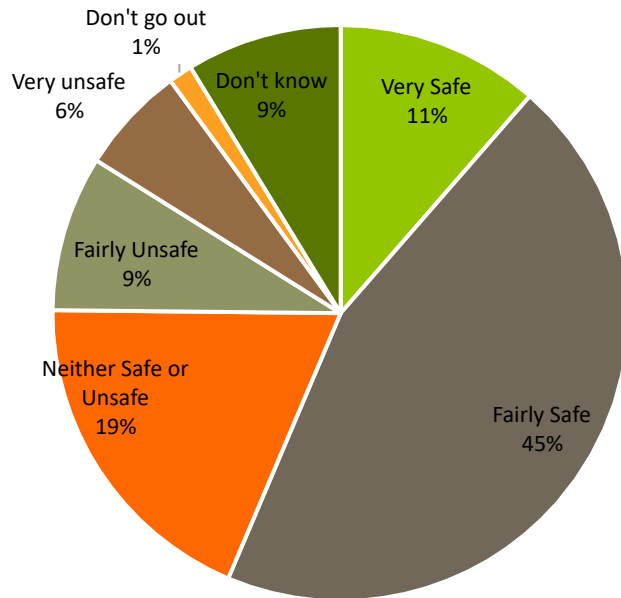
Do you live or work in the current PSPO area?



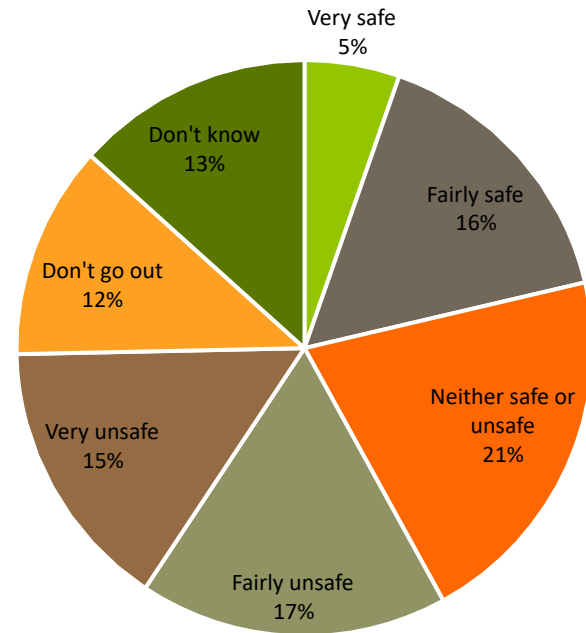
43% of respondents live in the current PSPO area. **39%** of people neither live or work in the area.

The most common frequency of those who don't live or work in the area, visiting the area, was **once in the last month (31%)**.

How safe do you feel when you are in the current PSPO area during the day? n=149



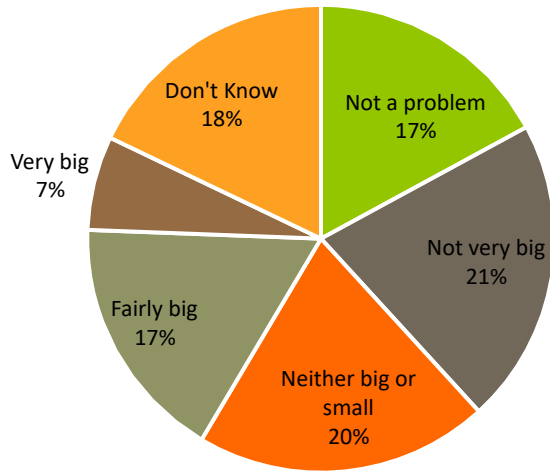
How safe do you feel in the current PSPO area at night? N=150



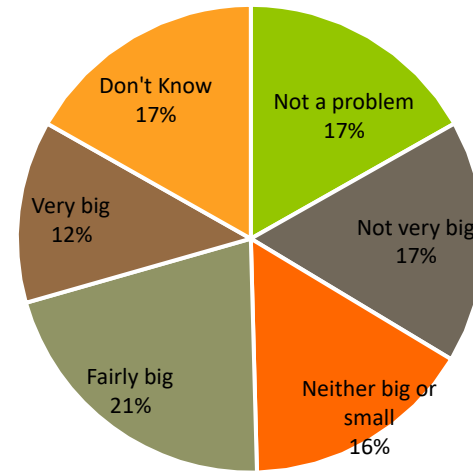
The majority of respondents (**45%**) felt **fairly safe** during the day.

21% of people felt neither safe or unsafe at night. **17%** felt fairly unsafe, **16%** fairly safe.

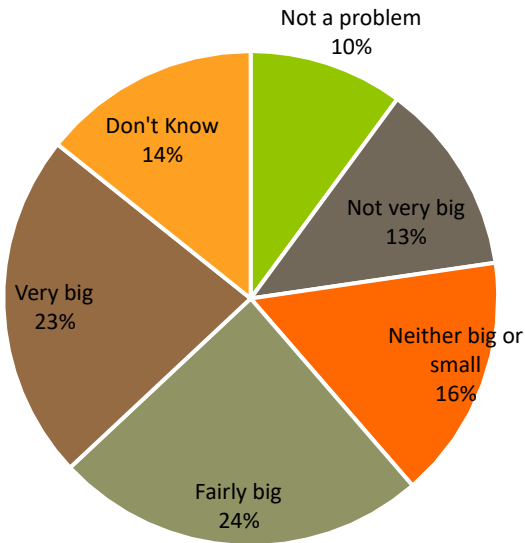
How big a problem do you feel **verbal abuse** is in the current PSPO area? N=123



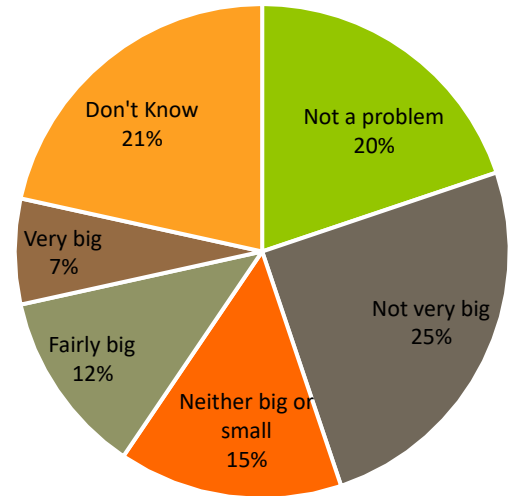
How big a problem do you feel **intimidation** is in the current PSPO area? N=119



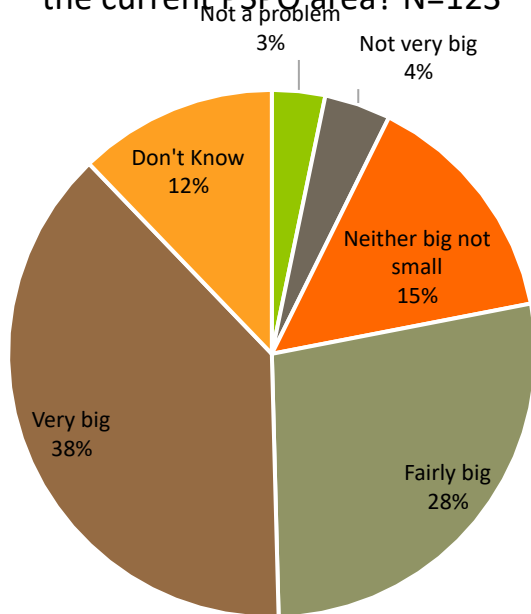
How big a problem do you feel **noise** is in the current PSPO area? N-119



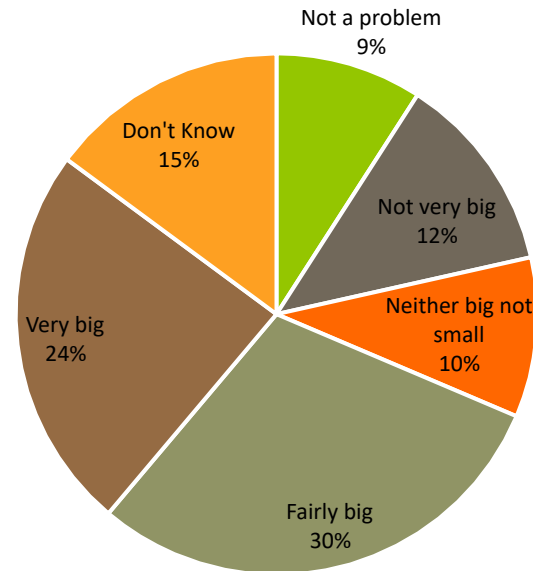
How big a problem do you feel **physical abuse** is in the current PSPO area?



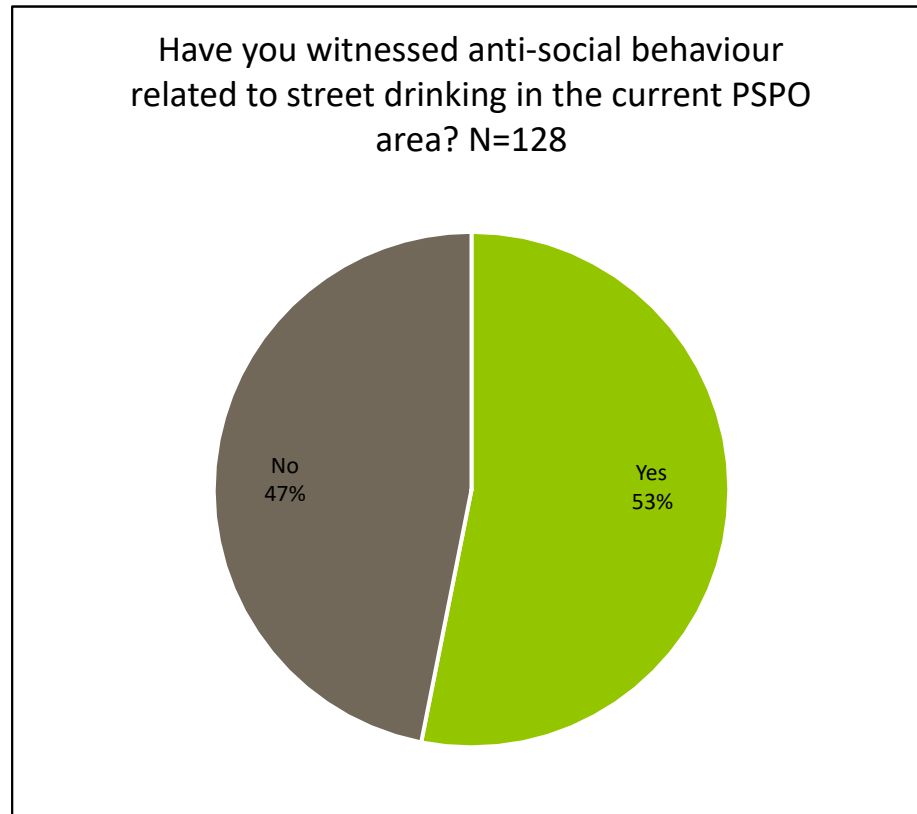
How big a problem do you feel **litter** is in the current PSPO area? N=123



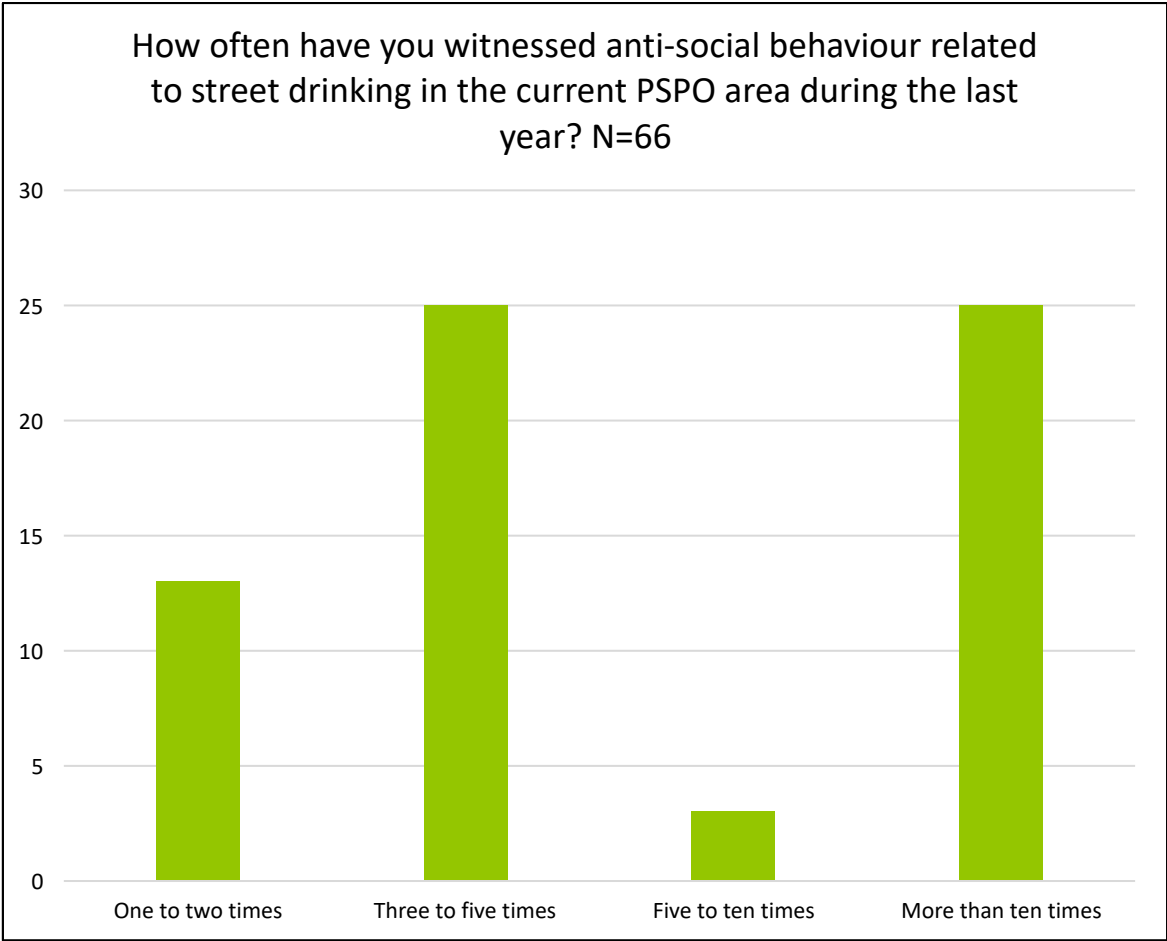
How big a problem do you feel **street drinking** is in the current PSPO area? N=121



30% of respondents felt **street drinking** in the current PSPO area was a fairly big problem, **24%** thought it was a very big problem.



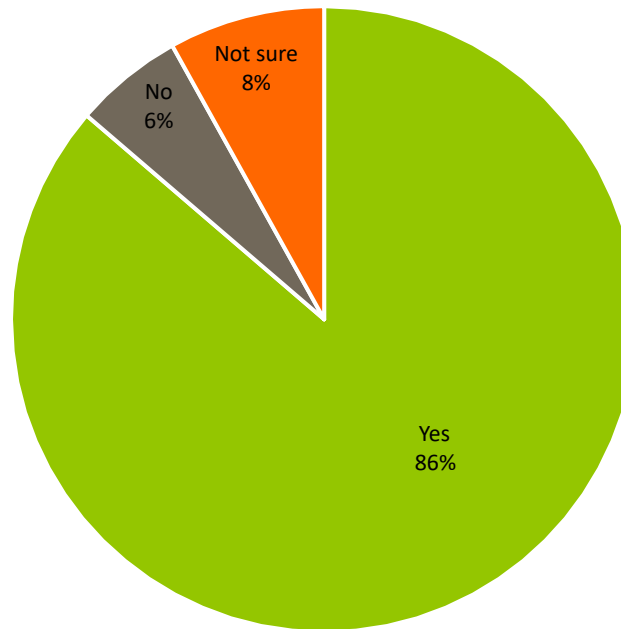
53% of respondents had witnessed antisocial behaviour related to street drinking in the current PSPO area in the last year.



38% of respondents had witnessed antisocial behaviour related to street drinking in the current PSPO area in the last year three to five times, **38%** of respondents had witnessed it more than ten times.

Do you support the renewal of the Public Space Protection Order which allows the confiscation of alcohol from those who are or are likely to cause anti-social behaviour within the area outlined on the map?

N=124

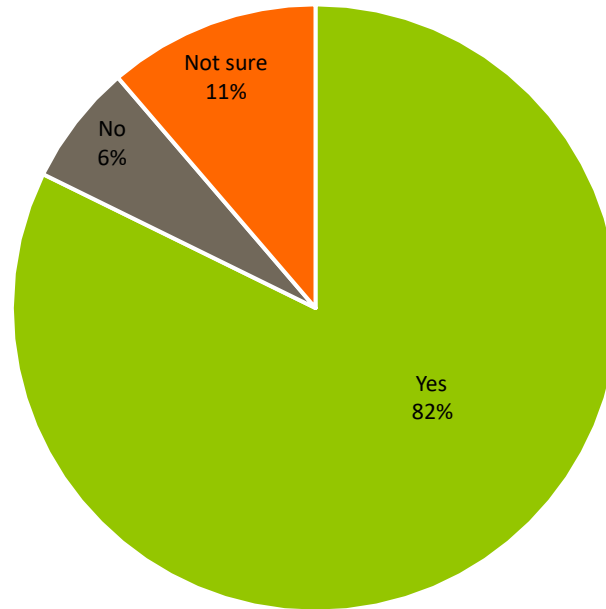


86% of respondents support the renewal of the current PSPO.

Do you support the location of the current order?

Do you support the renewal of the geographical area proposed for the Public Space Protection Order, as identified on the map?

N=124



82% of respondents support the renewal of the current geographical area of the PSPO.

Key themes identified:

- Need for more patrols from Police and Kingdom to enforce the PSPO.
- Ensure there is adequate support available for street drinkers as a complex issue.
- Parks and open spaces should be included.

Problem locations identified:

- Mitcham town centre.
- Parade of shops on Streatham Road.
- Wimbledon Village, close to the Common.

How the consultation results will be used

- The results will help provide some evidence of the current problem, which will be presented to Cabinet.
- As per the recommendations to Cabinet, if agreed, a further broader consultation will take place in the autumn with regards to the implementation of a borough wide PSPO.

August 2022

PSPO Evidence

Safer Merton

Working Together To Keep Merton Safe & Sound

Background

The existing five ward PSPO expires in October 2022 and we are considering extending that Order for a period of three years. A scan of the available alcohol related data and results of relevant public consultations has been undertaken. The results are as follows.

Quantitative Evidence

Available intelligence has been examined to see what the potential requirement for the borough will be going forward. The evidence is not comprehensive; however, the information below seeks to provide some context as to how big the **reported** problem of alcohol related ASB is in the borough. The time period we will look at, where possible, is the financial year (FY) 2021-2022. It should be noted that we have not undertaken a comparison of year on year figures since due to the unique circumstances of the Covid-19 pandemic and the effect this would have on skewering figures.

Safer Merton alcohol related ASB complaints

The Safer Merton ASB Team log all complaints that come into their service. They log the type of incident and the location. Looking at the data supplied by the Team for the period identified, there were 1,104 ASB complaints, of these 80 had an alcohol related element. The top locations were Graveney (24%), Figges Marsh (16%) and Pollards Hill (15%). It's important to flag the relatively small numbers because the proportion of cases where alcohol is a contributory factor are thought to be much higher than the figures indicate.

FPN's issued for street drinking

The Environment Enforcement Team (Kingdom) have been assisting the partnership with the enforcement of the current PSPO. In the FY 2021-22 6 Fixed Penalty Notices (FPNs) were issued. The highest number was in Figges Marsh ward with 3 FPNs issued.

CCTV alcohol related logs

The CCTV Team log any alcohol related concerns on their system, as well as a brief description of events and associated behaviours where applicable. The location, time and date of logs are also captured. The two busiest locations when it comes to alcohol and drug related incidents are Mitcham town centre and Wimbledon town centre. Mitcham town centre has been the focal point of the current PSPO, with drinkers congregating around Mitcham Fair Green on a daily basis. There has been an increase in evening street parties happening on Friday and Saturday nights.

Wimbledon town centre is the main location for the night time economy in Merton. Most of the alcohol related incidents there are related to pubs and clubs however there has been an increase in alcohol related incidents, including rough sleepers and beggars.

Since 1st April 2021, CCTV has recorded more than 300 incidents involving alcohol and drug use however the true number of alcohol related incidents is most likely much higher.

There has been a number of ASB, domestic, rough sleeper, and traffic incidents recorded on the system, many of which are likely to have the added characteristic of being alcohol related but were not logged under 'alcohol related' incident type. The top locations were Mitcham (35%) and Wimbledon (28%).

The incidents logged by CCTV are restricted to the locations where there is camera coverage, mostly town centres. They do not include most of the domestic incidents and alcohol related incidents in residential areas without cameras.

Police calls related to street drinking

The only Police data that is specifically related to street drinking comes in the form of call data to the Police. There is no central collection point of data in relation to action undertaken in relation to the PSPO. The Police 'CAD' System registers the quantity and type of calls that comes through to the Police. A search was undertaken to look at the number of calls that came through to the Police with an opening code of Street Drinking (what the public have perceived the problem to be, this may be re-classified after investigation). It should be noted that the use of the Street Drinking code depends on operators using the correct code and applying all relevant codes. For instance, when callers report street drinkers they may be reporting something that would generate a different type of code (e.g.: fighting, causing noise). In FY 2021-22, 14 calls to the Police were classified as Street Drinking.

London Ambulance callouts for alcohol

SafeStats, the London Ambulance Service (LAS) data is normally the most reliable dataset to use in relation to alcohol related issues on the Borough however like any data capture system it is reliant upon the flag / field being completed. In the FY 2021-22, 709 alcohol related ambulance callouts were made in Merton. Within that total, only 4 were classified as directly attributed to some kind of assault and a further 16 related to a police incident. Figges Marsh and Colliers Wood had the highest levels of calls.

Summary of figures

The current information available to us around street drinking and associated behaviour is not comprehensive.

The quantitative data around reports to either the ASB Team or the Police are low. Enforcement figures for the PSPO have not been high with only 6 FPNs issued in the last year.

Data Source	FY 2021-22
ASB Complaints	80
CCTV Logs	300
PSPO FPNs Issued	6
Alcohol Related Ambulance Callouts	709
Street Drinking Police Calls	14

Qualitative Evidence

In February 2022, Safer Merton put together a short survey to assess perceptions of the PSPO amongst partners and the Police Safer Neighbourhood teams. 14 responses were received. In general, partners felt that the PSPO was a useful tool to have, particularly for those working in the 5 wards where the PSPO applies. It was felt that fines for persistent drinkers may be an issue and it was that it would be good if there was an easier way to report breaches of the PSPO, for example through an app. Generally, partners felt that the prohibition was the right one, however other geographical areas that were suggested for consideration were: -

- Wimbledon Town Centre

- Colliers Wood
- Longthornton
- Pollards Hill
- Willow Lane Estate
- Merton Park and Morden Town Centre by Tube

CCTV Case Studies – Mitcham town centre

The main reason the PSPO was introduced in Mitcham was the constant presence of street drinkers around the Fair Green area. Merton CCTV has focused on monitoring the drinkers and reporting any incidents to the Police and Safer Merton ASB team. Two of the most prolific drinkers have been filmed on numerous occasions causing disturbance and fighting in Mitcham town centre. The two individuals were seen fighting in July 2022, which resulted in one being arrested.

Also in July 2022, a street drinker collapsed in Mitcham town centre, and LAS was called to resuscitate him as he was close to death.

Kingdom Security

We have come across multiple drinkers in the past regards to drinking alcohol in a public place, for example the most common wards I can say are Graveney/ Figges Marsh and Merton Park. Most recent intervention we have come across is a male drinking alcohol outside of a school in Wimbledon while children were walking out. Have approached male to discard/ dispose his alcohol in the bin. Compliant at that time, no FPN has been issued (Kingdom Team Leader).

Merton Street Pastors

At present we have the three patrol locations - Mitcham, Morden and Wimbledon. The Mitcham patrol focus around the centre. There are the two main pubs where we will have conversations with many of drinkers outside of the pub. Around by the clock tower we will have discussions with members of the community who may be homeless or have no fixed address. Drinking/ addiction seems much more of an issue. Mitcham tends to be an older crowd in general. A lot of our conversations will be with members of the public who are very familiar with our Street Pastors.

The Morden patrols tend to vary, I think this may well be that alongside the bars and restaurants around the station many drinkers will also be coming and going from either the station or the buses. Quite a mix in terms of ages and ethnicities from the Morden patrols. With both the Mitcham and Morden patrols we are out between 8pm-12 so we interact with many of the local businesses that are still open at that time. I've noticed from my own experiences that we tend to speak with more people on these patrols who have been drinking during the day.

The Wimbledon patrol is our busiest and liveliest of the patrols. Due to the number of bars and later opening hours our patrols there are from 10pm-2am. We tend to be interacting with a younger crowd but the feedback from the team is that Wimbledon High street has a very positive vibe during the night time economy (Merton Street Pastors Coordinator).

WDP (Adult Drug and Alcohol treatment service provider)

WDP Merton provide support for problematic use of alcohol or drugs to residents of Merton and those who are experiencing homelessness in Merton.

When the current PSPO launched, WDP contributed information for a leaflet that can signpost people who are drinking on the streets to fast-track assessment slots with WDP, to get support with their drinking and other drug use if relevant. WDP Merton also had two roles funded by a grant from Merton's Homeless Person's Unit (HPU) which has helped us to perform more outreach activities to engage into treatment those who are sleeping rough or at risk of homelessness and may also be street drinking, using an assertive case management approach alongside our colleagues from the HPU.

WDP understands that there are a wide range of reasons why people drink on the streets – which can include homelessness and unstable or unsuitable housing, but also as a way of coping with mental illness, as a means of connecting with others to reduce isolation or to socialise with people from the same culture or language group, or to escape temporarily from problems within the household (such as domestic violence and abuse or living with someone else with a mental illness).

Rather than being viewed as a punitive instrument, a PSPO can identify street drinkers who may be experiencing some or many of the above difficulties and using alcohol as one means of coping with them and then encourage them to access help from WDP. With WDP they will receive a comprehensive assessment of their holistic needs and be guided to work towards goals that will reduce the risk of their current drinking and support them in accessing other forms of professional help that can address other areas of challenge and complexity that they are experiencing.

Public Perception

In addition to the quantitative data, we felt it was important to consider the views of the public so we have therefore looked at perception information from the surveys conducted recently on the Borough.

London Borough of Merton Annual Residents Survey

Adults Survey

The 2021 Annual Residents Survey provides a representative sample of 1000 residents living in the Borough.

Feelings of safety in the local area have declined substantially compared to 2019, with just 63% saying that they feel safe going out after dark, compared to 84% in 2019.

There has been an increase in those feeling that ASB and people being drunk/ rowdy in public is a problem. 30% of respondents cited ASB as a 'fairly big' or 'very big' problem, an increase of 11% on 2019. 23% of respondents cited being drunk or rowdy in public as a 'fairly big' or 'very big' problem, an increase of 10% on 2019.

Concerns regarding drunk/ rowdy behaviour are more concentrated in specific areas, notably East Merton & Mitcham (42%) and South Merton & Morden (25%).

Young People's Survey

As part of the Annual Residents Survey, the Council included young residents aged 11-17. The sample size was 110 young people.

16% stated they were concerned about ASB/ bad behaviour, 16% about groups hanging around and 8% around people using/ dealing drugs. In terms of personal concerns, 38% had a personal concern about crime.

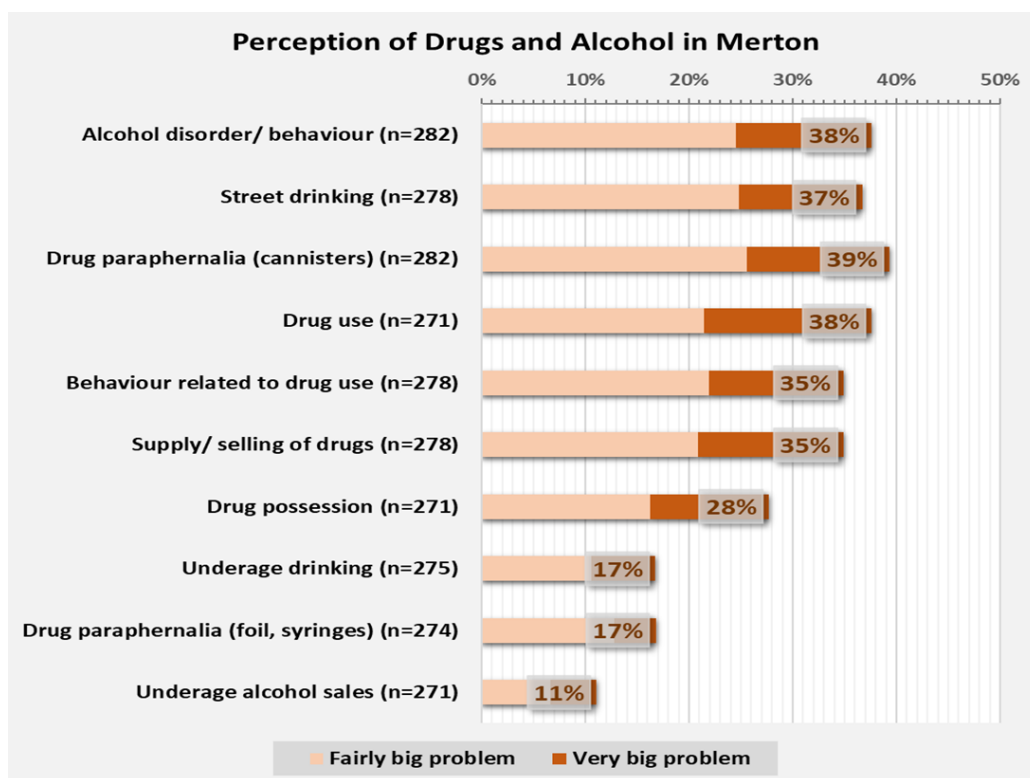
Your Merton Consultation

This work was carried out April – July 2021 in order to understand the views, experiences, and ambitions of local people. For East Merton and Mitcham residents, ASB and safety were higher concerns in public space. They often cited public alcohol consumption as an issue.

Safer Merton Strategic Assessment Survey

In 2021, a Community Safety Survey was undertaken to help inform the Strategic Assessment process. The survey opened at the beginning of July and closed in mid-October. There were 328 responses. The survey aimed to ask residents about all aspects of community safety and as such there was a section around ASB and drugs and alcohol.

Alcohol and Drugs



Residents thought alcohol disorder and street drinking were the biggest problem, followed by drug paraphernalia (canisters) and drug use. 80% of people explained their score by saying they had experienced or seen it. Quite a number of comments came back from residents who had seen people using, dealing drugs as well as seeing the associated litter with street drinking and drug taking.

Residents were given the option to provide a qualitative response to specific ASB issues that they were concerned about. There were 169 free text responses provided. Of these, 5

contained the word 'alcohol' and 9 specifically mentioned 'drinking'. Most locations were open spaces such as parks.

Residents were then asked if there were any general comments they would like to feedback to the partnership. In total, there were 141 comments provided. Of these, 18 were specifically for 'drinking' and 3 were for 'alcohol'.

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Equality Analysis



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

What are the proposals being assessed?	Merton Public Space Protection Order
Which Department/ Division has the responsibility for this?	Environment and Regeneration – Public Protection (Safer Merton)

Stage 1: Overview

Name and job title of lead officer	Calvin McLean (Interim AD Public Protection) and Alun Goode (Interim Head of Community Safety)
<p>1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 87</p>	<p>We are proposing to extend the current Public Spaces Protection Order (PSPO) for the borough. PSPO's are a tool set out in the Anti-Social Behaviour (ASB), Crime and Policing Act 2014. A PSPO is a local authority tool that is designed to prohibit certain activities or can require that people do certain things when engaging in certain activities within a defined public area. PSPO's should focus on an identified problem behaviour rather than targeting specific individuals or properties. A breach of a PSPO is an offence.</p> <p>In 2017 Merton's borough wide Controlled Drinking Zone transitioned into a borough wide PSPO due to a change in legislation. This expired in October 2020 and a new PSPO covering five wards was established. The current PSPO is due to expire in October 2022 and we propose to extend this for a further three years. Street drinking and the associated ASB can have a significant impact upon the quality of life for those who experience it, we therefore need to ensure that the appropriate tools are in place to proactively address the community impact. There will be one prohibition set as part of the order, which will give authorised officers the power to take and dispose of alcohol if they feel an individual is acting or is likely to act in an anti-social manner. If the individual does not comply, an FPN can be issued.</p> <p>The wards that will be affected by the extension of the order are Cricket Green, Figges Marsh, Graveney, Lavender Fields and Ravensbury.</p>
2. How does this contribute to the council's corporate priorities?	<p>The purpose of the PSPO is to help tackle the alcohol related ASB in the Mitcham and Morden area and to help improve the quality of life for those who live, work and visit the area with the aim of having a positive impact on the levels of crime and ASB in this locality. This therefore contributes to the Council's corporate priorities of ensuring that the borough is a safe place to live, work and visit.</p> <p>Our intention is to use the tool to address street drinking and associated ASB which we have been told by residents, has a detrimental impact upon their quality of life. If the PSPO is agreed, we will work closely with</p>

	our partners and monitor the impact closely.
<p>3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.</p>	<p>As mentioned, the PSPO will provide the Local Authority the powers to address certain behaviours on the borough. The prohibition set out in our draft order is that those with delegated authority will continue to be able to ask people to stop drinking within the boundary if they are or it is deemed likely to cause anti-social behaviour. If this request is not adhered to, the officer can confiscate the alcohol and a fixed penalty notice may be issued. The PSPO is designed in such a way so as to address the behaviour of those causing anti-social behaviour as a result of alcohol and not prohibit people from drinking responsibly in the area.</p> <p>The PSPO will therefore impact upon anyone who lives, works or visits the area, but we believe in a positive way. The PSPO may impact upon those who have a more problematic relationship with alcohol – but only when their behaviour begins to impact upon others. We are therefore working with WDP drug and alcohol service who are commissioned by Public Health to ensure that support and access to treatment is available and offered to those who need it. People who consistently breach the order will also be considered by the borough’s Community MARAC; a multi-agency group set up to work in partnership to address persistent perpetrators of ASB.</p> <p>Internally and externally, there will be some impact in terms of capacity upon the teams who will need to enforce the order. This will be Kingdom Security and the Police. We are working with partners to develop an engagement and enforcement plan to ensure that the work is co-ordinated and that there is a fair balance between enforcement, engagement, and support.</p> <p>We hope that the order will have a positive impact on the area and that this will benefit the local community.</p>
<p>4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall responsibility?</p>	<p>The Local Authority via Safer Merton has the overall responsibility, but the enforcement of the order will also fall to other teams such as Kingdom Security and other organisations such as the Police.</p>

Stage 2: Collecting evidence/ data

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

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

The evidence for a PSPO

The purpose of a PSPO is to address an area-based issue and not to target individuals or communities based upon protected characteristics. The intended aim is to ensure that the PSPO will help to ensure that the quality of life for all residents is improved, particularly for those who are suffering from the detrimental effect of street drinking and the associated ASB. We have looked at available data to better understand the area as well as considering a range of datasets from ASB complaints, Police data for calls in relation Street Drinking, alcohol related ambulance callouts, CCTV evidence and survey information to help inform our decision-making process.

The survey-based information included the corporate Annual Residents Survey (ARS). The ARS provides a representative sample of 1000 residents, so concerns around alcohol and anti-social behavior as well as locations provided, were considered.

There has been an increase in those feeling that ASB and people being drunk/ rowdy in public is a problem. 30% of respondents cited ASB as a 'fairly big' or 'very big' problem, an increase of 11% on 2019. 23% of respondents cited being drunk or rowdy in public as a 'fairly big' or 'very big' problem, an increase of 10% on 2019. Concerns regarding drunk/ rowdy behaviour are more concentrated in specific areas, notably East Merton (42%) and South Merton & Morden (25%).

As part of the Annual Residents Survey, the council included young residents aged 11-17yrs. The sample size was 110 young people. 16% stated they were concerned about ASB/ bad behaviour, 16% about groups hanging around and 8% around people using/ dealing drugs.

The PSPO Locality

The PSPO that we are proposing, whilst not encompassing all wards (Cricket Green, Figges Marsh, Graveney, Lavender Fields and Ravensbury), is very much focused in the East of the borough. A lot of work has been undertaken corporately around the disparity between the wards in the west of the borough and those in the East. The Merton Story compiled by the Public Health Team provides a comprehensive analysis of a range of local and national datasets. It highlights that wards in the east of the borough are likely to suffer from a lower life expectancy, are more ethnically diverse and have a younger population. The Merton Story also highlights that the wards in the east are more deprived as identified through the Indices of Multiple Deprivation Scores and often have a higher proportion of poorer housing conditions. Crime levels are also generally higher in the East of the borough according to data by the Met Police.

Individuals

We have considered the population that may be most affected by the order, and this is the population that are most likely to consume alcohol. According to the Merton Substance Misuse Profile 2018, the highest proportion drinking over the recommended amount of alcohol units are males in the 65-74 age group and females aged 55-64 years. Almost 1 in 6 adults in Merton binge drink, 1 in 20 adults are consuming alcohol at higher risk levels in Merton, 1 in 5 adults are consuming alcohol at increasing risk levels in Merton. Local profiles do not provide information around ethnicity however national data suggests that Asian ethnic groups have the highest proportion of abstaining individuals - with over 70% of females compared to 55% of males. Approximately 40% of people in black ethnic groups are likely to be abstinent. The lowest proportion of abstinence was found in people in white ethnic groups - less than 10% of men and 15% of women.

We have also had discussions with the local drug and alcohol services and we have consulted with Public Health and feedback we have received is that street drinkers are a complex and vulnerable group. There is no current detailed profile of street drinker's in Merton, however it is our intention to develop the intelligence around this cohort as the work progresses and work with Public health and our local drug and alcohol services to ensure the appropriate support interventions are in place.

Impact of the evidence

The Merton Story suggests that the east of the borough is a more ethnically mixed population, so we will ensure that literature and information around the prohibition is available in other languages.

The area also has a younger population, so we will engage with youth services to ensure we provide them with accessible information about the order to ensure young people are informed.

We are keen to ensure that all literature and signage that will need to be displayed in the area is clear and easy to understand, so that individuals do not feel that their rights and freedom to enjoy an alcoholic drink are not impinged. They will only be challenged when the behavior is such to impact upon others.

Stage 3: Assessing impact and analysis

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

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Disability	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Gender Reassignment	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Marriage and Civil Partnership	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Pregnancy and Maternity	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Race	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Religion/ belief	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Sex (Gender)	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Sexual orientation	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.
Socio-economic status	√			√	The PSPO is designed to improve the quality of life for all who live, work and visit the area.

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

N/A

Stage 4: Conclusion of the Equality Analysis

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

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

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

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

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

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

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Stage 5: Improvement Action Pan

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

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

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

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

Stage 6: Reporting outcomes

10. Summary of the equality analysis

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

This Equality Analysis has resulted in an Outcome 1 Assessment
Overall we don't feel that the PSPO will have a negative effect upon anyone with protective characteristics. The PSPO is designed to help improve the quality of life for all that work, live and visit the area. We have made reference to individuals who street drink, however the order will only affect individuals if they are acting in an anti-social manner, refusing to understand the impact on the local community and accessing services to address the behaviour. It is our intention to monitor the PSPO and to develop our understanding of those who street drink in the borough.

Stage 7: Sign off by Director/ Head of Service

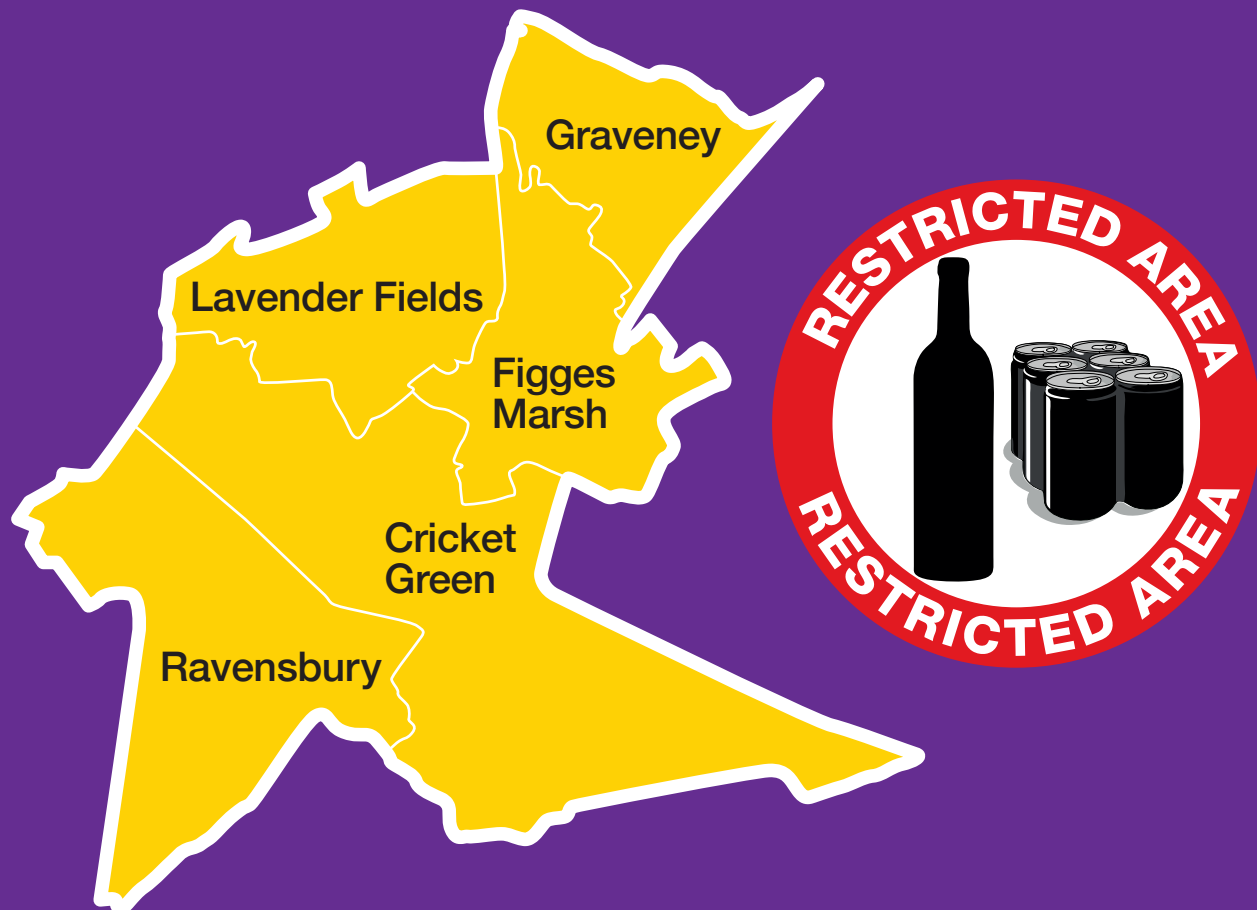
Assessment completed by	Alun Goode, Interim Head of Community Safety Katy Saunders, Interim Community Safety Team Manager	Signature:	Date: 07/08/2020
Improvement action plan signed off by Director/ Head of Service	Add name/ job title	Signature:	Date:

Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Order

London Borough of Merton (Alcohol Consumption in Public Places) Order 2020 has been extended

The Council has made the above Order to tackle alcohol-related anti-social behaviour. The Order imposes restrictions on the public consumption of alcohol in the wards of:



It is a criminal offence if you fail to stop drinking alcohol, refuse to surrender alcohol or anything that is reasonably believed to be alcohol or a container for alcohol, when asked to do so by an authorised person (police or council). **Maximum penalty £500 fine.**

It is a criminal offence if you refuse to give an authorised person your name and address or you give a false or inaccurate name or address. **Maximum penalty £1,000 fine.**

**To report anti-social behaviour, please call the Police on 101.
In an emergency, call 999.**

For further information and to view the PSPO, including plans showing the restricted area, go to:

merton.gov.uk/pspo

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LONDON BOROUGH OF MERTON

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

**LONDON BOROUGH OF MERTON (ALCOHOL CONSUMPTION
IN PUBLIC PLACES) ORDER 2020**

RECITALS

- A. The London Borough of Merton (“the Council”) is satisfied that the requirements set out in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) have been satisfied and that it is, in all the circumstances, appropriate to make this Order.
- B. The Council is satisfied that activities have been and will continue to be carried on in the public places within the Restricted Areas which have had and will continue to have a detrimental effect on the quality of life of those in the locality, such activities being the consumption of alcohol in public places other than premises excluded from this Order, leading to anti-social behaviour.
- C. The Council, in making this Order, is satisfied on reasonable grounds that activities have been carried out in the Restricted Areas, and have had a detrimental effect on the quality of life of those in the locality and it is likely that those activities will be carried in the Restricted Areas and will have that effect.
- D. The Council is further satisfied that the effect, or likely effect, of the activities-
- a. is, or is likely to be of a persistent or continuing nature;
 - b. is, or is likely to be such as to make the activities unreasonable; and
 - c. justifies the restrictions imposed by this Order.
- E. The Council is satisfied that the prohibitions and requirements imposed by this Order are ones that it is reasonable to impose in order to prevent the detrimental effect from continuing, occurring, or recurring or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

- F. The Council has had regard to the rights and freedoms set out in the Convention for the Protection of Human Rights and Fundamental Freedoms 1950 (“the Convention”). In particular, the Council has had regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the Convention and has concluded that, in so far as this Order imposes restrictions on such rights and freedoms, those restrictions are lawful, necessary and proportionate.
-

The Council of the London Borough of Merton (the Council) in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 hereby makes the following Order:-

Citation

1. This Order may be cited as the London Borough of Merton (Alcohol Consumption in Public Places) Order 2020.

Commencement and Duration

2. This Order shall come into force at 0001 hours on 21st October 2020 and will remain in force for 2 years thereafter, unless extended, or discharged before that date.

Interpretation

3. In this Order –
- “the Act” means Anti-social Behaviour, Crime and Policing Act 2014;
 - “alcohol” means spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor (in any state), but does not include alcohol which is of a strength not exceeding 0.5% at the time of the sale or supply;
 - “Authorised Person” means a constable, police community support officer, or other person authorised for the purposes of this Order by the Council;
 - “the Council” means the London Borough of Merton;

“public place” means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

“Restricted Areas” means the public places identified to in Article 4.

Public Space effected by this Order

4. This Order applies to the land described in Schedule 1 to this Order and shown edged red on the attached Plans (“the Restricted Areas”), being public places within the Council’s area where the public consumption of alcohol has been carried on which has had a detrimental effect on the quality of life of those in the locality, or it is likely that those activities will be carried on in those public places and that they will have such effect.

Prohibition on consumption of alcohol

5. (1) Subject to paragraph (2) no person shall consume alcohol within the Restricted Areas so as to cause, or be likely to cause nuisance or annoyance to any other person.

(2) The prohibition in paragraph (1) does not apply to the premises etc. within the Restricted Areas set out in Schedule 2 to this Order.

Imposition of Requirements

6. (1) Paragraph (2) applies where an authorised person reasonably believes that a person (P) —

(a) is or has been consuming alcohol in breach of in Article 5(1), or

(b) intends to consume alcohol in circumstances in which doing so would be a breach of that Article.

(2) An authorised person may require P—

(a) not to consume, in breach of Article 5(1), alcohol or anything which the authorised person reasonably believes to be alcohol;

(b) to surrender anything in P’s possession which is, or which the authorised person reasonably believes to be, alcohol or a container for alcohol.

(3) An authorised person who imposes a requirement under paragraph (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.

(4) If an authorised person reasonably believes that a person (P) has breached a requirement imposed under paragraph (2) he or she may require P to give his or her name and address to the authorised person.

(5) An authorised person who imposes a requirement under paragraph (4) must tell P that—

(a) failing to give his or her name and address when required to do so under paragraph (4), or

(b) giving a false or inaccurate name or address in response to a requirement under that paragraph is an offence.

(6) A requirement imposed under paragraphs (2) or (4), by an authorised person who is not a constable or police community support officer, is not valid if the person—

(a) is asked by P to show evidence of his or her authorisation, and

(b) fails to do so.

(7) An authorised person may dispose of anything surrendered under paragraph (2)(b) in whatever way he or she thinks appropriate.

Failure to comply with the Order

Offence of failing to comply with the Order

7. By Section 67(4) of the Act it is not an offence to consume alcohol in breach of Article 5(1) but, by Section 63(6) of the Act, a person who fails without reasonable excuse to comply with a requirement imposed on him or her under Article 6(2) of this Order commits an offence and is liable on summary conviction in the Magistrates' Court to a fine not exceeding level 2 on the standard scale.

8. By Section 67 of the Act, a person who fails without reasonable excuse to comply with a requirement imposed on him or her under Article 6(4) of this Order commits an offence and is liable on summary conviction in the Magistrates' Court to a fine not exceeding level 3 on the standard scale.

Fixed Penalty Notices

9. An authorised person may issue a fixed penalty notice (FPN) to anyone he or she has reason to believe has committed an offence under Sections 63(6) or 67 of the Act. A person issued with a FPN must pay the fixed penalty of £100 within 14 days to discharge any liability to conviction for the offence.

SCHEDULE 1

Article 4

Land identified by Description

All those areas of the London Borough of Merton, comprising the wards set out in column 1 below and shown edged red on the corresponding attached Plan number shown in column 2.

Ward	Plan No.
Cricket Green	1
Figges Marsh	2
Graveney	3
Lavender Fields	4
Ravensbury	5

SCHEDULE 2

Article 5

Premises etc. to which Article 5(1) does not apply

- (1) The prohibition in Article 5(1) to this Order does not apply to—
- (a) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
 - (b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
 - (c) a place within the curtilage of premises within paragraph (a) or (b);

(d) premises which by virtue of Part 5 of the Licensing Act 2003 (Permitted temporary activities) may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;

(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under Section 115E of the Highways Act 1980 (highway-related uses).

(2) prohibition in Article 5(1) to this Order does not apply to licensed premises operated by the Council—

(a) when the premises are being used for the supply of alcohol, or

(b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

(3) In this paragraph—

“club premises certificate” has the meaning given by Section 60 of the Licensing Act 2003;

“premises licence” has the meaning given by Section 11 of that Act;

“supply of alcohol” has the meaning given by Section 14 of that Act.

(4) For the purposes of this Article 5, licensed premises are operated by the Council if they are authorised by a premises licence to be used for the supply of alcohol and—

(a) the licence is held by the Council, or

(b) the licence is held by another person but the premises are occupied by the Council or are managed by or on behalf of the Council.

Dated 13th day of October 2020

THE COMMON SEAL of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF MERTON was hereunto affixed as a deed)
in the presence of :-)

Signature *Lucy Craig*

Name *LUCY CRAIG, Assistant Head of Law*
Authorised Signatory

Seal Register No. *34210*



Notes for Information

Challenging the validity of the Order

Any challenge to this order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in the restricted area, or who regularly works in or visits that area. This means that only those who are directly affected by the restrictions have the power to challenge it.

Interested persons can challenge the validity of this Order on two grounds: -

- (a) that the Council did not have power to make the order, or to include particular prohibitions or requirements; or
- (b) that a requirement of the Act has not been complied with.

Where such an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality pending the final determination of the proceedings. The High Court may uphold the order, quash it, or vary it.

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

Section 59 – Power to make orders

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that—
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and—
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) does both of those things.

- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
- (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
- (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
 - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
 - (c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.
- (7) A public spaces protection order must—
- (a) identify the activities referred to in subsection (2);
 - (b) explain the effect of section 63 (where it applies) and section 67;
 - (c) specify the period for which the order has effect.
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

Section 66 - Challenging the validity of orders

- (1) An interested person may apply to the High Court to question the validity of—
- (a) a public spaces protection order, or
 - (b) a variation of a public spaces protection order.
- “Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.
- (2) The grounds on which an application under this section may be made are—
- (a) that the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
 - (b) that a requirement under this Chapter was not complied with in relation to the order or variation.
- (3) An application under this section must be made within the period of 6 weeks beginning with the date on which the order or variation is made.
- (4) On an application under this section the High Court may by order suspend the operation of the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied), until the final determination of the proceedings.
- (5) If on an application under this section the High Court is satisfied that—
- (a) the local authority did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied), or
 - (b) the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement under this Chapter,

the Court may quash the order or variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied).

(6) A public spaces protection order, or any of the prohibitions or requirements imposed by the order (or by the order as varied), may be suspended under subsection (4) or quashed under subsection (5)—

(a) generally, or

(b) so far as necessary for the protection of the interests of the applicant.

(7) An interested person may not challenge the validity of a public spaces protection order, or of a variation of a public spaces protection order, in any legal proceedings (either before or after it is made) except—

(a) under this section, or

(b) under subsection (3) of section 67 (where the interested person is charged with an offence under that section).

Section 63 – Consumption of alcohol in breach of prohibition in order

(1) This section applies where a constable or an authorised person reasonably believes that a person (P)—

(a) is or has been consuming alcohol in breach of a prohibition in a public spaces protection order, or

(b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

In this section “authorised person” means a person authorised for the purposes of this section by the local authority that made the public spaces protection order (or authorised by virtue of section 69(1)).

(2) The constable or authorised person may require P—

(a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;

(b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

(3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.

(4) requirement imposed by an authorised person under subsection (2) is not valid if the person—

(a) is asked by P to show evidence of his or her authorisation, and

(b) fails to do so.

(5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.

(6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Section 67 – Offence of Failing Comply with order

(1) It is an offence for a person without reasonable excuse-

(a) to do anything that the person is prohibited from doing by a public spaces protection order, or

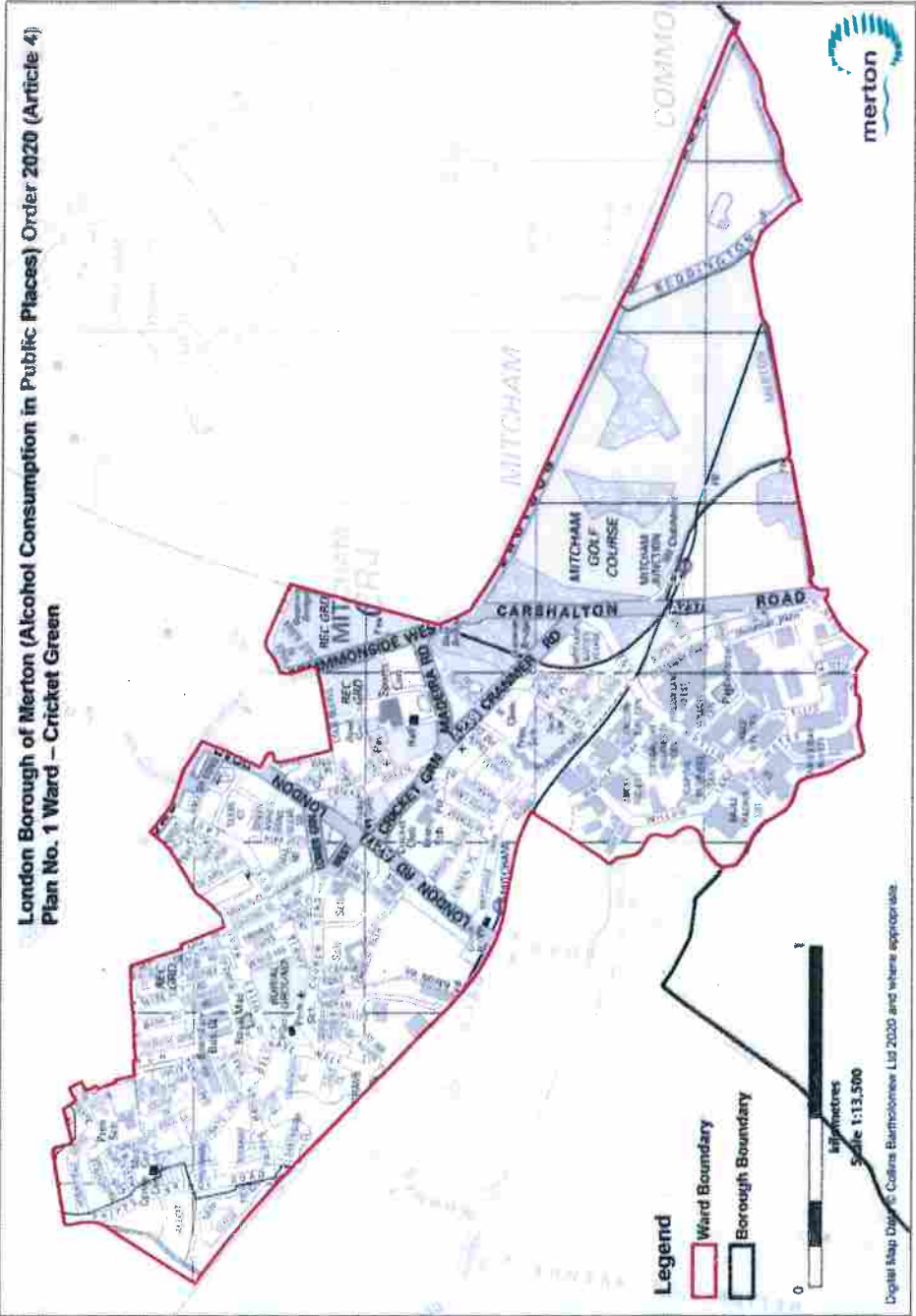
(b) to fail to comply with a requirement to which a person is subject under a public spaces protection order.

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

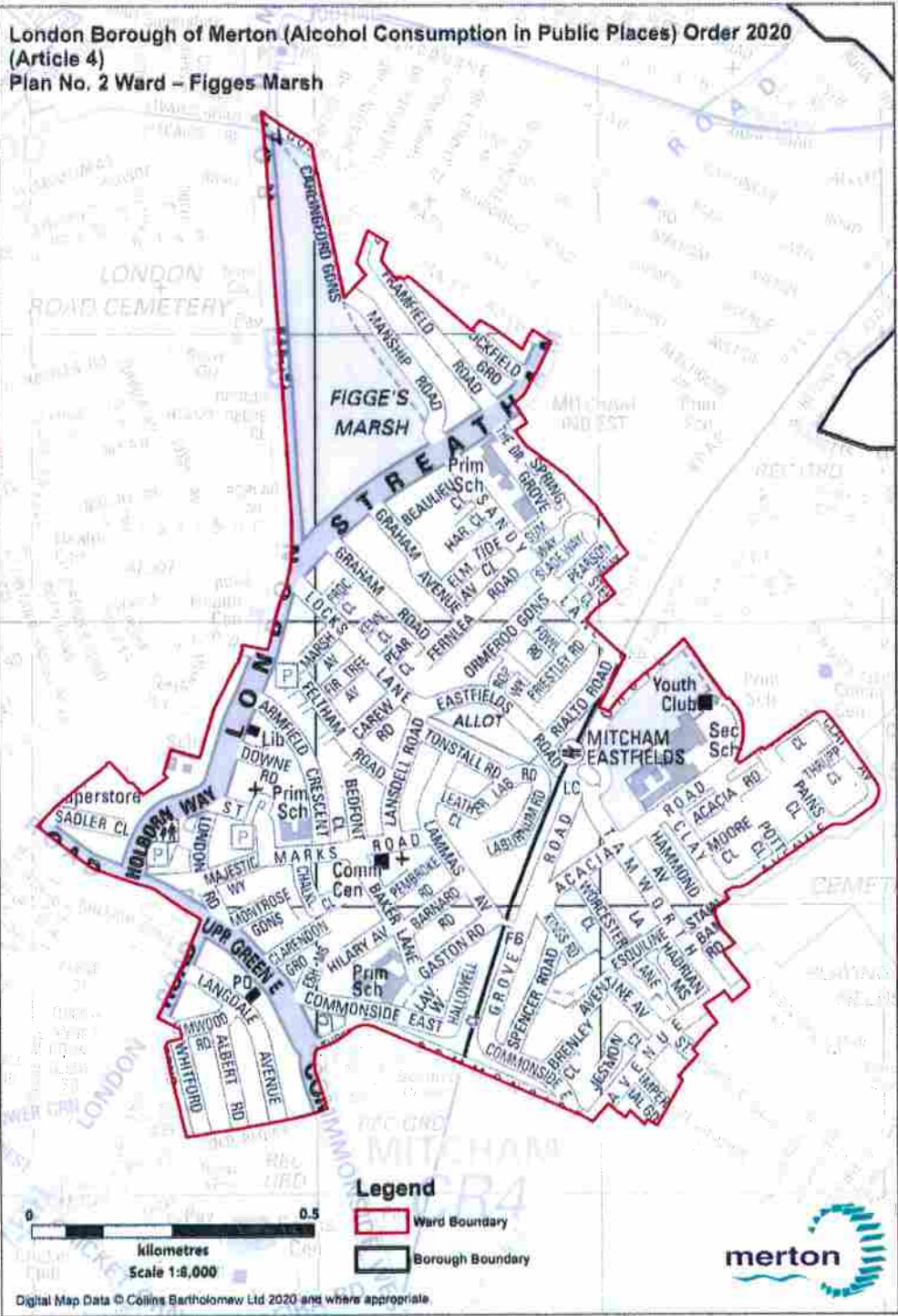
(3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

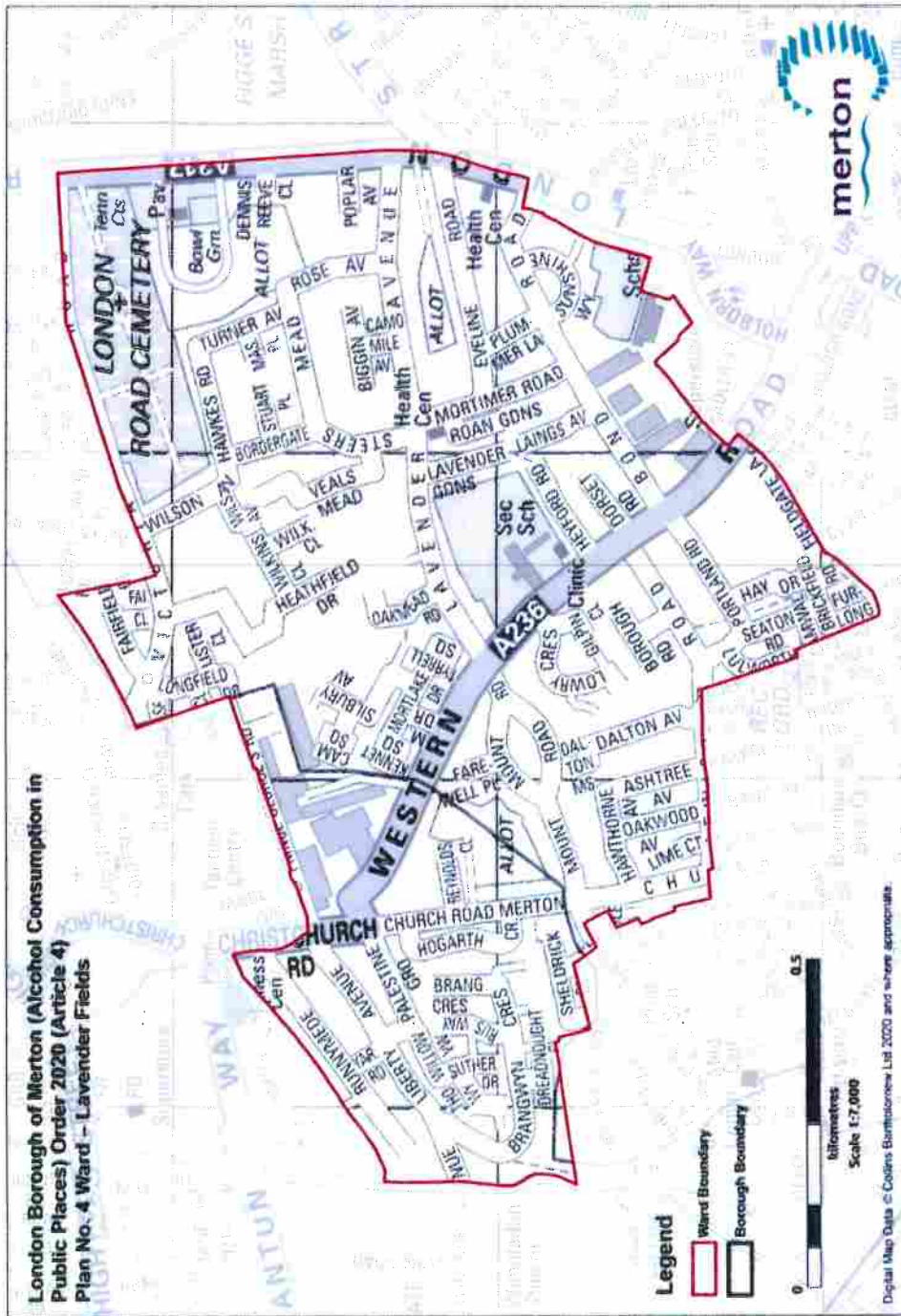
(4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63).

London Borough of Merton (Alcohol Consumption in Public Places) Order 2020 (Article 4)
 Plan No. 1 Ward – Cricket Green

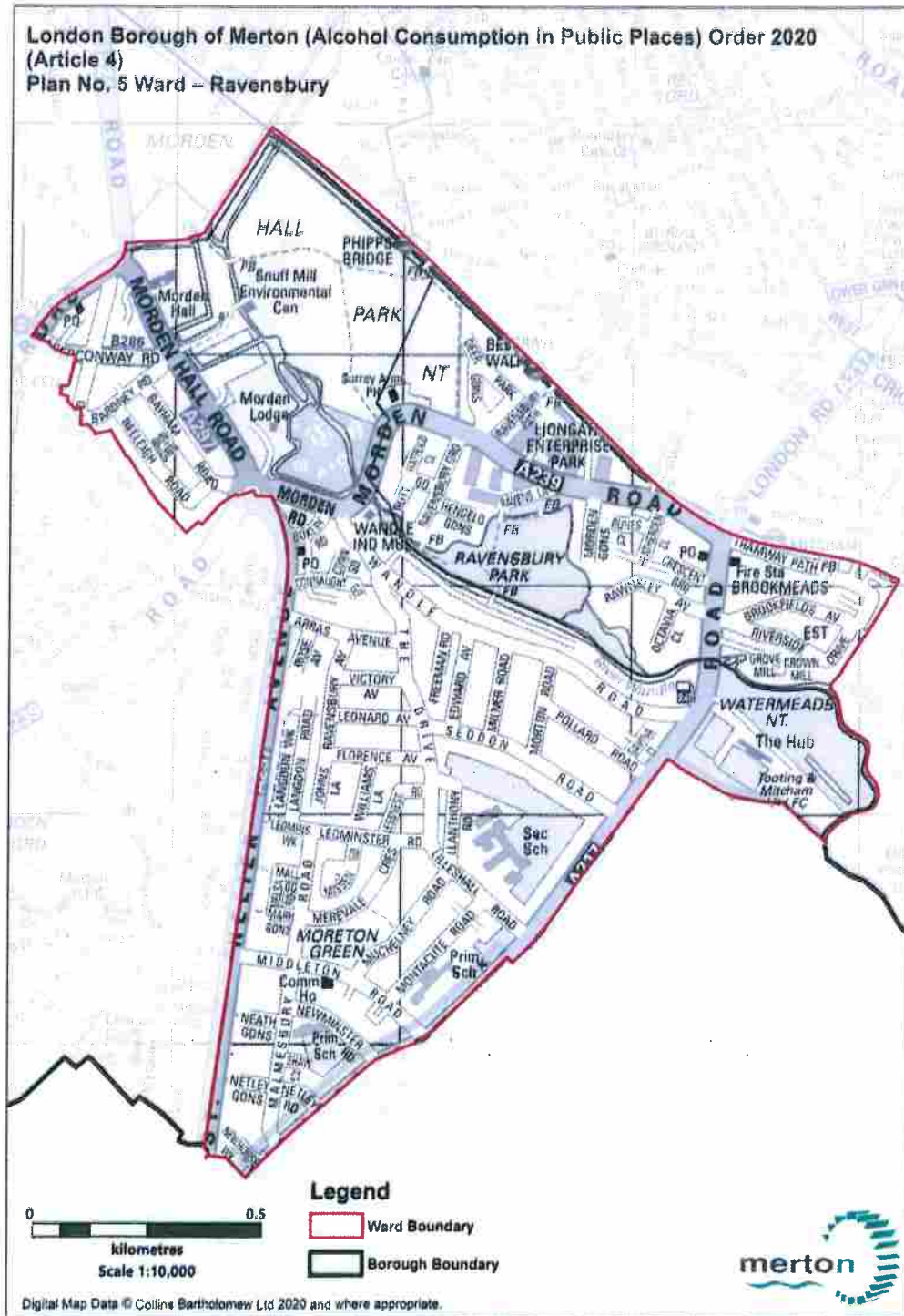


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London Borough of Merton (Alcohol Consumption in Public Places) Order 2020
 (Article 4)
 Plan No. 5 Ward – Ravensbury



Scrag

Committee: Overview and Scrutiny Commission

Date: 7 September 2022

Subject: Overview and Scrutiny Annual Report 2021/22

Lead officer: Rosie Mckeever, Scrutiny Officer

Lead member: Councillor Ed Foley, Chair, Overview and Scrutiny Commission

Contact officer: Rosie Mckeever, Scrutiny Officer, 0208 545 4035

Recommendations:

That, subject to any changes agreed by the Commission at its meeting on 7 September, the Commission approves the Annual Report to be presented to Council at its meeting on 14 September 2022.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Commission is asked to consider the draft report, identify any changes it wishes to make and approve the Annual Report to be presented to Council at its meeting on 14 September 2022.

2 DETAILS

- 2.1. The Overview and Scrutiny Commission is required to produce an Annual Report outlining the work of the Overview and Scrutiny function over the course of the municipal year. The Commission has used the report as an opportunity to draw attention to some of the outcomes achieved during the year.

3 ALTERNATIVE OPTIONS

- 3.1. The Overview and Scrutiny Commission would be in breach of the constitution if it did not produce an annual report and present it to Council.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. The Chairs of each of the Overview and Scrutiny Panels have been consulted on the draft text relating to the undertaken by that Panel.

5 TIMETABLE

- 5.1. Council is on 14 September 2022.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are none specific to this report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Overview and Scrutiny Commission is constitutionally bound to produce an annual report for the overview and scrutiny function and to present the report to the full Council. The Overview and Scrutiny Commission would be in breach of the constitution if it did not do this.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. There are none specific to this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. There are none specific to this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. There are none specific to this report

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

- Overview and Scrutiny Annual Report 2021/22

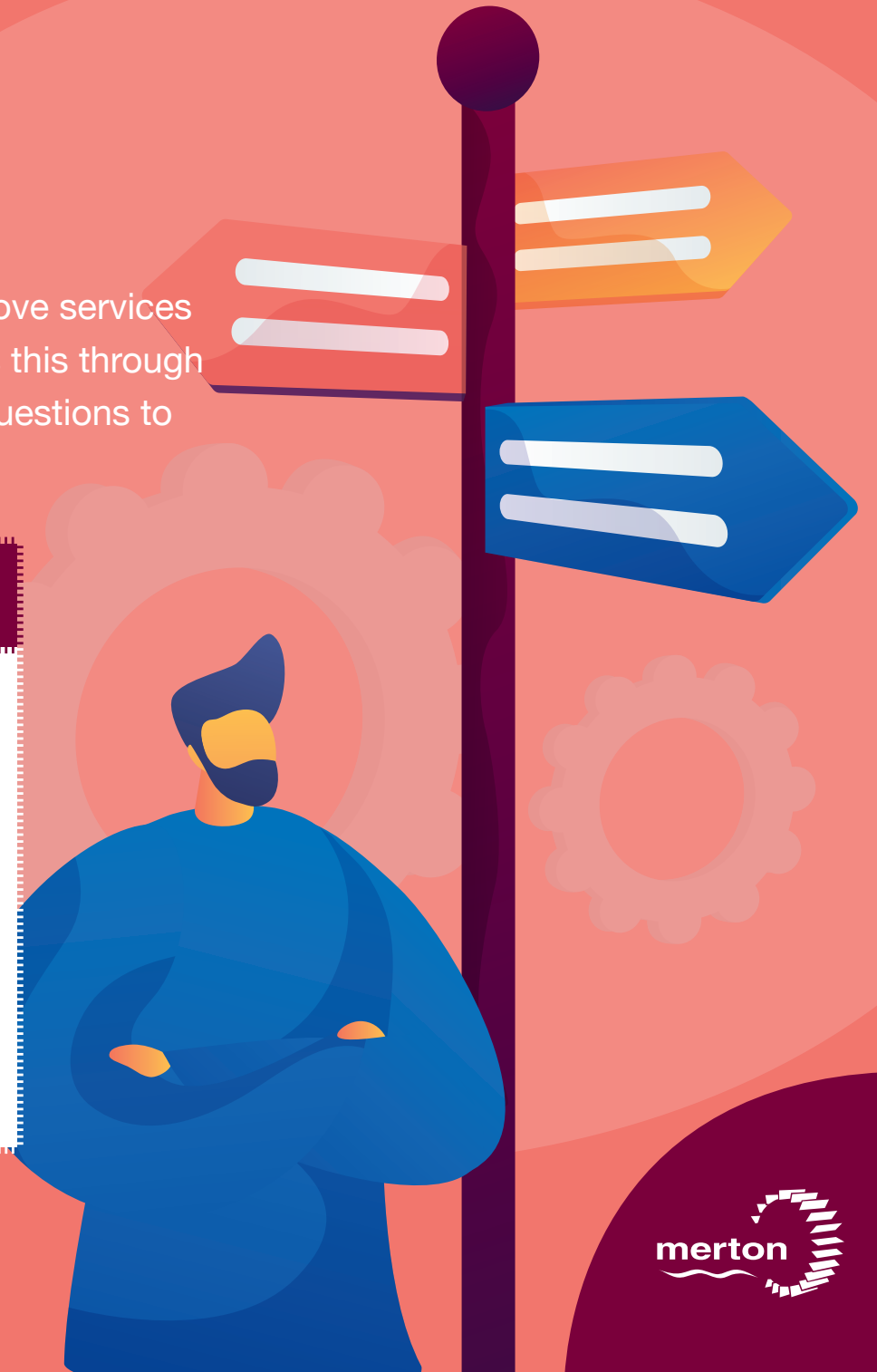
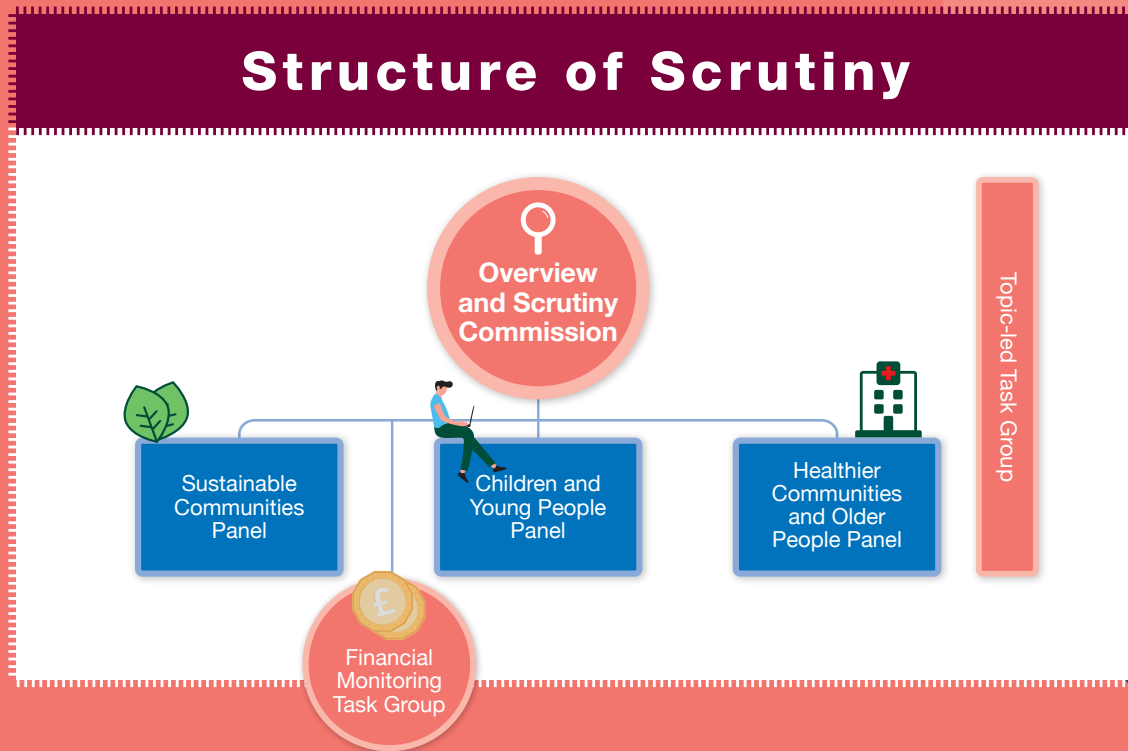
12 BACKGROUND PAPERS

12.1. None

Scrutiny in Merton

The scrutiny function acts on behalf of the community to improve services and decision-making inside and outside of the council. It does this through in-depth reviews, evidence-gathering sessions on a topic or questions to service providers, Cabinet members or partners.

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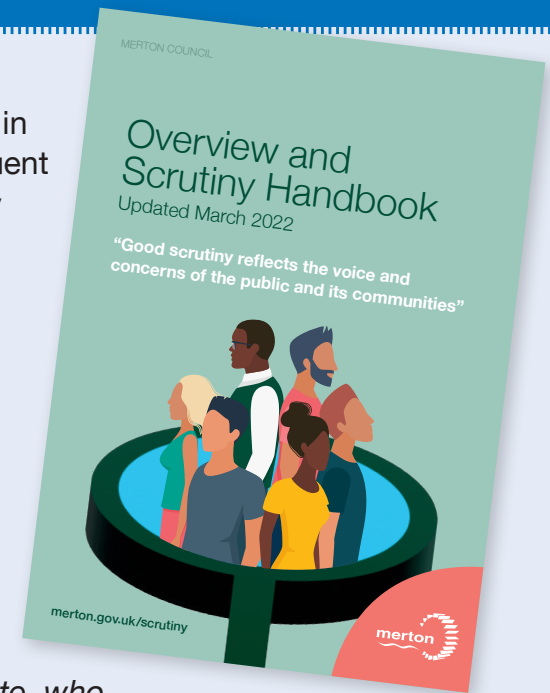
Foreword

During the last year, overview and scrutiny at Merton continued to reflect the concerns of the public and influence the decision-making process. The response to the pandemic remained a priority and the Director of Public Health attended meetings of the **Healthier Communities** and **Children and Young People Panels** to provide updates on the latest Covid-19 rates. The Director also outlined the efforts of the council and health partners in the vaccine roll-out and take up, especially amongst vulnerable sections of the community. Panel members wanted to ensure that clear messages on the importance of vaccination were communicated across the borough and misinformation was challenged.

This municipal year culminated in local elections and the subsequent intake of new councillors, many of whom are new to overview and scrutiny. A revised scrutiny handbook and introductory video was launched during the councillors' induction event.

Councillor Edward Foley was appointed as new Chair of the Overview and Scrutiny Commission. Councillor Foley said: *"I would like to thank my predecessor, Peter Southgate, who skilfully chaired the Overview and Scrutiny Commission for many years. It is a credit to him that a review of the function by the Centre for Governance and Scrutiny in 2019 found scrutiny in Merton to be effective with a positive impact overall.*

"As the new Chair of the commission, this year will be important in helping our new councillors to get to grips with their role. As we emerge from the pandemic, panel members will have more opportunities to visit services and engage with/interact with local communities. As panel members, we must focus our time and resources on how our work is having an impact and resulting in improvements to services for our residents." ➔



Relationships between scrutiny and local partners remain productive. The **Sustainable Communities Panel** met with Veolia regarding concerns around street cleanliness and rubbish collection.

The commission

held its regular meetings with the Borough Commander to ask questions and raise matters on crime and safety.



Councillors conducting site visits of Merton's green spaces

Scrutiny in action



Scrutiny support Merton's commitment to improving night safety for females in the borough

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The varied work of the Safer Merton team, including the extensive partnership response to violence against women and girls and the plans for additional interventions to improve safety were presented to the Overview and Scrutiny Commission, alongside attendance and additional input from the Borough Commander.

Members of the Overview and Scrutiny Commission unanimously supported a recommendation to Cabinet that Merton Council sign up to the Mayor's Night Safety Charter as a statement of the council's commitment to improving the safety of women and girls in Merton.

Monitoring the performance of Clarion Housing's repairs and maintenance standards took a front seat at every **Sustainable Communities Panel** this municipal year. The panel welcomed regular attendance and engagement from Clarion's Senior Management Team.

The panel stressed the importance of keeping residents informed with clear processes and subsequently recommended updates to the Merton website to inform residents of their rights and responsibilities, provide useful contacts and signpost residents into the current repairs process.



The panel were pleased Clarion agreed with their advice and recommendations and employed resident liaison officers, undertook regular door knocking exercises and improved visibility in neighbourhoods with pop-up offices and the development of a customer engagement strategy.

A special video was filmed for the **Healthier Communities and Older People Panel** featuring the feedback from care home managers about the impact of the pandemic. It highlighted that the council and health partners worked closely with care homes providing a wide range of advice and support.

This successful partnership helped to reduce Covid-19 fatalities, leading to Merton having the lowest rate of Covid deaths in south west London. Panel members heard that funding was secured, which enabled officers to find temporary accommodation for residents once discharged from hospital to prevent the spread of the disease. The panel resolved to write to all care homes in Merton thanking them for their work during the pandemic.

A head teacher and assistant head from a local primary school attended the **Children and Young People Overview and Scrutiny Panels** to talk about their experiences during the pandemic. Teachers reported that some of the pressures included the rise in need for free school meals and an increase in safeguarding referrals. There was

also a rise in assessment for mental health provision and continued Covid-related sickness amongst staff and pupils.

Teachers said daily briefings from the council were helpful during the pandemic. The panel were concerned that support is provided for pupils who had fallen behind during the pandemic and resolved to continue to monitor their progress.



The Children and Young People Panel heard of the rise in need for free school meals

Whilst undertaking their standard scrutiny of the quarterly monitoring reports, the **Financial Monitoring Task Group** also took a deep dive into other issues such as the Disability Related Expenditure disregard and the Dedicated Schools Grant.

Members were reassured to hear the plans in place to ensure the cumulative deficit stops growing and the work of officers and directors to be part of the DfE's safety valve process moving forward.



Other topics scrutinised

School streets

Local policing and Safer Merton

Access to GP surgeries

Proposed council budget savings

School places planning strategy

Fly-tipping strategy

Immunisations

Management of green spaces

Scrutiny in numbers

Meetings and members

- ➔ 25 panel meetings
- ➔ 36 members
- ➔ 4 co-optees
- ➔ 88 items considered
- ➔ 2,111 YouTube views averaging 85 views per meeting

Plus

- ➔ 3 call-ins
- ➔ 6 scrutiny referrals/recommendations to Cabinet including Budget

Ways to get involved:

There are a number of ways you can get involved in the work of scrutiny at the council by:

- ➔ suggesting an issue or topic for scrutiny to look at merton.gov.uk/council-and-local-democracy/decision-making/overview-and-scrutiny/get-involved or by writing, emailing or phoning the Scrutiny Team on **020 8545 4035**
- ➔ attending a meeting open to the public
- ➔ requesting to give information and views in writing or speaking at a meeting
- ➔ contacting your local councillor on how to get involved

You can also view our scrutiny pages on our website, which include meeting dates, agendas and panel membership, via merton.gov.uk/scrutiny or by contacting the Scrutiny Team on scrutiny@merton.gov.uk



Committee: Overview and Scrutiny Commission

Date: 7 September 2022

Subject: Analysis of the Annual Member Scrutiny Survey 2022

Lead officer: Rosie Mckeever, Scrutiny Officer

Lead member: Councillor Ed Foley, Chair of the Overview and Scrutiny Commission

Contact officer: Rosie Mckeever; Scrutiny Officer, 020 8545 4035

Recommendations:

- A. That the Overview and Scrutiny Commission considers the findings arising from the 2022 Member Survey.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

For the Overview and Scrutiny Commission to consider the findings from the 2022 Member Survey.

2 DETAILS

Each year the scrutiny team carries out a survey to collect the views of Merton councillors and co-opted scrutiny members about how scrutiny is working - where things work well, where things do not work quite so well, and how they can be improved. The survey also evaluates the effectiveness of the scrutiny function as a whole and with the different work streams that make up overview and scrutiny.

Key findings

Overall effectiveness: Regarding the overall effectiveness of scrutiny, 70% of respondents rated scrutiny as completely or somewhat effective. This an improvement on the 2021 result of 64%, however as with previous years, the result should be treated with caution as the questionnaire was only completed by 20 councillors.

Task groups: Task group work and pre-decision scrutiny were rated the most effective elements of scrutiny with 80% rating it as completely or somewhat effective.

Scrutiny team: Satisfaction with the team remained positive with respondents giving the team a satisfaction rating of 92%.

3 ALTERNATIVE OPTIONS

Whilst there is no statutory requirement to undertake an annual member survey, the findings enable members' satisfaction with the scrutiny process at Merton to be measured against previous years and to develop actions to improve the scrutiny process year on year

4 CONSULTATION UNDERTAKEN OR PROPOSED

The member survey is conducted for a minimum of three weeks each year.

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

None for the purposes of this report.

6 LEGAL AND STATUTORY IMPLICATIONS

There are none specific to this report.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engaging with local partners in scrutiny reviews. Furthermore, the outcomes of reviews are intended to benefit all sections of the local community.

8 CRIME AND DISORDER IMPLICATIONS

The Police and Justice Act 2006 requires every Council to have a scrutiny committee with the power to review or scrutinise decisions made, or other action taken by the Council and the other responsible authorities in the exercise of their crime and disorder functions. The other responsible authorities are the police, the police authority (Metropolitan Police Authority), the fire and rescue authority and the NHS (Merton Clinical Commissioning Group and local NHS Trusts).

In Merton the responsible committee is the Overview and Scrutiny Commission.

Under the 2006 Act, the responsible committee is required to “meet to review or scrutinise decisions made, or action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions, no less than once every twelve months”. In doing so, it may require the attendance of officers from the Council, the police and co-operating authorities.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1. None relating to this report

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

10.1. Appendix 1: Member Survey 2022 – analysis and findings

10.2. Appendix 2: Verbatim comments from Members

Member Survey 2022

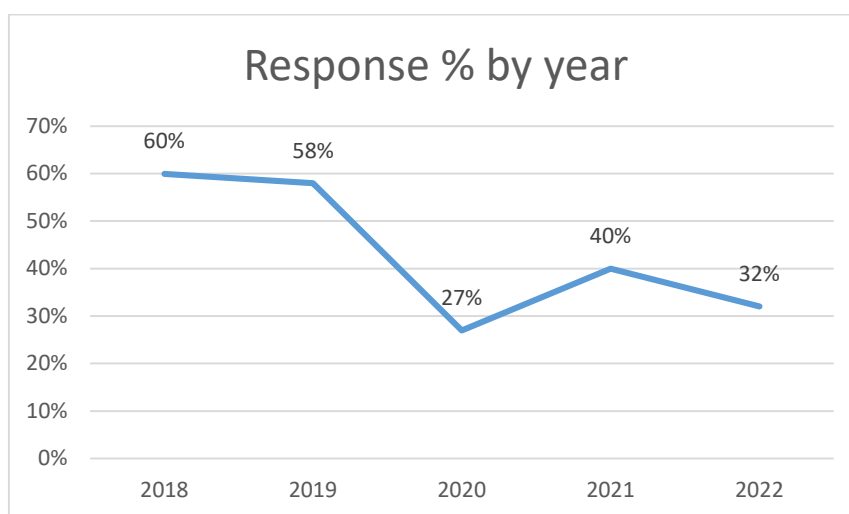
Survey respondents

The member survey was sent out to sixty councillors and three co-opted members giving a survey cohort totalling 63 members.

Response rate

The survey was completed by 20 councillors and 1 co-opted member, giving an overall response rate of 32%. The response rate continues to fluctuate yearly.

Diagram 1: Member survey response rate

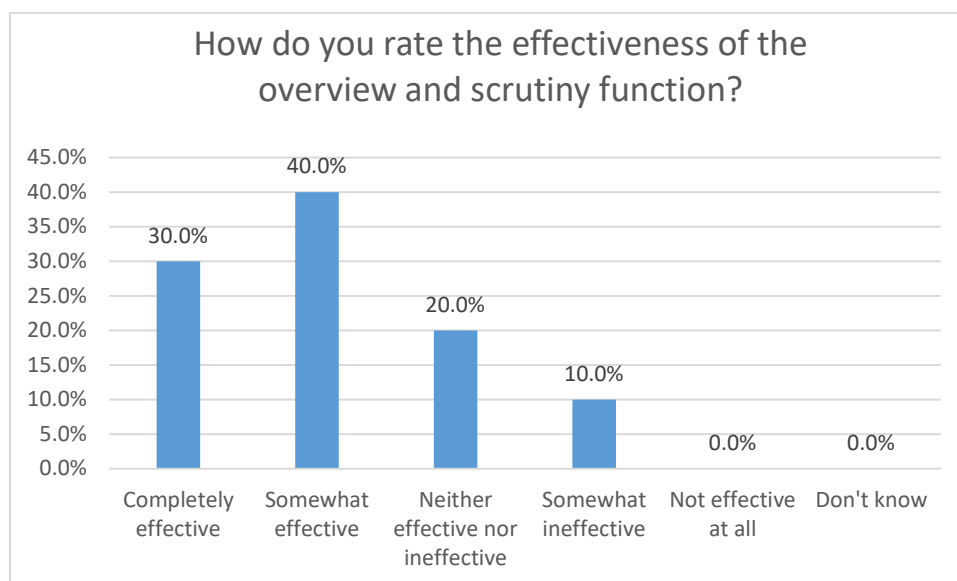


The majority of this year's respondents have been actively involved in the scrutiny process over the past year:

- 64% of respondents are a member of the scrutiny commission or panels
- 25% are other non-executive members'
- 56% have attended a scrutiny meeting as a visiting member to observe/contribute

Effectiveness of the scrutiny function

The survey asked respondents to consider the overall effectiveness of scrutiny. The proportion of respondents who consider scrutiny to be effective overall stands at 70%.

Diagram 2: The overall effectiveness of scrutiny

Pre-decision scrutiny 70% rated the effectiveness of pre-decision scrutiny as completely or somewhat effective in 2021/22.

Call-ins

Call-in continues to be an area with the lowest rates of satisfaction. It is the most political element of scrutiny and does not usually result in a request to Cabinet to review its decision. There were three call-ins in the last municipal year.

Performance monitoring

The effectiveness of performance monitoring has decreased slightly on last year at 65% compared to the previous 76%.

Development of the Commission/Panel Work Programmes

This year 79% of respondents agreed they had the opportunity to contribute to the development of the Commission and Panel work programmes.

Scrutiny Agendas/Workload

On a downward trend, only 59% of respondents agreed that Commission/Panel agendas are the correct length. This requires further investigation as to how to improve this score.

Scrutiny impact on decision making by the Cabinet

This year councillors feel decision-making by the Cabinet has been influenced to some extent by comments from the Commission and Panels; 43% (with 20% strongly) for the Commission and 41% (with 19% strongly) for the Panels.

Better organisation

The survey provided a list of actions that could be taken to improve the organisation of scrutiny business and respondents were asked to tick all the items that they supported:

Diagram 4: In what ways do you think scrutiny business might be better organised?

Commission/Panels to be more selective when setting agendas	32%
More use of external experts to provide context and challenge	73%
Background policy guidance provided	73%
More meetings to accommodate all the items	20%
Guidance provided on possible questions to be asked at meetings	27%
Councillors supported to conduct their own individual reviews	20%
Cross-party pre-meetings to agree lines of questioning for some agenda items <i>*Up from 8% in 2021</i>	49%*

Quality of evidence presented to overview and scrutiny

62% of respondents said that the evidence presented to overview and scrutiny has been good and meets the needs of the session. This is an improvement on last year's score.

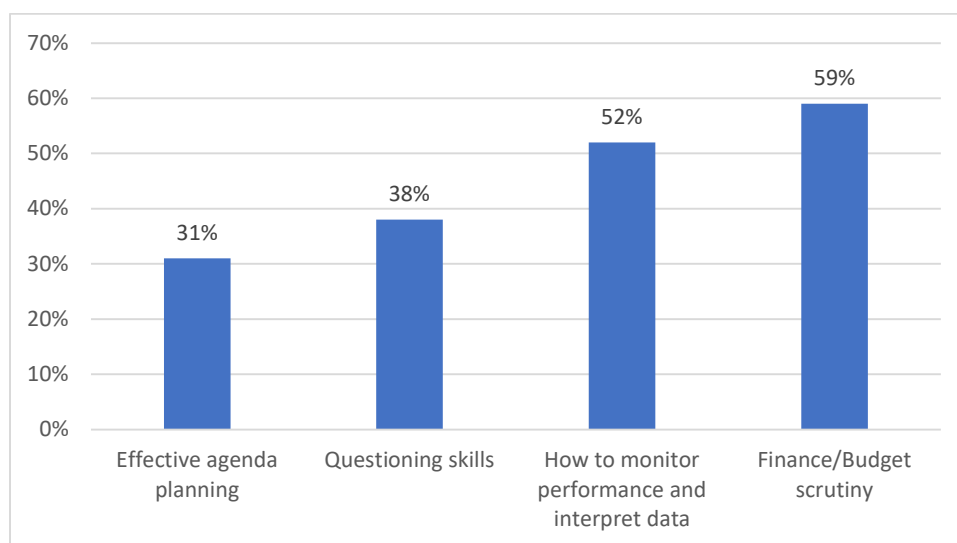
Support from the Scrutiny Team

Satisfaction levels remain high, with 60% rating the support provided by the scrutiny team as excellent and 32% as good.

Members' training and development needs

The skills and knowledge, which members bring to the overview and scrutiny process, are crucial to its effectiveness, so the survey asked what scrutiny related training and development opportunities they would like to have provided in the coming year:

Diagram 6: Demand for Member training



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Verbatim comments from members

Q6. Please give examples of where Cabinet decision-making has been influenced during the 2021/2022 municipal year by comments from the Commission and/or Panels:

- Pressure on administration re; parking charges
- Deen City Farm

Q7. Please give examples of where the Commission and/or Panels have had a demonstrable impact (other than on Cabinet decision-making). examples

- Tenants champion and clarion work

Q9. In what ways do you think the Commission/Panel business might be better organised?

- Fewer officers, more cabinet members
- More follow up questions allowed
- Chairs should not be gift of administration
- We should be allowed to scrutinise the administration decisions and priorities, not just the work of officers.

Q14. Please use this box for any further comments/suggestions you have about the overview and scrutiny function, including how it can be improved.

- Take certain difficult people off the committee.
- More direct quizzing of cabinet member, or external partners, like a parliament select committee.
- Mix up the chairs of the committees, some clearly only there at behest of their leadership and seem to deliberately block meeting progress.
- Any suggested motions, references to be put in writing so we are clear what we are voting, as too often it is not clear and drags meeting into chaos. Dem Service officer to check with individual they are attributing comments/name in the minutes, to check items aren't 'misconstrued' or deliberately used by others in a false way.
- Better liaison is needed with group offices re diary management.
- More site visits

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Overview and Scrutiny Commission Work Programme 2022/23



This table sets out the draft Overview and Scrutiny Commission's Work Programme for 2022/23 following discussions at the topic workshop on 7 June 2022.

The work programme will be considered at every meeting of the Commission to enable it to respond to issues of concern or to request new pre-decision items ahead of their consideration by Cabinet/Council.

Chair: Cllr Ed Foley

Vice-chair: Cllr Mike Brunt

Scrutiny Support

For further information on the work programme of the Overview and Scrutiny Commission please contact: -

Rosie McKeever, Scrutiny Officer

Tel: 020 8545 4035; Email: rosie.mckeever@merton.gov.uk

For more information about overview and scrutiny at LB Merton, please visit www.merton.gov.uk/scrutiny

Meeting date: 13 July 2022 (~~**Deadline for papers:** 12pm, 5 July 2022~~)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
Questions to the Leader of the Council and the Chief Executive - priorities and challenges for 2022/23	Verbal update with Q&A	Cllr Ross Garrod, Leader of the Council; Hannah Doody, Chief Executive	
CHAS Proposals	Report	Louise Round, Managing Director, South London Legal Partnership	Confidential paper
Identify questions for the Borough Commander	Discussion	Cllr Ed Foley, Chair of Overview & Scrutiny Commission	Plan line of questioning for 7 September meeting
Overview and Scrutiny Commission work programme 22/23	Report	Cllr Ed Foley Chair of Overview & Scrutiny Commission	Discuss and approve work programme and re-establishment of the FMTG

Meeting date: 7 September 2022 (*Deadline for papers: 5pm, 29 August 2022*)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
BCU Commander – crime and policing in Merton	Report and in-depth discussion	BCU Commander	To hold BCU Commander to account on crime and disorder
Safer Merton – VAWG Strategy	Report	Zoe Gallen, Domestic Abuse & VAWG Lead	Report to focus on safety of women and girls in Merton
Public Space Protection Orders	Report	Kelly Marshall, Strategic Development Lead	
Scrutiny Annual Report 21/22	Report	Cllr Ed Foley Chair of Overview & Scrutiny Commission	Agree content before presentation at Council
Member Survey	Report	Cllr Ed Foley Chair of Overview & Scrutiny Commission	
OSC Working Group (CHAS)	Report	Louise Round, Managing Director, South London Legal Partnership	Feedback from the group on their findings and recommendations
Work programme 2022/23	Written report	Rosie McKeever, Scrutiny Officer	To agree the work programme.

Meeting date: 9 November 2022 (*Deadline for papers: 5pm, 1 November 2022*)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
Business Plan - budget scrutiny (Round one)	Report	Caroline Holland, Director of Corporate Services	To send comments to Cabinet budget meeting on 5 December
Equality Diversity and Inclusion (EDI) strategy	Report	Evereth Willis	Update on refresh of the strategy
Council website	Report	Sean Cunniffe, Head of Customer Contact; Caroline Holland, Director of Corporate Services	Focus on resident experience, resident survey feedback (if available)
Work programme 2022/23	Written report	Rosie McKeever, Scrutiny Officer	To agree the work programme

Meeting date: 18 January 2023 (**Deadline for papers:** 5pm, 9 January 2023)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
Business Plan Update – budget scrutiny (round two)	Report – common pack for Panels and Commission	Caroline Holland, Director of Corporate Services	To report to Cabinet (7 Feb) on budget scrutiny round 2
Scrutiny of the Business Plan; comments and recommendations from the overview and scrutiny panels	Report	Cllr Peter Southgate Scrutiny Officer	To send comments and recommendations from the overview and scrutiny panels to Cabinet on 7 Feb
Merton as an employer	Report	Peter Little, Head of Organisational Development	Update on Workforce Strategy
Identify questions for the Borough Commander	Discussion	Cllr Ed Foley Chair of Overview & Scrutiny Commission	Plan line of questioning for meeting on 15 March
Work programme 2022/23	Written report	Rosie McKeever, Scrutiny Officer	To agree the work programme.

Meeting date: 25 January 2023 (*Deadline for papers: 5pm, 17 January 2023*)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
Voluntary Sector	Report	John Dimmer, Head of PSP; Merton Connected	Report to include information on grants and infrastructure support, exposure for voluntary groups, publicity and signposting
Merton as a service provider	Report	Roger Kershaw,	External review of contract procurement
Work programme 2022/23	Written report	Rosie McKeever, Scrutiny Officer	To agree the work programme.

Meeting date: 15 March 2023 (*Deadline for papers: 5pm, 6 March 2023*)

Item/issue	How	Lead member and/or lead officer	Intended outcomes
BCU Commander – crime and policing in Merton	Report and in-depth discussion	BCU Commander	To hold BCU Commander to account on crime and disorder
Safer Merton Update		Kiran Vagarwal, Community Safety Manager	Report to focus on ASB and designing out crime
Planning the Commission's 2023/24 work programme	Report	Cllr Ed Foley Chair of Overview & Scrutiny Commission	To review 2022/23 and agree priorities for 2023/24