

07a\_Member Questions ST

## **From Councillor Sally Kenny to the Cabinet Member for Regeneration, Housing and Transport**

Can the Cabinet Member please update on any prosecutions against landlords operating unlicensed HMOs.

### **Reply**

The council successfully prosecuted a landlord for failure to apply for an HMO licence on 6<sup>th</sup> August 2019. The landlord was found guilty of operating an HMO without a licence and was fined £1,965 plus £1,750 costs and £196 victim surcharge. A total of £3,911.

A second case had its first hearing on 10<sup>th</sup> September 2019, and was adjourned until 1<sup>st</sup> October 2019 due to the landlord's absence.

A third case is due to be heard on 5<sup>th</sup> November 2019.

In the meantime the council's officers continue to carry out proactive inspections of potentially unlicensed HMOs and will consider prosecutions in line with the new Enforcement Policy.

## **From Councillor Daniel Holden to the Cabinet Member for Adult Social Care, Health and the Environment:**

What enforcement measures have been introduced by the Cabinet Member to improve air quality in the borough?

### **Reply**

Anti-idling measures formed part of the Air Quality Action Plan, adopted by the Council in 2018. The Council has erected several hundred signs across the borough at key locations, telling motorists not to leave their engines idling. Our expectation is that these signs will encourage behaviour change and will to an extent be 'self-enforcing', as motorists start switching their engines off automatically when stationary in these locations.

The next stage is to reinforce this with some more proactive enforcement action, using support from Parking Services. This will include training CEOs and focusing on our areas of poor air quality such as schools and other priority locations.

We will also shortly be hosting a training event for councillors to enable them to run anti-idling events in their own wards. Whilst the focus of these events will predominantly be on educating and informing rather than enforcement, they should help to bring about the behaviour change in motorists that we are seeking to achieve.

The Council was successful in its bid to a London wide anti idling scheme funded by the Mayor of London to provide additional resources to tackle this problem, which will enable us to focus our officer time on particular hotspots. I know that Councillor Holden has concerns about the taxi rank in Wimbledon Town Centre which he has expressed on several occasions and I'm keen to focus some of that resource there.

Merton officers are also delivering the World's first Low Emission Zone across London to tackle the contribution that the Construction Industry makes to poor air quality. This work is sponsored by all London boroughs and the Mayor of London.

**From Councillor Natasha Irons to the Cabinet Member for Adult Social Care, Health and the Environment**

What are the Cabinet Member's plans to improve enforcement against flytipping?

**Reply**

As Councillor Irons will be aware from recent discussions at Sustainable Communities Overview and Scrutiny Panel, fly-tipping incidents have increased significantly in recent years not only in Merton but nationally. Since April 2018, we have received over 10,000 fly tipping incidents.

This sustained increase in the volume of fly-tipping in recent years in the borough is blighting our communities. Unfortunately, fly-tipping has become a common form of anti-social behaviour which, even though a criminal offence, is seen as acceptable by the few who do it whilst impacting everyone who lives and works in the borough.

In order to help address this we have published a draft fly-tipping strategy which was presented to the Sustainable Communities Overview and Scrutiny Panel on the 3rd September 2019.

The draft strategy will be refined following workshops with councillors in October and measures will be tailored as far as possible to tackle particular hot spots in different areas.

The main strands of focus within the strategy to enable the delivery of improvements are:

- Early intervention – education, communication and engagement
- Preventing reoccurrence – operational service and target hardening
- Targeted enforcement – FPNs, prosecutions & vehicle stops

In regard to enforcement specifically, we are seeking to increase our capacity to investigate a greater number of fly-tips, working closely with partners.

Work has already commenced and our Enforcement team have started undertaking targeted inspections and sifting through bags of discarded fly-tipped waste, while also planning to undertake an imminent roving vehicle stop and search operation across the borough with partner authorities to tackle illegal transferring of waste.

**From Councillor Omar Bush to the Cabinet Member for Adult Social Care, Health and the Environment:**

What action has been taken following the passing of the Climate Emergency motion at July Council?

**Reply**

In the two months since the July cross-party motion was passed we have been working hard towards preparing an action plan, which is due in early 2020.

The application process for membership of the working group was extended from mid-August to the beginning of September, following several requests. We are in the process of finalising the membership and organising the first meeting of that group, which is due to take place shortly.

We are securing additional funding towards initiatives to both establish Merton's greenhouse gas emissions and towards investigating specific actions we can take.

We have also been developing the engagement plan that will enable everyone in the borough to contribute their thoughts and suggestions. In the next few weeks we will be asking people in Merton what actions they think we can take and what actions they are taking to tackle climate change. This will include presentations at the autumn community forums and a consultation hosted on the Council's website.

Work is on schedule for the delivery of the action plan in early 2020.

**From Councillor Dennis Pearce to the Cabinet Member for Commerce, Leisure and Culture**

Following the prosecution of a rogue trader in August of this year, what further work is being done to tackle instances of rogue trading and financial scamming?

**Reply**

Tackling rogue traders and financial scams are priority areas of work for Trading Standards.

From 1<sup>st</sup> April to the end of August this year we have investigated and intervened where necessary in 50 cases where Merton residents have been targeted by financial scams providing advice and support to affected residents. We have a referral protocol

in place with Adult Safeguarding to help protect vulnerable residents and work in partnership with the National Scams Hub.

We have investigated 44 cases of residents being targeted by rogue traders and doorstep crime providing advice and support.

We have delivered 12 presentations on the work of Trading Standards to community groups to promote awareness of scams and rogue traders.

We work in partnership with Police and carry out regular patrols. We have spoken to 84 builders and residents who had ongoing building work to provide advice and support.

**From Councillor Simon McGrath to the Cabinet Member for Regeneration, Housing and Transport**

What consultations were there and with whom, about the decision not to put residents comments on planning applications on the Council's website and was an Equality Impact Assessment of this decision carried out?

**Reply**

The council considered that as personal information could be inadvertently released due to the difficulty of accurately redacting so many documents alongside guidance from the information commissioner office, the risk was great and action was required which was approved by myself as cabinet member and the chair of planning application following advice from senior officers.

The decision was made due to the risk of personal information being uploaded contrary to Article 5 (1) (f) of the GDPR which “requires that personal data shall be: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (‘integrity and confidentiality’).” This is in line with a number of other London councils.

Residents are able to comment on planning applications as part of the statutory consultation process. Comments received are fully considered and summarised in the relevant reports, which are then uploaded onto the website and are available for viewing. Such correspondence (redacted) is also available on request and requests can be made to the development control team ([planning.representations@merton.gov.uk](mailto:planning.representations@merton.gov.uk)). There is no statutory duty to display such representations on the website.

Currently we are looking at the most appropriate way to display residents comments and looking into software that mitigates that risk.

**From Councillor Thomas Barlow to the Cabinet Member for Adult Social Care, Health and the Environment:**

Over the last year since the Council & Veolia introduced the fortnightly wheelie-bin scheme, can the Cabinet Member give a numerical figure for the total number of missed refuse collections including recycling, kitchen waste and garden waste, and the total figure for the same period in 2017-18, 2016-17 and 2015-16?

**Reply**

The table below summarises the level of total missed collections each year per identified waste stream as requested.

	2015/16	2016/17	2017/18	2018/19	2019 YTD
All waste streams	6,320	6,185	11,457	15,241	5,171
Refuse	2,554	2,821	5,807	6,467	2,251
Recycling	1,720	1,770	2784	4,527	1,253
Food	2,046	1,594	2866	4,247	1,667

The information needs to be tempered with the changes with the service and the participation of residents in actively using each of these services. For example, in 2015/16 we offered a universal service for food waste recycling, but the participation rate was operating at 52%. Through the changes of the service, we have observed a 70% increase in the amount of food waste recycling and this is anecdotally driven through greater participation. The increase in residential use of our range of services also increases the opportunity where the service may fail, either directly through the actions of the service provider or resident.

Following the service change in October 2018, the trend for the number of missed collections /100K have fallen steadily on all collection streams. Veolia acknowledges that this improvement is not fast enough and the local management teams at Veolia are continuously working on solutions to improve the service in line with our agreed performance targets.

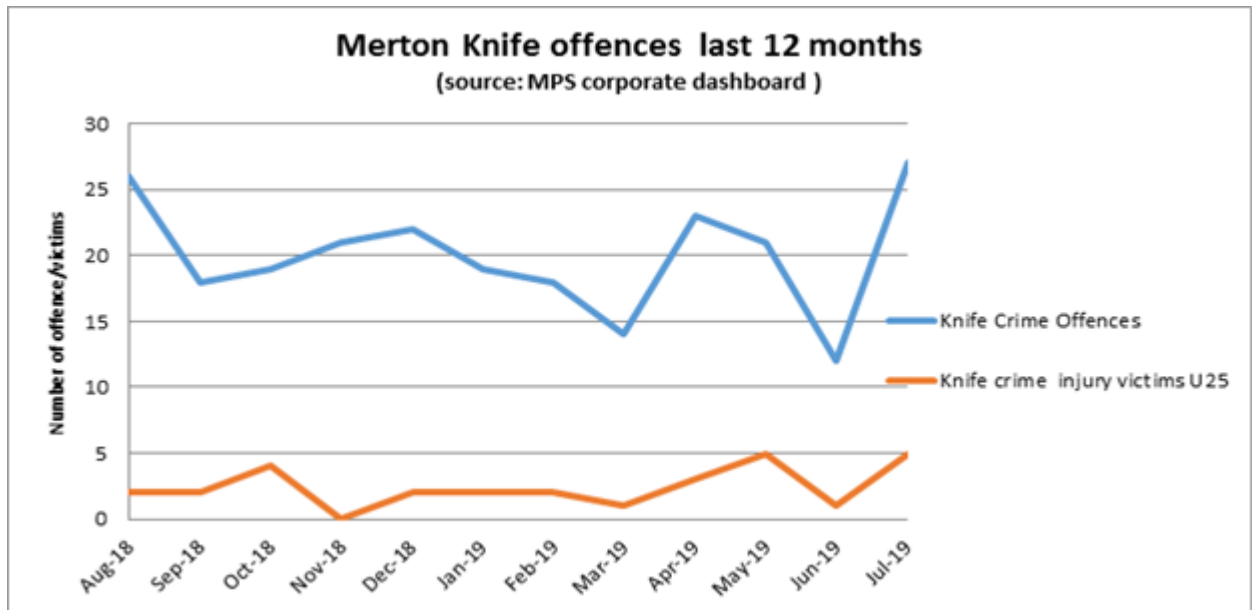
**From Councillor Billy Christie to the Cabinet Member for Voluntary Sector, Partnerships and Community Safety**

Following the Eastern Electrics incidents, can the Cabinet member please update us on work being done around knife crime in Merton?

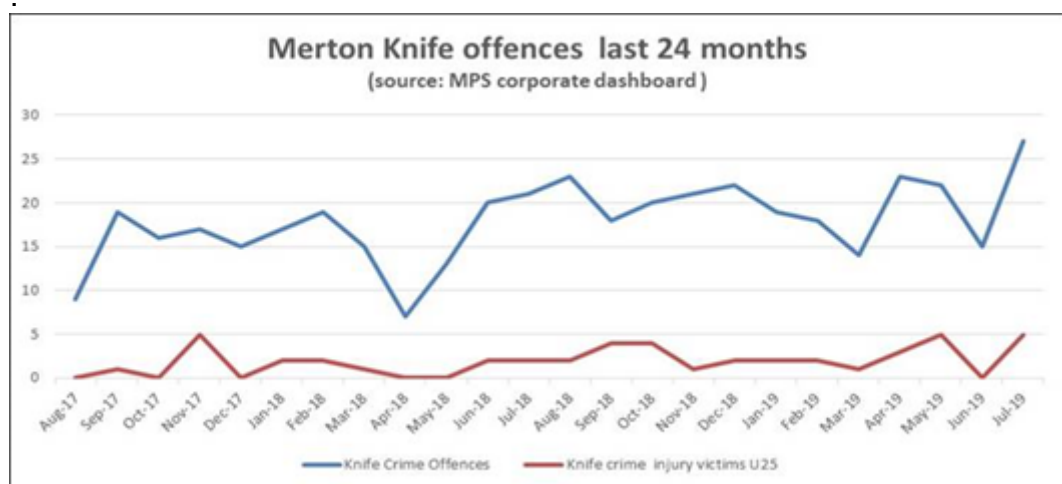
**Reply**

The 12 month totals (July 2018 - July 2019) for knife crime incidents in Merton are split into knife crime (KC) and knife crime with injury (KCI). The 12-month knife crime total is 245, and the knife crime injury totals 64. These figures equate to roughly one in four knife crimes resulting in injury in Merton.

The chart below illustrates the split:



The longer-term pattern, for the previous 24 months is below. Looking at 24 months data there are no discernible patterns with peak months for either knife crime offences or knife crime with injury



Work on knife crime is dynamic and as such when incidents of knife crime occur, they are responded to and acted upon in the most appropriate manner.

**Work undertaken to address knife crime**

- The Knife Crime and Serious Youth Violence Plan was initially drafted and approved in September 2018. The existence of the plan, and the overall engagement of partners in its delivery, is an essential tool to ensuring that each organisation engages and supports the CSP in tackling this issue.

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- The plan has been brought to the O&S panel previously as it sets out a range of interventions ranging from engagement and education to enforcement.
- Safer Merton has been working with partners to deliver the plan ensuring it remains a live and accurate document. As a partnership, we have delivered outcomes such as:
- The 'Towards Employment' programme – delivered from colleagues within CSF the council has supported a number of young people who are ex-offenders, or vulnerable to becoming involved in crime, into employment, work experience and apprenticeships. This programme has recently secured further funding so that it can continue to deliver its valuable services.
- The Responsive Community Engagement Team (ReCET), run from the Contextual Safeguarding and Participation team within CSF, and externally funded by the Home Office Early Intervention Youth Fund, carries out detached youth work with young people across the borough. Intelligence lead tasking's see them engage young people whom are concerned about crime and ASB in the areas where they live. The team are also working with local business owners and other community members to develop a group of 'Community Guardians'. These people, residents, community leaders, business owners, will be trained to engage in a more positive way with young people whom are vulnerable to serious youth violence, by offering them diversion opportunities and/or offering them a safe space in their business.
- A Weapons sweep offer is also being developed in conjunction with the Metropolitan Police (MPS). There have been a number of community members and groups who have registered interest in being part of this offer to help maintain safety within the borough.
- Residents will undertake training, delivered by the MPS and Safer Merton, which will then allow them to support co-ordinated community sweeps across the borough.
- Saturday 18 May saw Safer Merton host the borough's first Knife Crime Event in Morden Baptist Church. The event, designed to raise awareness of work being done to tackle knife crime in Merton, provided information and reassurance to our residents and attendees mobilising members of the public who want to get involved as a community approach to this challenge. The event received 122 attendees, had positive feedback, and good engagement from a number of different organisations that engage in youth work, crime prevention and enforcement, and victim support. These included Crimestoppers, Catch 22, and Unique Talent.
- Merton's Stop and Search group now also has a small group of community members on the reviewing panel. This group, which meets regularly, reviews some Stop and Search cases assisting the wider community, and police, to better understand some of the issues which stop and search can cause between police and community. The panel also receives feedback from the MPS as they respond to the panel's challenges and queries, and are forthcoming with providing body worn camera footage when requested.

- The Youth Justice Service within the council provide a range of interventions for under 18s involved in knife crime. These include trauma informed support, a mentor offer through to breaching of orders where necessary. The MARVE panel, which takes place every month, continues to facilitate effective multi agency working, and interventions.
- Bespoke care plans are put together for Looked-after Children and Care Leavers vulnerable to knife crime.
- Knife test purchase operations carried out by the Trading Standards team in LBM continue to have positive outcomes, with only one retailer failing the test purchase operation, which is now under investigation. Over the last 12 months all knife retailers in Merton have been visited.
- Training on knife crime, and recovery of knives have also been delivered to contractors ID Verde and Veolia on “what to do if you find a knife”. This training is attached as an appendix.

#### **Knife crime next steps**

- Safer Merton will work with public health colleagues to ensure that all relevant partners are aware of the CAMHS referral pathway in place for young people involved in violent crime. This is particularly important as the links between mental health and knife crime become clearer.
- Safer Merton will work with MOPAC and LBM’s communications team, and residents to develop and embed a new critical incident response process. Particularly important for matters such as any fatal stabbings which may occur. This work will, once delivered, minimise risk of misunderstanding of incident details being known within the community and provide reassurance to those affected residents.
- Safer Merton and the wider CSP are awaiting MOPACs own post incident response toolkit which will contain guidance on how to co-ordinate a response, and provide the appropriate support to those impacted.

(i) The ‘Public Health’ approach to tackling serious violence is advocated by the Home Office, MOPAC and the World Health Organisation. Merton’s Community Safety Partnership, as represented at the Safer Stronger Executive board will approach the new Violence Reduction Unit to seek guidance on how this approach can be best delivered, alongside the existing Knife Crime Plan and the current successful working that is already taking place. By utilising and working to the public health approach, we would seek to see, over time a constant decline in the number of knife crime incidents within Merton, and for figures to remain consistently low.

To deliver co-ordinated community weapons sweeps, or guidance on what to do if you find a knife. Councillors are asked to consider if they are interested in being involved, or otherwise asked to publicise this offer to community members.



**From Councillor Nigel Benbow to the Cabinet Member for Adult Social Care, Health and the Environment:**

Street cleanliness is still a huge concern to residents, when will the council publish a street cleaning rota or timetable?

**Reply**

The SLWP contract with Veolia is an output based specification that requires our streets to be maintained to the required acceptable standard. In areas in which our roads are below the established standard, the service provider is required to attend to these areas and ensure that the road is brought back up to standard in the agreed time scale. As such the contract is not based on a prescribed frequency of sweeping or litter picking.

However, there are schedules that our service provider, Veolia, operates to and distinct operational areas they cover where a street cleaner needs to attend and clean if below standard. I have asked for these to be made available on several occasions and at the September Sustainable Communities Overview and Scrutiny meeting the General Manager confirmed he would publish them. I will continue to chase for this until they have been made available.

In regard to Councillor Benbow's wider point about the standard of street cleanliness, I share his disappointment and fully accept that the level of performance in some parts of the borough is currently below the standard we would expect. Following a half day tour of the borough with the General Manager in August to inspect the streets, I am pleased that he has committed to the publication of an Improvement Plan to address these issues, which we are expecting to see in the next few weeks.

**From Councillor David Dean to the Cabinet Member for Adult Social Care, Health and the Environment:**

Could the Cabinet Member provide an update on the implementation of the new parking charges and the timing for their introduction?

**Reply**

Officers in the Parking Team are currently reviewing the statutory Traffic Management Order Process in relation to the implementation of the new parking charges. The proposed timetable will be published in due course.

**From Councillor Aidan Mundy to the Cabinet member for Regeneration, Housing and Transport**

Can the cabinet member briefly outline the priorities for planning enforcement between 2021-2035, the next borough plan period?

## **Reply**

Enforcement is a key component of the Council's Planning policies. Following a period of difficulties with recruitment, additional temporary resources have been provided to ensure the team deals with the backlog and place it in a position to be efficient and effective during the next plan period. At the same time, it has to be recognised that resources are limited so a conversation about what are the highest priorities will be needed for the future. It is acknowledged that residents are concerned about the speed of investigation and actions taken. Key priorities for the plan period will be:

- Finalise the enforcement policies identifying the types of priority investigations, the length of time taken to investigate and potential actions resulting.
- Ensure the upgrade of the database (2020) to allow mobile working solutions to enable more efficient investigations.
- Review of the team structure to see if there are better methods for delivering the service
- Use of on line forms for residents to raise complaints more easily
- Continue individual actions to raise the profile of the team in the public domain, such as further 'enforcement days' when the entire Development Control team 'blitz' the Borough for a day with numerous investigations in the field.