

Agenda Item 5

Council 18 November 2015

**Public questions
Procedure**

The Mayor will call your name and ask if you have a supplementary question arising from the answer you have received.

If you do not have a supplementary question then simply respond thank you, no.
If you do have a supplementary question respond thank you, yes. You will be shown to a seat in the chamber where you will ask your supplementary question. Make sure you use the microphone.

Having put your question, please be seated whilst the Cabinet member responds. Once the response has been given, please return to your seat in the public gallery. The questions and answers and all supplementary questions and replies will be published on Merton's website after the meeting.

PUBLIC QUESTIONS RECEIVED FOR COUNCIL 18 NOVEMBER

1). From Andrew Boyce To the Cabinet Member for Finance

Question:

To detail the number of communications staff employed by the Council including the total staffing cost and their respective roles?

Reply

There are currently 4 Communications staff employed by the council at a staffing cost of £197,759 on communications. Two vacant posts will be cut at the end of this financial year. A further post will be cut in 2018/19 leaving 3 posts responsible for delivering communications for the council.

The four staff currently in post are a Head of Communications, two Senior Communications Officers (one responsible for media and one responsible for marketing) and one Communications Officer who works across both marketing and media.

The budget agreed by the previous Conservative administration in 2010 allowed for £283,591 in spending on communications staff, with the council having a total of 9 Communications staff at that time.

Supplementary Question

After giving examples of questions from other members of the public by Twitter, Mr Boyce asked:

Can the Cabinet Member explain why, at an average yearly cost of £49,000 per staff member, why can no communications team member find the time to respond to queries on Twitter when that is their chosen method of contacting the council? Ellen Tweets this morning, 'it's a great idea, and it's infuriating that they don't respond to Tweets'.

Reply

I would remind Mr Boyce that we have a small communications team who work extraordinarily hard at getting the messages out, for example about the refuse collection service at Christmas, about the attempts we're making to tackle litter by fining people who litter. If he would like to report problems to the council there are ways of doing that. Twitter is not a good way of doing that because it doesn't report into the person who is doing it and you can't log the problem and you can't progress the problem. You also cannot stay in touch with the person who has reported it. I would ask Mr Boyce and the people he is on Twitter with to report things to the council in the appropriate way.

**2). From Diane Neil-Mills
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question:

Is it (a) lawful and (b) deemed acceptable by Merton Council for the officer's report and recommendation on a particular planning application, contained in the Planning Applications Agenda, to be drafted and publicly distributed before the public consultation period for that particular planning application has closed?

Reply

The planning applications committee makes decisions on the basis of all the information submitted and received. Provided all consultees responses are fully considered within the relevant timescales and the decision makers (PAC) are made aware of all those responses, then Committee may resolve to decide such applications. There may be rare occasions when reports are drafted and circulated and there is an overlap so the consultation period goes slightly beyond the date the formal agenda is issued. However, any additional responses are provided either through late material or letter circulations to ensure members are fully aware of all responses at the time of the decision. Legally decisions can be made on that basis. Officers are also able to review any such cases and change the recommendation at any time up until the date of Committee should any fresh material considerations be raised that are considered to significantly impact on the previous recommendation.

Government policy requires the council to demonstrate it is using best endeavours to progress all applications and delays can result in appeals and potential awards of costs against the council if those delays are considered to be unreasonable. So far as I am aware, the approach to these matters has not changed since Diane Neil-Mills was herself the cabinet member.

**3). From Daniel Goode
To the Cabinet Member for Environment Cleanliness and Parking**

Question:

Why is it that Merton Council's litter code is not being applied across the whole borough, given that some areas of Morden Hall Road and Ravensbury Park are regularly not swept and were recently left uncleaned for four and a half weeks?

Reply

At present roads in Merton are defined, for the purposes of the Environmental Protection Act 1990, as either zone 1 (daily/continuous sweep) or Zone 3 (weekly sweep residential and industrial areas). However there will be times during the year when we need to concentrate our resources in particular areas and in order to

maximise efficiency and reduce the cost to the taxpayer we utilise resources where they are most needed often on a reactive basis.

Morden Hall Road and Ravensbury Park would not have been left unattended for this length of time, however sometimes a road will deteriorate quickly in spite of regular attendance by street cleansing staff.

Autumn is now with us and the leaves are falling. Our 220,000 street trees in Merton mean there are a lot of leaves around to clear up. As the leaves start to fall, our resources are realigned so we are able to focus on clearing the leaves from the streets where there are most trees. We're expecting to sweep up over 100 tonnes of leaves over the coming months. Our crews have been making their way around the borough's 1,600 roads over the last few weeks and will continue until the leaf fall season is over.

**4). From Maurice Groves
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question:

Please can you let me know the distribution of Road Accidents in Merton 2014/15?
Are there any Hot Spots?

Reply

In terms of distribution our accident data shows that many of the accidents take place at junctions. The key hotspots are often at major signalised junctions throughout the borough. The Council has an annual Local Safety Programme which involves analysing accidents and devising the appropriate engineering solution to address common contributory factors. Our Local safety programme also includes softer measures such as training.

Supplementary Question

How many serious accidents are there, how many near-accidents and which locations have the largest amount of accidents?

Reply

It's a very detailed question and I will come back to you with the answer. The distribution of accidents happen predominantly at road junctions and we consider them on an annual basis and we look at a safety programme that analyses the accidents and their causes and then we seek any remedy that is appropriate. I gather you want the detail of where exactly serious accidents occur and close accidents – we will have to come back to you with that.

**5). From Tony Burton
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question:

To ask when Merton Council will publish the draft specification for future maintenance of the Borough's green spaces as promised by the Cabinet Member for Environmental Sustainability & Regeneration and Director of Environment & Regeneration at a meeting with "Friends"?

Reply

The procurement of the parks and open space maintenance services is progressing well and to timetable. This procurement is utilising the competitive dialogue process which uses extensive discussions and dialogue with bidders to develop the detailed approach and solutions that will ultimately be adopted in delivering the services.

The process begins with a high level "output based specification" which is then developed and amended through lengthy dialogue sessions with bidders. It was hoped that this high level output based specification could have been shared with Friends of Parks and Trade Unions already, however, legal advice has suggested that there is a risk to the procurement process in doing so and since Merton Council is only one party to the procurement process it has not been possible so far to release the document in the way first envisaged.

This is disappointing, however we continue to discuss this with the legal advisers and the other councils involved in order to identify a way in which we can provide the appropriate level of transparency.

**6). From Sandra Vogel
To the Cabinet Member for Environment Cleanliness and Parking**

Question:

Can the Council please provide, in square meters, the area of grass at Mitcham Fair Green before the current town centre works began, and the area of grass present today? For clarity this is the area bounded by Upper Green West and Upper Green East.

Reply

Sandra Vogel will be aware that when the scheme is completed there will be an expanded green space in the area of the Fair Green that will be fully registered as town green, so that this enlarged green space will be fully protected for future generations to enjoy.

At this current point in the works the figures are:

Mitcham Fair Green Before = 3220 sqm

New landscaped areas now including within granite walls, as completed Phase 1 = 2590 sqm

**7). From John Davis
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question:

Since gas works one-way system was introduced in Morden Road, traffic turning from Mitcham jams all London Road traffic. Traffic-light timing sequencing has not changed. Why cannot controllers set lights to prevent such jams & what Council/TfL enforcement controls monitor ensuing noxious fumes + particulates build-up?

Reply

The traffic management plan for these works was jointly agreed by Merton and TfL as it affects both road networks. The diversionary route for traffic coming from Mitcham and turning right across London Road into Morden Road is one-way and should therefore have no effect on traffic using London Road. This has been monitored since the works started and therefore there has been no need to change the traffic signal phases at the London Road/ Morden Road junction.

However, we will continue to monitor this until the expected completion date of 17 December. The works are currently on target and we have warned SGN that an extension will not be granted unless there are extreme circumstances. No vehicular pollution monitoring is required as part of these works as the diversionary route is not exceeding its potential capacity.

**8). From Hamna Qureshi
To the Cabinet Member for Children's Services**

Please can you advise me of the number of Children in Merton Care and how many Safeguarding issues you have had in 2014/15?

Reply

The following data relating to looked after children and children subject to safeguarding concerns are sourced from DfE statutory returns for the financial year 2014-2015:

Children in Care

There were 157 Looked After Children as at the 31st March 2015. During the year 2014-15, 107 children started a period of care and 105 children ceased a period of care.

Safeguarding

A total of 177 children had a Child Protection Plan as at the 31st March 2015. During the year 2014-15, 226 children became subject of a Child Protection (CP) Plan and 231 children ceased being subject of a CP Plan.

**9). From Owen Morris
To the Cabinet Member for Environment Cleanliness and Parking**

Question:

Can you please sweep the pavements of the roads around South Park Gardens SW19 (Effra Road esp.), as the build-up of leaves is considerable (and dangerous)?

Reply

Yes, although we are focusing on clearing the leaves from the streets where there are most trees. South Park gardens and roads in this area are scheduled to be cleared of leaves in particular during week beginning 16 November 2015.

**10). From Tracy Wilson
To the Cabinet Member for Community and Culture**

Question:

With regards to the Ravensbury redevelopment & Merton regen, has Merton Council agreed in principle with the "needs plus one" provision in the resident's offer for rehousing from CHMP, & if so, will they honour this in the future?

Reply

The Council works closely with CHMP to deliver housing solutions to tenants in housing need. The Council will continue to set the rules about matching family size to the right number of bedrooms in a tenants new home. Those rules will be exactly the same as they are now, and they are unaffected by the regeneration plans and are set out in the Councils published housing allocations policy. The Council and CHMP are required to make best use of available housing resources and will take into account the option for families and individuals who are currently under occupying their property to have an extra bedroom above their needs in their new home.

**11). From Doll Lambourne
To the Cabinet Member for Environmental Sustainability and Regeneration**

Question:

Will Merton Council gift or sell the Ravensbury garages site to CHMP or others for redevelopment BEFORE the Merton regen plans have undergone all three stages of the Local Plan consultation by future Merton and any review, possibly by the Secretary of State?

Reply

Although CHMP are looking at planning applications for the Ravensbury Garages site, the site will not be considered for disposal until such time as the Council has agreed and concluded consultation on a Development Plan Document (Estates Plan) and this has been approved by the council and been through a public enquiry by an independent planning inspector.

**12). From Christopher Holt (Chair, Ravensbury Residents Association)
To the Cabinet Member for Cabinet Member for Community and Culture**

Question:

Following polls by Ravensbury Residents Association failing to agree with results of the CHMP-commissioned survey, will Merton Council pledge to continue with all stages of the future Merton local plan consultation & properly reveal all opinions of residents, PRIOR to Merton regen getting further approval from Merton Council?

Reply

Councillors will reach their own conclusions on all the evidence at the appropriate time of the views of residents.

On 09 July 2014 Merton Council made several resolutions relating to exploring Circle Housing Merton Priory's proposals for regeneration on the three estates of Eastfields, High Path and Ravensbury, including to explore what the regenerated estates could look like by progressing with a planning document (known as an Estates Local Plan) in consultation with residents and others.

Between September and November 2014 the council consulted residents on the first stage of the Estates Local Plan to ascertain the extent to which residents and stakeholders wanted the change and to identify what the important issues, opportunities and concerns were. Nearly 300 responses were received and published.

On 12 October 2015 the council received a letter from CHMP confirming that their board decision was as follows:

“Circle Housing Merton Priory and Circle’s Management Board has approved the preparation of planning applications for the first phases of the Merton Regeneration Project, subject to reaching a mutually satisfactory agreement with the London Borough of Merton on aspects of the Stock Transfer Agreement which impact on the regeneration project”

Now the council needs to fully understand the housing, financial, legal and planning implications of what Circle Housing has agreed and the associated opportunities and impacts arising from this in order to ensure that residents remain at the heart of the project and get the best outcome.

Officers are therefore not recommending that the second consultation on the council’s draft Estates Local Plan should start until Cabinet has been advised what Circle Housing Merton Priory’s decision on regeneration means for residents and the council. This consultation will be brought to Cabinet and Council for decision only at that time.

There are no legal limitations on when planning applications can be submitted to the council. The council is required to undertake public consultation on submitted planning applications and consider all consultation feedback received to inform subsequent determination of applications.

**13). From Sam Peacock
To the Leader of the Council**

Question:

Can you list or bullet point below the actions and steps you have taken so far to protect the interests of residents being affected by regeneration, specifically for the private tenants, freeholders, leaseholders living across High Path, to ensure we are not 'socially cleansed' out of the area?

Reply

In September 2014, the council jointly signed up to a list of 10 commitments with Circle Housing Merton Priory to protect the interests of residents and ensure residents get the best out of any regeneration proposals for the three estates. These commitments are as follows:

1. Circle Housing Merton Priory will consult with residents, consider their interests at all times, and address concerns fairly.
2. Current homeowners will be entitled to at least the market value of their home should they wish to take the option to sell their home to Circle Housing Merton Priory.
3. Current tenants will be entitled to be rehoused in a new home of appropriate size considering the number of people in the household.
4. Existing Circle Housing Merton Priory tenants will keep all their rights and have the same tenancy agreement, including rent levels, in the new neighbourhood as they do now.

5. All new properties will be more energy efficient and easier to heat than existing properties, helping to keep down residents' fuel bills.
6. Circle Housing Merton Priory will keep disruption to a minimum, and will do all it can to ensure residents only move once if it is necessary to house them temporarily while their new home is being built.
7. Circle Housing Merton Priory will offer extra help and support for older people and/or disabled residents throughout the regeneration works.
8. Circle Housing Merton Priory will continue to maintain the homes of residents across the three neighbourhoods throughout the planning process until regeneration starts, including ensuring a high quality responsive repairs service.
9. Any growth in the number of homes will be in accordance with the Council's Development Plan so that it is considered, responsible and suitable for the area.
10. As a not for profit organisation, Circle Housing Merton Priory will not profit from any regeneration and will use any surplus to provide more housing or improve existing neighbourhoods.

The Council continues to ensure that these commitments are upheld in all of our discussions with CHMP.

If the regeneration does proceed, the Council would expect all residential freeholders, leaseholders and Circle Housing tenants living on the High Path to be offered a suitable and better home on the High Path. Private sector tenants' rights are, in any event, far more circumscribed and as the current law stands the Council can offer them no more and no less support and protection than it is able to offer the many other private sector tenants in the borough.

**14). From: Cypren Edmunds Chair/Treasurer: High Path Community Association
To the Cabinet Member for Community and Culture**

Question:

CHMP have consulted residents regarding their proposed Regeneration and passed this via their board, is it not remiss to not advise on a similar level to service providers? I say this because NHS's MCCG has had no involvement and we are concerned about the plans of an increase of density.

Reply

In accordance with relevant requirements the council will consult with a number of statutory consultees, including NHS England, Local Director of Public Health and Merton Clinical Commissioning Group, on any submitted Planning Application and regeneration proposals.

**15). From Ann Baldwin
To the Cabinet Member for Community and Culture**

Question:

As Merton Council agreed to further delay the decent home programme across the three estates affected by Merton regen?

Reply

There is currently a temporary suspension in place with regards to delivering decent homes on the three estates. This suspension comes to an end on 8 January 2016 and there is no plan to extend this at this time. The Council will work with CHMP on the most appropriate means to achieve the decent home programme on the three estates.

16). From Omer Ali

To the Cabinet Member for Environmental Sustainability and Regeneration

Question:

Should CHMP submit a planning application for regeneration on High Path, then what will be the criterias used to assess this?

Reply

The statutory Development Plan for Merton is currently the Mayor's London Plan 2015 (for all London boroughs), Merton's Core Planning Strategy 2011 and Merton's Sites and Policies Plan 2014. Any planning applications submitted currently would be considered against the policies within these plans.

The council is proposing an Estates Plan (a Development Plan Document) specifically to guide future development on Eastfields, High Path and Ravensbury.

If a planning application were to be submitted after the adoption of the council's Estates Plan, the council would use the Estates Plan and the other parts of the Development Plan listed above to help determine planning applications in these areas.

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