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SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL 21 MARCH 2024

(7.15 pm - 9.50 pm)

PRESENT Councillors Councillor Stuart Neaverson (in the Chair),
Councillor Daniel Holden, Councillor John Braithwaite,
Councillor Michael Brunt, Councillor Anthony Fairclough,
Councillor Dan Johnston, Councillor Stephen Mercer,
Councillor Marsie Skeete, Councillor Martin Whelton,
Councillor James Williscroft, Councillor Victoria Wilson,
Councillor Nick McLean and Councillor Laxmi Attawar

Dan Jones (Executive Director, Environment, Civic Pride & Climate), Andrew Kauffman (Head of Parks Services) and Lucy Owen (Executive Director of Housing & Sustainable Development)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Slawek Szczepanski (with Cllr Laxmi Attawar as sub).

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

Panel Members confirmed that these were a true and accurate record of the previous meeting.

4 CALL IN: BRICKFIELD SITE (Agenda Item 4)

The Chair invited Cllr Hall and Cllr MacArthur to introduce the call in.

The reasons for the call-in are:

- Respect for human rights and equalities.
- Consideration and evaluation of alternatives.

Cllr Samatha Macarthur spoke to the point around consideration and evaluation of alternatives.

Under Section 6.1 of the management agreement, it states: The Council will set a weekly licence fee to be payable by the occupants of the Site provided that such fee shall be no less than such amount as may be recommended by the Company (acting reasonably).

No evidence provided to show that Merton Council has attempted to ensure that Clarion have 'acted reasonably' in their setting of the fee. We do not, therefore, agree that alternatives have been properly considered and evaluated. The decision merely accedes to Clarion's recommendation as set out in the report – which is to increase fees by the maximum permitted amount – without properly reviewing and scrutinising the fees they have suggested.

Service users in Brickfield Road are also still experiencing unresolved issues, including inadequate equipment and training for fire protection, rat infestations, and broken waste bins.

Cllr Jil Hall spoke to the point around consideration and evaluation of alternatives: The assertion in the Equalities Assessment that "All households on the Traveller site are affected equally by this increase regardless of their ethnic group" does not show that an assessment of the possibility of indirect discrimination has been completed. An equalities assessment comparing the impact of these changes on Romany Gypsies and Irish Travellers at Brickfield Road with other Merton residents beyond the Traveller site has not been completed. The Council's Corporate Equality Scheme requires departments to consider other relevant groups or issues in their assessments such as looked after children, carers, gypsies and travellers, and community cohesion where appropriate.

Cllr Andrew Judge replied to the call signatories as follows:

A range of issues were considered on our site visit - Some of these have been resolved, and some are still in progress.

The Council organised an independent fire expert to assess fire safety on the site, checking and locating fire hydrants, and further to this a Clarion representative will be talking to tenants about fire safety. If tenants are not reassured after this, we will seek to negotiate further training with Clarion for residents.

Lots of work has been undertaken to tackle rats, not all of it successful, with bins exacerbating the issues.

The proposed increase is commensurate with other social housing stock.

There is no service charge charged to residents, however there are significant responsibilities for the Council.

In response to questions, the Cabinet Member confirmed that whilst the data of comparison of charges was not included within the decision report, the decision was based on the inherent reasonableness, and awareness, that there was a lot of work being done on site.

- The Housing Officer has visited the site, with Clarion, four times since the previous call-in last year.
- Meetings with the Head of Housing at Clarion occur on a six weekly basis.
- The amount proposed is the maximum and has been deployed across housing stock.

A Panel Member queried the definition of indirect discrimination and whether it had been considered. The Cabinet Member stated that there does not appear to be

indirect discrimination as the 7.7% is applied across the whole of the Clarion housing stock. There is no evidence that residents are at a disadvantage or indirectly discriminated against.

The Chair moved to vote on the recommendations and reminded the Panel of the options:

B: That the Panel refer the decision back to the Executive Director of Housing and Sustainable Development for reconsideration, setting out the nature of the Panel's concerns; or

C: Decide not to refer the matter back to the Executive Director of Housing and Sustainable Development, in which case the original decision stands.

The Chair called a vote on recommendation B. There were 3 votes for, 9 votes against, with 1 abstention. Motion fell, therefore the matter was not referred back to the Executive Director and the original decision stands.

5 ROGUE LANDLORDS & UPDATE ON THE SELECTIVE AND ADDITIONAL LICENSING SCHEME (Agenda Item 5)

Cllr Andrew Judge, Cabinet Member for Housing and Sustainable Development, provided an update on the progress of the Selective Licensing and Additional Licensing schemes.

Following the implementation of the landlord licensing project and live implementation of the scheme on 24th September 2023, the number of properties licensable in the current financial year was predicted at 1,866. The current figures indicate that 927 applications (49%) of the annual predicted total had been received as of 8th January 2024 therefore the Council is on target for achieving the number of applications predicted for the current financial year.

In response to questions, the Cabinet Member and officers stated as follows:

- Seeking to identify the remaining % of unlicensed properties. We will bring prosecution to those that are unlicensed.
- Staff recruitment – There is problem across the sector of a lack of qualified environmental health staff, therefore we do have a mixture of permanent and contracted staff. We are trying to 'grow our own' as well as encouraging temporary staff to join permanently across the board.
- Some adjustments have been made to online form following lessons learned.
- Breakdown per ward will be provided in due course when available.
- Properties with hazards and issues are prioritised first.
- Although we cannot make income from licensing, we are satisfied that we can cover costs.

A Panel Member requested data on inspections. This information will be provided when the scheme is fully up and running.

6 FLY TIPPING ACTION PLAN (Agenda Item 6)

Cllr Natasha Irons summarised the work being undertaken with regards to the fly-tipping action plan.

In response to questions:

- Neighbourhood Recycling Centre – Surveys have shown that residents have wanted to keep NRC's, so we have introduced cameras in some and this has helped to reduce the amount of fly tipping.
- Number of fly-tips per ward, particularly high in Graveny Ward and Colliers Wood – These areas are densely populated, with a number of HMO's etc. We are proactively working with landlords and agents to address this.
- FPN's peak at the beginning of the year. This is likely due to Christmas, holiday clear outs etc but data would need to be analysed.
- Wall of Shame and posters have had a massive impact, particularly in areas such as Raleigh Gardens.
- 'Fly tip nothing found' mapping – Issues down to a mixture of software teething issues and misplaced pins. We continue to monitor for improvement.
- There will be further pilots of 'Garth Road on the road' this year.
- Ward based heat maps for fly tips – no timeline for production at present. Work on this is taking longer than anticipated.

Action: The Cabinet Member agreed to bring a year-on-year comparison of FPN's back to the panel.

The Chair thanked the team for all their work.

7 TREE STRATEGY (Agenda Item 7)

The Head of Parks Services gave an overview of the report.

In response to questions, the following was stated:

A Member asked about the sponsored tree scheme updates for residents – The Head of Parks Services agreed to update Member outside of meeting.

Street trees and tree canopy – This work is undertaken in conjunction with highways colleagues and street works programmes. 5 or 6 schemes of new planting this year. There is an integration between those two departments with infrastructure looked at and future planning taken into consideration.

Colliers Wood (Harewood Road) replacement trees – 5 planting locations identified with planting happening this season. Members involved to be updated by Head of Parks Services by email.

Head of Parks Services agreed to respond to a Member's enquiry about a tree in Maopham Rd.

The Council has the budget and a commitment for 250 replacement street trees per year, with an additional growth bid in place to raise this number to 500.

A Member suggested that Councillors should be notified once a date is set for pollarding a specific street so that they can help spread the word among residents. Also, including on the planned tree works page, the details of trees that aren't due to be pollarded on a given street, this would help reduce the number of follow ups – or instead include some general information on the page giving the most common reasons why a tree may be untouched when others next to it are pollarded.

The Head of Parks Services and Cabinet Member agreed to include Barkland Barklands KPI data in the Quarterly Performance Monitoring to the Panel, alongside the Idverde and Veolia information. However, the frequency of reporting and commencement will need to be agreed with the Chair along with Directors first.

8 WORK PROGRAMME / TOPIC SUGGESTIONS 2024/25 (Agenda Item 8)

Members were reminded to send in their topic suggestions by 5th April.

Topic workshops will be held in June.