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SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL 8 MARCH 2023

(7.15 pm - 9.45 pm)

PRESENT Councillors Councillor Stuart Neaverson (in the Chair),
Councillor Daniel Holden, Councillor John Braithwaite,
Councillor Caroline Charles, Councillor Anthony Fairclough,
Councillor Dan Johnston, Councillor Gill Manly,
Councillor Stephen Mercer, Councillor Martin Whelton,
Councillor James Williscroft and Councillor Victoria Wilson

John Bosley (Assistant Director Public Space Contracts and Commissioning), Paul McGarry (FutureMerton Manager) and John Morgan (Executive Director, Adult Social Care, Integrated Care and Public Health)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies were received.

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 not yet available, due to tight turnaround times between meetings, but will be circulated when possible.

The Action Log was not yet available, due to tight turnaround times between meetings, but will be circulated when possible.

4 PERFORMANCE MONITORING (Agenda Item 4)

The Assistant Director of Public Space highlighted a few figures for the Panel:

CRP126 - Number of missed collections per hundred thousand - December was the lowest level it's been since 2019. Important to note this is following Christmas collections so this is good performance in respect to that.

SP032 - Number of green flag parks - we have ambitiously made three new applications in January of this year.

A Member asked for clarification on SP518 - Rent reviews, with a value of nine and target of 32. The AD for Public Space explained that rent reviews are slightly behind at present as the team is down by one member of staff.

5 CALL IN: TRAVELLERS SITE - REVIEW OF LICENCE FEE (Agenda Item 5)

The Chair invited Councillor Macarthur to outline the reasons for calling in the decision. Cllr Macarthur explained that Councillors had called in this decision due to the belief that two principles of decision making have not been applied. Those principles are a respect for human rights inequalities, and a consideration and evaluation of alternatives.

Brickfield Road is a traveller site in Wimbledon Park ward, over which the council retain ownership, but it is managed by Clarion who charge a license fee to the occupants of the site.

The management agreement states that Clarion will make a recommendation for the licence, which must be reasonable, and that the Council will review annually. There was no equality impact assessment at the time which is an integral part of the decision-making process and would ensure the Council look at the potentially negative impacts of its decision and take steps to mitigate them.

Travelers are one of the most discriminated against groups nationally and internationally and this surely means the Council should be especially careful in its consideration of the equality's impact. However, the Council did not consider equality at all it states that at Power 8 of the

The council prepared an equalities analysis after the call-in - why was that EA not considered as part of the decision? The council claimed they did not need to do so because, as is normal with government initiatives, the government had conducted an EA. However, this never usually precludes the council conducting a local one.

It also appears from paragraph 3 of the decision report that the Council accepted the seven percent increase recommended by Clarion and did not question or negotiate it. There are various other options open to the Council including choosing to negotiate the increase or they could have visited the site to see whether Clarion are upholding their obligations with regards to the management contract.

After visiting the site and speaking to residents, we do not believe that correct management of the site is being upheld, considering there is a chronic rat infestation, failure to maintain running water to every pitch and disconnected firefighting equipment.

The Chair invited the Director of Adult Social Care, Integrated Care & Public Health to respond to the points raised.

As part of the stock transfer agreement there is a requirement to review the rent annually.

With inflation running at 10.1% to 11.1% we decided on a maximum lower formula and the increase was capped to 7%.

In the last five years, since the records have been monitored, there have been no concerns or issues reported of any traveller having had problems with paying the rent. If any reports were to be made, there are systems in place to help. For example, Clarion has a specialist team that can go out and assist people to apply for benefits to maximise their incomes.

With regards to the Equality Impact Assessment, we originally utilised the national one completed by Government but have subsequently developed our own.

The Chair moved to a vote on whether the Panel wish to refer the decision back to the Executive Director of Adult Social Care, Integrated Care & Public Health for reconsideration, setting out the nature of the Panel's concerns. There were 3 votes in favour, 6 Against, and 1 abstention. Therefore, the original decision stands.

The Panel RESOLVED to send the following recommendation to Cabinet.
"This Panel recommends the Director of Adult Social Care, Integrated Care and Public Health and the Cabinet Member for Housing and Sustainable Development arrange for inspection of the Brickfield Road site, to explore the issues raised by the Councillors who submitted the call-in. This was seconded with all 10 Panel members voting in favour.

6 RETROFITTING (Agenda Item 6)

The item was introduced by the Cabinet Member for Local Environment, Green Spaces and Climate Change.

The report outlines that since declaring our climate emergency in 2019, we have set out a climate strategy and action plan every year and it highlights some of the work we've been doing to retrofit buildings in the borough.

The majority of emissions come from buildings through heating and electricity usage, and it is estimated that 74% of the borough's emissions comes from buildings and energy.

Decarbonising our stock is going to be essential to us reaching our 2050 Target.

To decarbonise every building in the borough would cost approximately £2.8 billion.

We don't own our own housing stock, so the report sets out the program progress we've made and the future plans for decarbonisation of the council's own buildings, including Community Schools as well as homes and businesses.

Officers will be developing a Retrofit Strategy and Energy Masterplan to help facilitate and support Borough wide retrofitting by 2050. Officers intend to undertake and extensive and intensive engagement as part of this work.

In response to questions, further information was provided by the Cabinet Member and the Climate Change Project Officer.

The Council is looking at additional potential for solar PV across the community schools and the council recently commissioned a new solar PV consultant.

£100k has been allocated to a review of Community Schools Heating and Catering systems so that's something that will happen this year which will help inform works to community schools across the borough.

On the local plan front, the London energy transformation initiative published a climate emergency design guide a few years ago and the three key recommendations are that the buildings need to be very energy efficient, they need to use low carbon heat and they need to maximise renewable energy generation on site. As part of this we are looking to introduce a metric to better measure and monitor the efficiency of buildings, we are requiring low carbon heat in all new developments and also looking to maximise renewable energy, particularly through solar PV on site.

We have recently published a paired down version of the climate delivery action plan online that plots out kind of our carbon emissions as a council and as a borough and our intention is to publish a paired down version of the delivery plan every year so everyone can see where we are at.

We are working on a retrofit roadmap with the South London partnership because it's really important for us to work at a regional level on that, not just a borough wide level. The retrofit road map is specifically to help the private homeowners who need support and guidance on how to retrofit properties.

7 PLANNING ENFORCEMENT (Agenda Item 7)

The report was presented by the Head of Development Management and Building Control.

When the Council motion was raised, we had over 900 cases registered. The target was set to halve that number by the end of 2022. We are now down to now between 300- 350 cases, so we've exceeded the target and reduced the workload down considerably.

Further to this work we have also:

- Proposed a staff structure to present to the incoming Executive Director to tackle recruitment, including a Principal Enforcement Officer.
- Drafted a new local enforcement plan that will set standards for the service and how we envisage the service will perform moving forward

- Southwest London Auditors recently completed their review of the service, and we await their final report

In response to questions from Panel Members, the Head of Development Management and Building Control provided further information.

Communication is something that we've been looking at with the auditors - and we do have some ideas around making sure everyone is notified of the outcomes. We have started monthly updates and reports to the Planning Applications Committee and we're looking at possibility of quarterly newsletters for Members, particularly about the higher profile cases.

In terms of staffing, we are down by one part time member of staff and have one officer on training once a week.

The Government is now consulting on increasing planning application fees everybody department has been waiting up for that for a long time. If approved, it will bring in some much-needed increased income.

8 COMMUNITY TOILET PROVISION (Agenda Item 8)

Cllr Stephen Mercer and former Cllr Peter Southgate are reviewing toilet provision in Merton.

There has been a decline in public toilet provision since 1999 probably exacerbated by the Disability Discrimination Act and by the pandemic.

- 91% of people don't feel the provision in their borough is adequate according to the Greater London Assembly survey.
- 94% have difficulty finding a public toilet in an unfamiliar area of their borough.
- 56% of people restrict fluid intake to due to concern over lack of toilet facilities which leads to dehydration risk according to the Royal Society for Public Health.
- One in five of the general public, say they're not able to go out as often as they would like because of concerns around a lack of public toilets. For those with an illness or a condition requiring more frequent toilet use, this figure rises to 43%.

The review we are undertaking includes exploring awareness of toilet provision, mapping the existing provision, looking at the direction of travel in Merton and we're exploring barriers to extending the existing Community Toilet Scheme.

In Richmond and Lewisham, around 70 businesses signed up to the community toilet scheme. For context, Merton has 4.

We are currently running an online survey, have worked with four focus groups (including the Merton Centre for Independent Living), and we've had two small group surveys.

Our draft proposals will be submitted to the next meeting of the Sustainable Communities Panel.

9 WORK PROGRAMME (Agenda Item 9)

The Chair reminded Members to send in any topic suggestions by the end of March.