

Agenda Item 6 – Questions from Councillors

1. From Councillor Linda Taylor to the Cabinet Member for Environmental Sustainability and Regeneration

What has the administration done to fully consult with the residents of Wimbledon Park to seek their views on the well-publicised sport intensification plans for the Wimbledon Greyhound Stadium site?

Reply

The council's proposal for this site is "sporting intensification" as identified in the sites and policies planning document. Since 2012 we have undertaken more than nine months of public consultation in four stages on Merton's plans. To let people know about the consultation stages we have:

- Leafleted more than 4,500 residential and business addresses in Merton and Wandsworth within 500m of the site to let them know about the consultations and ask for their views
- Held meetings with local community groups, including the Wimbledon Park Residents Association and the Wimbledon Society
- Engaged with local press and media, including the local Guardian, SW19, Time and Leisure, to assist with media articles that might help let people know about the consultations.

We have received a wide variety of views on the site. The council remains committed to supporting sports intensification and will continue to work hard with interested parties to make the most of the opportunities that this site presents.

Supplementary

I would like the Cabinet Member to assure me and our Wimbledon Park residents that the residents' view will be taken into account when the final decision is taken as to which sport will take over the site. Can he do that, and if he can, can he tell me how.

Reply

Absolutely residents' views will be taken into account. I think as a Council, we always commit to taking account of residents' views. That doesn't mean necessarily that we agree with those views, but we receive them, we must listen to them and we must respond. Framing our policies that is absolutely right, but I think the critical decisions over this site are going to result from Planning applications. That will be a quasi-judicial process and will ultimately be members of PAC that determine the results of those applications. If there is a substantial planning application for that site, there must necessarily be, as part of the process, consultation with all residents who may be affected. What the application will be depends on the applicant.

2. From Councillor Stan Anderson to the Leader of the Council

Would the Leader provide an update on the future of Morden Park swimming pool?

Reply

We will be replacing Morden Park Swimming Pool with a new family friendly leisure centre that will include a new swimming pool. We have been able to do this because of our robust approach to the council's finances. Despite being faced with the need to make £70m of savings when we first took control of the council, our business-like approach has ensured that we are now in a position to replace the pool. We will be carrying out formal consultation with local residents and drawing up realistic and deliverable plans and proposals in the coming year to help us determine the details.

Supplementary

Can the Leader tell me has he spoken to any users of the swimming pool following his update, and what has their response been?

Reply

Merton Pisces Swimming Club has been going for 40 years; 1973 to 2013. I had a conversation with Harry Green who is the Head Coach of the club. He's been there for 40 years. He loves Morden Park pool; he's excited about our plans and is very much looking forward to the consultation process.

3. From Councillor Gilli Lewis-Lavender to the Cabinet Member for Environmental Sustainability and Regeneration

Can the Cabinet Member outline the council's processes for monitoring and enforcing the legal protections in place on land and property in Merton?

Reply

When a breach of planning control is identified / brought to the Council's attention. The Council's planning enforcement team respond with whatever action/s are appropriate, proportionate and expedient in each particular case.

Where unauthorised development has taken place, enforcement action could be taken by serving an enforcement notice to require remedial action to remedy the breach or, if a breach of planning control is considered to be so serious, a Stop Notice could be issued requiring the immediate cessation of the breach of planning control.

In some cases it is also possible to apply for an injunction to restrain a threatened or actual breach of planning control before an Enforcement or Stop Notice is issued and served.

However, injunctions are not given lightly by the Courts. The Council must demonstrate that it was expedient for the promotion and protection of the interest of the inhabitants of the Council's area, and the owner of the land had ignored the Council's warnings and the breach would occur if not restrained by an injunction. Once a breach has been established and appropriate action decided, the enforcement team have a monitoring report system in place whereby sites are checked to ensure appropriate actions have been

undertaken. It is recognised that this is a relatively small team compared to other London Boroughs, so some prioritisation of cases is inevitable.

Covenants that are agreed during the sale of land are not monitored by the Council as they are private matters between landowners. They are not governed by planning legislation so that would be an entirely separate legal consideration. However, if there are historic legal agreements securing planning gains, (Section 106) and the Council is a beneficiary, then they would be enforced on a case by case basis with consideration of any harm being the driving factor behind any legal action proposed

Supplementary

Can the Cabinet Member reassure me and my local residents in West Barnes that these legal protections will be robustly enforced when officers consider the planning application for the land at the end of Rookwood Avenue, which has a protective covenant on it which states that the land was bequeathed to the people of Merton and is only to be used as an amenity space, not for storing cars or building houses. Will he guarantee that this Labour run Council will keep to the terms of the covenant and won't be a soft touch when faced with a determined developer?

Reply

I can assure Councillor Lewis-Lavender that this Labour run Council will be doing its utmost to ensure that Rookwood Avenue remains an amenity space. The proposed developer has already received a strong warning from the Council not to act without any kind of planning permission. I have been concerned about reports of gravel being unloaded on the site, which I would not consider to be a good basis for recreation space and I've asked the officers concerned in Enforcement to look at every possible way we can act against inappropriate actions taken by the developer.

4. From Councillor Iain Dysart to the Cabinet Member for Environmental Sustainability and Regeneration

Regrettably, at the last full Council meeting, his Administration chose to water down the Liberal Democrat motion seeking an investigation into, and action regarding, over-restrictive barriers which prevent easy access to cyclists, mobility scooter users and pedestrians with small children. How does he believe that making necessary adjustments contingent upon the receipt of Mayoral funding, rather than allocating money now to address these issues, discharges the Council's current, as well as future, responsibilities to these users?

Reply

The Council is committed to improving the conditions for cyclists throughout the borough via a combination of route improvements and safety education measures. A key element of this work is to tackle severance issues and review the public right of way network to improve access for cyclists, mobility scooter users and pedestrians with small children, where possible. The council is already addressing these issues but, due to funding constraints, it is necessary to adopt an incremental approach. However, if the council is

successful in its bid for 'Mini-Hollands' funding, it will substantially increase the council's scope to comprehensively address such issues throughout the borough.

Supplementary

Stated commitments is one thing, action is another. This is a laissez-faire approach that even Margaret Thatcher would have been proud of. Even if he sees these adjustments as unnecessary or unaffordable now, unlike the West Barnes and, I suspect, wider community, doesn't he remember that next May there are elections at which these communities will have votes?

Reply

I think we're doing more for cycling now than we've ever done in the past; you only have to go down Merton High Street and see the new cycling facilities that are going in. I don't know if Cllr Dysart had time to see the traffic engineer plans for the 'Mini Hollands' bid before this meeting. They demonstrate very substantial work and the commitment of this Council first of all to ensure that we have a very strong bid and then to realise the vision and objectives behind that bid.

I hope we can unite on a cross-party basis behind our approach to cycling and our Mini-Hollands bid without making petty party political points to seek some minor party advantage, and I use those words advisedly.

Cycling is very important, we've got about 1.3% of all journeys in the borough are by bicycle and we ought be looking at a tenfold increase of that, and doing everything possible to secure that advantage and we can only do it with goodwill and by acting on a cross-party basis.

5. From Councillor Samantha George to the Leader of the Council

When will the council announce its plans for the commemoration of World War 1, the 100th anniversary of which falls next year?

Reply

Work is well advanced on a programme of events to properly commemorate the centenary of World War 1. This will be consistent with national activities. We anticipate being able to announce these in early 2014.

Supplementary

I regret I find this answer disappointing, as an announcement of WWI commemorations in 2014 seems to be leaving it a little late. I asked the Leader whether the Council has applied for Heritage Lottery Funding available for community education projects to conserve and share the local heritage of WWI. Whether Merton, like the Government, will be creating an enduring legacy for generations to come, as it announced in October last year when I asked a question about this. whether it might, like the Isle of Man, set up a special webpage which announces exhibitions, educational programmes and community events, and whether it will indeed honour the debt that we owe, and hold a series of commemorative events in 2014, as the majority of the

population want, in honour of those who have served and in memory of those who have died.

Reply

An officer working group has held a number of meetings chaired by Chris Lee, Director of Environment and Regeneration and supported by Councillor Maxi Martin, in order to scope out what is possible locally and to determine what's being proposed on a national level. On 11 November this year we launched Europeana Day, and that is where we're encouraging children, families, working with public records and memories of the war, passed down through generations to collect the archives. You will be aware that Councillor David Williams is involved with 'Fly a Flag for the Commonwealth' which we're linking in with. If Councillor Samantha George would like to join the working group, she'd be most welcome.

6. From Councillor Agatha Akyigyina to the Cabinet Member for Environmental Sustainability and Regeneration

What is he doing to help residents keep their energy bills down through the Big London Energy Switch?

Reply

The Big London Energy Switch helps Merton's and London residents find cheaper electricity and gas options by collectively negotiating a better deal with energy providers. A large group of people willing to change energy supplier means that they have more bargaining power to negotiate the best possible deal with energy firms.

I am helping residents keep their energy bills down by encouraging them to take part in the scheme through:

- Direct promotions to residents in receipt of housing and welfare benefits via benefits letters/correspondence
- Information distribution and presentations to local partners, including Merton Seniors' forum, Merton Citizen's Advice Bureau and Merton Voluntary Service Council
- Drop-in registration sessions for residents at the Civic Centre
- Tube and overland advertising across London - funded centrally by Big London Energy Switch /iChoosr (November auction only)
- Direct mail-out to local Merton residents registered under the Taxicard scheme - funded by and in association with London Councils (April auction only)
- Door-step engagement and distribution of 3000 leaflets by Sustainable Merton (April auction only)
- Bus advertising on 45 routes (April auction only)
- Local & regional press release and social media notifications – including an article in the Wimbledon Guardian (23/10/2013) -

http://www.wimbledonguardian.co.uk/news/10755199.Council_backed_scheme_pledges_to_help_bring_energy_bills_down_at_home/

- Information on LBM website and social media promotions
- Posters, flyers and pop-up stands located in all Merton libraries
- Internal promotions to council staff
- Briefings to all Councillors via the group secretaries

These activities will seek to increase the 650+ Merton households that have already taken part in the two previous auctions held in April and June 2013, and seek to improve on the 46 Merton households that have already saved on average £130 each per year through the scheme

Supplementary

Could the Cabinet Member comment more on how important low cost energy is to residents in Merton.

Reply

Energy prices are a crucial component of the cost of living pressures facing local residents and we will do our utmost to support residents in switching to lower prices and supporting the next Labour Government in freezing those prices as we reform the market.

7. From Councillor Chris Edge to the Cabinet Member for Environmental Cleanliness and Parking

Would the Cabinet member please explain why after I suggested adopting the London Councils' agreed mobile phone payment for parking we are still waiting 6 years later for LB Merton to determine which system it will adopt?

Given most drivers these days have a mobile 'phone isn't it time the Council stopped wasting expenditure of £3,000 for each cash payment machine to be installed and reach an equitable parking policy to encourage visitors to visit the Borough to invigorate the local economy with a fair charging basis?

Reply

Subject to satisfying the procurement process which is currently on-going, by April 2014 we intend to introduce a service whereby users of the council's pay and display parking spaces will have the ability to pay for parking using their mobile phone. It is not the intention to remove all Pay and Display machines as we believe there will still be a need to cater for the users who still wish to pay by cash. We will monitor the take up of this service and if the demand is sufficient we will look at reducing the number of pay and display machines particularly in car parks where we can still provide the ability to pay by cash but with fewer machines.

Supplementary

It's certainly good news that we're getting something ready in April, but I do wonder why it's taken six years, when London Councils had a system available. Is it because we have a lack of vision or is it bureaucracy that's dragged us through a procurement process? More especially, what about a

more equitable way of people paying for parking and getting refunds if they leave the space at an earlier time, so we can encourage more people to come to town centres and spend money on shopping?

Reply

I'm with you on this, I'm not sure about the refund scheme, but paying with mobile phones is something we need to do. If we looked at it six years ago, that was three years of your Administration and three years of mine, so we're on par with that. We are looking at this and due to roll it out in April 2014. It's happening.

8. From Councillor Simon Withey to the Cabinet Member for Environmental Cleanliness and Parking

Can the Cabinet member provide me with the latest customer satisfaction figures she has in relation to the council's recycling and waste collection facilities?

Reply

The most recent survey results are for 2012. There was a significant increase in satisfaction up 7% to 74% compared to the previous year in performance of recycling among respondents who use this service, and in respect to refuse collection satisfaction was up 1% to 71%.

Respondents rated recycling facilities and refuse collection above the London average score.

Supplementary

Can the Cabinet Member tell me what she's doing about the lack of staffing and direction at Garth Road Recycling Depot. I've had a number of complaints from elderly residents in Trinity who have travelled to Garth Road, since the Council closed Weir Road. They've found no-one on hand to help them. When I was there three weeks ago on a Saturday afternoon, there was nobody on the entrance, and just one very harassed employee on the whole site. Why is the Administration cutting staff in this way and does the situation not demonstrate Labour's lack of foresight in closing the Weir Road site?

Reply

Clearly this is something that I'll have to go away and look at because this is the first time I've heard this. I will talk to officers about this and respond to you then. Thank you for raising this.

9. From Councillor Richard Williams to the Leader of the Council

What recent assessments have been made of the performance of the Council against that of other councils?

Reply

With the ending of the Comprehensive Performance Assessment there is far less data collected that allows rigorous assessment of comparative performance by councils. There is limited data collected by CIPFA and the

Audit Commission but this focuses on financial issues not necessarily performance. As a result it has been difficult to carry out the levels of benchmarking that were undertaken in the past. Under the last CPA assessment the Council was rated as a 'four star authority, improving strongly' – the top category. The Council was recently awarded Best Achieving Council 2013 by the Municipal Journal. The Merton Partnership was shortlisted in all six categories of the Compact Voice awards 2013 and won two awards. In addition, Christine Parsloe is The Guardian's Public Servant of the Year 2013.

10. From Councillor Richard Hilton to the Leader of the Council

Can the leader provide a list of those Councillors who are members of the Trade Union? Can he set out how much London Borough of Merton has spent on Trade union activity?

Reply

The Cabinet Member for Finance will answer this question

We do not hold information on whether any of our councillors are members of a trade union as trade union membership is not a pecuniary interest as per the localism act. The London Borough of Merton has spent £57k year to date on trade union duties from the General Fund and the forecast for the year end is £95k. This excludes the time spent by employees who are union representatives/ stewards. This also excludes the sum saved by employees who are representatives or stewards not being required to act due to the presence of trade union staff. It also excludes the sum saved by helping to maintain good relations with staff, and by enabling the authority to become aware of and act on issues at an early stage before any costs are incurred. These sums are difficult to calculate, but indicate that working closely with trade unions is good business practice and represents value for money.

Supplementary

Can the Cabinet Member confirm if it is true, as set out in a statement that's been sent to the trade unions of Merton Council and to all councillors that there are five consultants that have been employed by his department on double the going rate since 2011, whilst ordinary staff are being made redundant.

Reply

No reply as does not relate to original question and is covered in question 11.

11. From Councillor David Williams to the Deputy Leader and Cabinet Member for Finance

Urgent question asked in accordance with the provisions of Merton Council's Constitution Section 4 (A) Para 12.4 (b).

Reason for Urgency:

Whistleblowing allegations regarding the use of consultants received after the deadline for asking questions under Section 4 (A) Para 12.4 (a) of the Constitution.

In each of the financial years 2010/11, 2011/12, and 2012/13, what was the reported and audited expenditure (excluding schools) on:

- Payroll
- Agency staff (including in Payroll and/or under a separate budget heading)
- Consultants.

Please also advise what steps are taken routinely to verify that payments to suppliers have been correctly coded, to ensure that expenditure on staff covering temporary or permanent post vacancies, which are not fulfilled by employees on permanent contracts (full or part time), can be reported correctly.

Reply

No written answer available but the Cabinet Member, when asked to comment, gave the following statement:

Only to say that my intention is to reply in full later in the week, in line with the deadline for non-priority questions. The question came far too late and is far too detailed for us to be able to reply at this meeting.

Supplementary

I think it's disappointing that the Cabinet Member didn't offer any comment whatsoever, whilst I do understand that numbers are difficult to produce in short order.

Does the Cabinet Member recall that at General Purposes Committee on 23 June 2011, the Administration rejected a recommendation from the Standards Committee to invite an independent, non-voting co-optee with relevant financial experience to attend the meetings of their committee to advise them on financial and audit matters?

As the Cabinet Member has not attended a meeting of the General Purposes Committee since it took on Audit responsibilities in January 2011, does this send the right signal about the Administration's interest in governance of its finances.

Reply

I will have to apologise; my memory of meetings over two years ago is not as clear as his is. I am sure that when he was Leader, he had his fair share of anonymous allegations to deal with, but on this occasion, for very obvious legal reasons, we have to be very careful how we comment, other than to repeat the statement already provided: the Council has a robust whistleblowing policy to ensure transparency, and that we are aware of allegations, and have instructed external auditors to conduct an investigation. I don't think any of us should, or would want to pre-judge the outcome of that.

