

Committee: Sustainable Communities Overview and Scrutiny Panel

Date: 15 March 2017

Wards: All

Subject: Call-in of the Emissions Levy – Statutory Consultation

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Environment and Housing

Contact officer: Mitra Dubet, futureMerton Commissioning Manager,
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Recommendations:

- A. That the Sustainable Communities Overview and Scrutiny Panel consider the information provided in response to the call-in request and decide whether to:
- Refer the decision back to the Cabinet Member for Regeneration, Environment and Housing for reconsideration; or
 - Determine that the matter is contrary to the policy and/or budget framework and refer the matter to Full Council; or
 - Decide not to refer the matter back to the Cabinet Member for Regeneration, Environment and Housing, in which case the decision shall take effect immediately.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report provides a response to the points raised in the call-in request relating to decision taken by the Cabinet Member for Regeneration, Environment and Housing on 24 February 2017.

2 DETAILS

- 2.1. The call-in request and documents provided in response to this are appended to this report.
- 2.2. The Council's Monitoring Officer has judged the call-in to be valid on the points set out below, namely those relating to the results of the consultation and the issue of applying the diesel levy to the teacher's permit and applying a £40 reduction to business and trade permits with electric vehicles.
- 2.3. The other points raised in the call-in request have been dealt with previously by the call-in request on the emissions levy (at the Overview and Scrutiny Commission on 16 December 2016) and are therefore out of scope.
- 2.4. The valid points that should be addressed by the officer response and discussed at the call-in meeting are:
- 2.5. Proportionality

- 2.6. The pertinent issue here is the impact on teachers - “The only non-residents to potentially be charged are teachers working at Merton’s schools which was not mentioned when the policy was determined by Cabinet”.
- 2.7. Due consultation
- 2.8. All points raised by the call in request in this section should be addressed by the officer response and call-in meeting.
- 2.9. Human rights and equalities
- 2.10. Address question about how older or disabled residents or those on lower incomes have been consulted.
- 2.11. Openness
- 2.12. Address points made in first paragraph regarding teachers’ permits and the electric vehicle reduction for business and trade permits.
- 2.13. Documents requested
- 2.14. The Monitoring Officer has advised that the documents requested should be provided in relation to the above points and for dates subsequent to the emissions levy call-in meeting on 14 December 2016. Documents that have previously been provided to that call-in meeting should not be re-submitted.

3 ALTERNATIVE OPTIONS

- 3.1. The Council’s constitution requires the Panel to select one of the options listed in recommendation A.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this covering report.

5 TIMETABLE

- 5.1. None for the purposes of this covering report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of this covering report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Council’s constitution requires the Panel to select one of the options listed in recommendation A.
- 7.2. The Council’s Monitoring Officer has considered the call-in request and judged it to be valid in part. The issues to be addressed in the officer response and at the call-in meeting are set out in Section 2 of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this covering report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this covering report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of this covering report.

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

- Appendix A: call-in request form
- Appendix B: report setting out officers' response to the call-in
- Appendix C: the Cabinet Members' decision

12 BACKGROUND PAPERS

12.1. None for the purposes of this covering report.

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