

Agenda Item 3

COUNCIL
6 FEBRUARY 2019
(7.15 pm - 9.25 pm)

PRESENT The Mayor, Councillor Mary Curtin
 The Deputy Mayor, Councillor Geraldine Stanford

Councillors Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Edward Foley, Brenda Fraser, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Janice Howard, Natasha Irons, Mark Kenny, Sally Kenny, Linda Kirby, Paul Kohler, Rebecca Lanning, Najeeb Latif, Edith Macauley MBE, Russell Makin, Peter McCabe, Simon McGrath, Nick McLean, Oonagh Moulton, Aidan Mundy, Hayley Ormrod, Dennis Pearce, Owen Pritchard, Carl Quilliam, David Simpson CBE, Marsie Skeete, Peter Southgate, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 21 November 2018 are agreed as an accurate record.

4 ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 4)

The Leader invited the Leader of the Conservative Group to make an announcement. Councillor Moulton announced that she would be stepping down as Leader of the Conservative Group and this would be her last Council meeting in the role. The new group leader would be elected at a meeting on Monday 11 February 2019 and there would be a further announcement shortly afterwards.

The Mayor provided a brief update, thanking those Members involved in the float at the New Year's Day parade in London, at which Merton was awarded joint fourth

prize for its entry. She also thanked those Members involved in providing meals for the homeless in Merton on Christmas Day.

There were no announcements from the Chief Executive.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'public questions to Cabinet Members' published document.

6 COUNCILLORS' ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the written member ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member ordinary priority questions to Cabinet Members' published document.

7a STRATEGIC THEME: COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 7a)

The responses to the written member strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member strategic theme priority questions to Cabinet Members' published document.

It was also noted that a copy of the remaining Member questions and responses will be published after the meeting, in line with Constitutional requirements.

7b STRATEGIC THEME: MAIN REPORT (Agenda Item 7b)

The Strategic Theme report on Sustainable Communities with a focus on Air Quality was moved by Councillor Byers and seconded by Councillor Ward.

Councillors Adam Bush and Quilliam also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

7c STRATEGIC THEME: MOTIONS (Agenda Item 7c)

The motion was moved by Councillor McGrath and seconded by Councillor Fairclough.

The Labour amendment as set out in agenda item 17 was moved by Councillor Byers and seconded by Councillor Whelton.

Councillor Holmes spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 33, votes against: 26, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 33, votes against: 26, abstentions: 0.

RESOLVED:

This Council notes:

- The proposals for increasing parking charges adopted by Cabinet on 14 January 2019 and currently out for consultation, in the report *Public health, air quality and sustainable transport – a strategic approach to parking charges 2*;
- That this proposed policy on parking charges cannot be and is not a revenue-raising strategy;
- The reference made by the Sustainable Communities Overview and Scrutiny Panel on 9 January, that Cabinet was required to receive additional evidence to demonstrate that “increasing parking charges results in a decrease in traffic, and on the link between higher costs for high polluting cars and changing the behaviour of drivers” for which further work is already underway, concurrent to the consultation period;
- A planned review of the diesel levy and emissions based charging that will report back later this year, and the start of the procurement process for an IT system that can support an emissions based charging policy.

This Council believes:

- Air quality is a significant public health issue that, as with all policy changes, requires a link to be made between the action proposed, the outcome desired, and a means of measuring success;
- That this innovative proposed scheme for parking charges is presented to the public with evidence and analysis that the specific charges being proposed will improve air quality by driving down car use or reducing journeys by incentivising changing to more sustainable travel options;
- That as vehicle emissions have a direct relationship to air quality, and emissions based charging conforms to the ‘polluter pays’ principle, there is a clear logic which is now commonplace in London for a higher premium to be charged for vehicles that have higher emissions, and a lower charge for cars that have lower emissions and additional incremental charges for second and third vehicles belonging to one household; and
- That some residents will need help switching to greener transport options. This is especially those who bought diesel vehicles on the understanding that they were more environmentally friendly, based on Government advice.

This Council therefore requests that Cabinet:

- Awaits the results of the public consultation on the proposals outlined in the *Public health, air quality and sustainable transport – a strategic approach to parking charges 2* adopted by Cabinet on 14 January 2019;
- In future considers additional proposals for parking charges based on emissions, using evidence resulting from the planned review of the diesel levy and emissions based charges and learning lessons from similar schemes adopted by other London Boroughs, including results from when and if Sutton introduces charges along these lines;
- Supports and promotes the Mayor of London's new scheme to help smaller business owners scrap older more polluting vehicles, and investigates ways to help those with lower incomes to change to less polluting vehicles, such as a scrappage schemes for older cars, or only applying emissions based charges to new vehicle applications for controlled parking permits/appropriate sunset periods;
- Continues to engage with the Mayor of London on air quality initiatives from City Hall: including the Ultra Low Emission Zone, as we welcome the introduction of a mini-ULEZ for the borough beginning in April 2019 as per Merton's Air Quality Action Plan; other action to limit the number of high polluting HGVs travelling through the borough; assessing the possibility of Low Emission Bus Zones, like on Putney High Street.

7d STRATEGIC THEME: MOTIONS (Agenda Item 7d)

The motion was moved by Councillor Bailey and seconded by Councillor Kohler.

The Labour amendment as set out in agenda item 18 was moved by Councillor Attawar and seconded by Councillor Butler.

Councillor Ormrod spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 36, votes against: 23, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 36, votes against: 17, abstentions: 6.

RESOLVED:

This Council notes:

- That the borough is designated an Air Quality Management Area (AQMA);
- LB Merton's Air Quality Action Plan 2018–2023;
- Research showing that as across London, a number of LB Merton schools are located in areas with dangerously high pollution levels.

This Council believes that:

- Air quality is a significant public health issue that needs action from the government, the Mayor of London and from the Council; and

- There is a focus on measurement of the success of the Council's air quality strategies, and an increasing focus on meeting targets and improving air quality. Therefore, this Council requests that the Sustainable Communities Overview & Scrutiny Panel maintains its role as "Air Quality Scrutiny Champion" to continue the work it is doing to ensure air quality plans and actions throughout the borough are consistently monitored, and to support LB Merton's scrutiny of its commitments in relation to improving air quality. The panel's collective role of Air Quality Scrutiny Champion" is set out below.

The scrutiny process is greatly valued in Merton, and this council supports that Panel system, and opposes the removal of scrutiny powers from them into the hands of individuals. The Sustainable Communities Overview and Scrutiny Panel is an autonomous body that sets its own remit, but council asks it in its role as Air Quality Scrutiny Champion

- to continue to maintain an up-to-date understanding of Council/contractor issues affecting air quality;
- to obtain briefings from relevant officers as required;
- to seek co-operative working with the relevant Cabinet Member(s) and to provide input as required; and
- to work to promote improvements in the scrutiny of air quality plans and activity within the Council.

7e STRATEGIC THEME: MOTIONS (Agenda Item 7e)

The motion was moved by Councillor Holden and seconded by Councillor Dean.

The Labour amendment as set out in agenda item 19 was moved by Councillor Pritchard and seconded by Councillor Byers.

The Labour amendment was put to a vote and was carried – votes in favour: 36, votes against: 23, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 36, votes against: 23, abstentions: 0.

RESOLVED:

This Council welcomes the focus on air quality in the London Borough of Merton and notes that this is a key concern of our residents. The failure of the Conservative government to address air quality is a key driving factor in the increase in life expectancy discrepancies, childhood asthma, premature deaths and other public health emergencies across the UK, particularly in London.

This Council acknowledges that significant action has been taken in Merton to address these concerns by:

- Creating an up-to-date Air Quality Action Plan, the majority of which has been implemented
- The soon to launch policy on anti-idling in the borough, with warning signage already being installed in some areas

- Introduction of electric vehicle charging points with our partner Source London.

This Council also recognises the introduction of the Diesel Levy in 2017 and the proposals to increase parking permit fees from April 2019 as effective deterrent actions that will lead to an improvement in air quality in the borough.

This Council also recognises that significant action has been taken and is ongoing to work with school communities to limit air pollution beside schools in the borough, the new secondary school on the High Path Estate being a case in point.

Council resolves to ask the Cabinet to:

1. Continue to work with the Mayor of London and TfL to clean up the bus fleet and introduce Low Emission Bus Zones in Wimbledon Town Centre, Raynes Park, South Wimbledon, Morden and Mitcham Town Centre (e.g. as per Putney High Street in the Conservative controlled London Borough of Wandsworth which has reduced NOx emissions by 87%);
2. Continue to monitor the air quality and air quality mitigations for the new secondary school– thus helping improve the children’s health; and
3. Should the proposal be introduced, monitor the increase in parking charges for their effectiveness in improving air quality.
4. Look at positive actions to improve air quality which the residents can support, particularly through use of the recently announced Neighbourhood Community Infrastructure Levy Ward Allocation Scheme

8 RAYNES PARK COMMUNITY FORUM - 6 DECEMBER 2018 (Agenda Item 8)

Councillor McLean presented the report which was received by the Council.

9 WIMBLEDON COMMUNITY FORUM - 4 DECEMBER 2018 (Agenda Item 9)

Councillor Holmes presented the report which was received by the Council.

10 COUNCIL TAX REDUCTION POLICY TO SUPPORT CARE LEAVERS (Agenda Item 10)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis and Councillors Williams and Quilliam spoke on the item.

The Monitoring Officer advised that, in accordance with Part 4A, paragraph 10.4 of the Constitution, a recorded vote would be taken.

The recommendation was put to a vote and was carried:

Votes in favour: Councillors Akyigyina, Alambritis, Allison, Anderson, Attawar, Bailey, Barlow, Benbow, Bokhari, Braund, Brunt, Adam Bush, Omar Bush, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Crowe, Dean, Dehaney, Draper,

Fairclough, Foley, Fraser, Gretton, Henry, Holden, Holmes, Andrew Howard, Janice Howard, Irons, Mark Kenny, Sally Kenny, Kirby, Kohler, Lanning, Latif, Macauley, Makin, McCabe, McGrath, McLean, Moulton, Mundy, Ormrod, Pearce, Pritchard, Quilliam, Simpson, Skeete, Southgate, Stringer, Ward, Whelton, Wilkinson; Williams and the Deputy Mayor, Councillor Geraldine Stanford.

Not voting: The Mayor, Councillor Curtin

RESOLVED:

That the Council Tax Reduction Policy be amended to support care leavers up to the age of 25 that do not receive maximum help towards their council tax through council tax support or an exemption with effect from April 2019.

11 APPROVAL OF PAY POLICY STATEMENT AND OF THE MEMBERS ALLOWANCES SCHEME (Agenda Item 11)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis and Councillors Williams and McGrath spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That the Council approve publication of the Pay Policy Statement for 2019/20.
2. That the Council reconfirm the Members' Allowance Scheme for 2019/20 with effect from 1 April 2019.

12 APPOINTMENT OF AN INDEPENDENT PERSON (Agenda Item 12)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis and Councillor Janice Howard briefly spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That Clive Douglas be appointed as an Independent Person for the purposes of Chapter 7 of the Localism Act. The Independent Person will be invited to attend meetings of the Standards and General Purposes Committee in that capacity.
2. That the appointment is made for a period of three years from 7 February 2019.

13 CALENDAR OF MEETINGS 2019/20 (Agenda Item 13)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis and Councillor Moulton briefly spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

That the calendar of meetings for 2019/20 municipal year, attached at Appendix A to the Council report, be agreed.

14 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS
(Agenda Item 14)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis and Councillor Simpson spoke briefly on the item.

The report was put to a vote and was agreed.

RESOLVED:

That the Council notes the changes made to the memberships of Committees that were approved under delegated authority since the last meeting of the Council.

15 PETITIONS (Agenda Item 15)

The report was formally moved by Councillor Allison and seconded by Councillor Alambritis.

RESOLVED

That the Council notes the update on the petition received at the last meeting.

16 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 16)

The Leader of the Council announced that the Strategic Theme for the next ordinary meeting of the Council, being held on 3 April 2019, shall be Children and Young People with a focus on Schools.