

Agenda Item 3

COUNCIL

5 FEBRUARY 2020

(7.15 pm - 10.03 pm)

PRESENT

Councillors (in the Chair), Janice Howard, Edward Foley, 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, Mary Curtin, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Brenda Fraser, Jenifer Gould, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Natasha Irons, 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, Peter Southgate, Geraldine Stanford, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams MBE JP

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Marsie Skeete.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 18 September 2019 are agreed as an accurate record.

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

The Mayor provided a brief update on her activities since the last meeting and that over £60,000 had been raised so far for the Mayor's charities.

The Leader announced that the Mayor-elect for the 2020/21 municipal year would be Councillor Sally Kenny.

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 Safer and Stronger Communities with a focus on Community Safety was moved by Councillor Macauley and seconded by Councillor Pritchard.

Councillors McLean and Kohler also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

7c STRATEGIC THEME: LIBERAL DEMOCRAT MOTION (Agenda Item 7c)

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

The Conservative amendment as set out in agenda item 27 was moved by Councillor Simpson and seconded by Councillor Holden.

The Conservative amendment was put to a vote and fell – votes in favour: 16, votes against: 39, abstentions: 3.

The Labour amendment as set out in agenda item 28 was moved by Councillor Pritchard and seconded by Councillor Akyigyina.

The Labour amendment was put to a vote and was carried – votes in favour: 32, votes against: 7, abstentions: 19.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 32, votes against: 0, abstentions: 26.

RESOLVED:

Council notes:

1) In 2018, in response to Government cuts to the Metropolitan Police budget which have seen the Met having to find £600 million in savings since 2010, the Mayor of London conducted a review of the Met's entire estate in order to protect frontline policing and subsequently concluded that Wimbledon Police station would be closed and the site sold.

2) The Mayor's decision was considered by the High Court in *R (Kohler) v MOPAC* following a Judicial Review application crowd funded, primarily, by the residents of Wimbledon, and while in large part the court agreed that the decision, forced on MOPAC to close 36 front counters in order to save an additional £8m a year, was lawful, the court required MOPAC to reconsider the closure of Wimbledon police station.

3) In the light of the Government's promise of an extra 20,000 police officers across the UK, the Met and MOPAC are reviewing their estate strategy. The exact impact will depend upon the allocation of the additional officers that the Met receives and the subsequent operational allocation of that uplift to different types of police services in different locations within the London; both these aspects could affect the exact requirements for the size of the estate.

4) The BCU Commander Chief Superintendent Sally Benatar reported to the OSC on 25 April 2019 that, following the amalgamation of the Merton, Wandsworth, Richmond and Kingston BCUs and "11 months of working at greater scale across the boroughs", an internal review was taking place that included the possibility that Wimbledon Police station would be retained in the long term.

Council welcomes: the statement in her report by Leonie Cooper, London Assembly Member for Merton & Wandsworth at the Wimbledon Community Forum, on Wednesday 29 January that "[t]here is no plan to close Wimbledon Police Station" and her further suggestion that its long term future is now secure.

Council resolves: to ask the Leader of the Council to write to the Mayor of London to promise to work together to campaign for the Government to provide the number of officers Merton needs and sufficient funding for our local police service.

7d STRATEGIC THEME: LABOUR MOTION (Agenda Item 7d)

The motion was moved by Councillor Macauley and seconded by Councillor Lanning.

Councillor Ormrod also spoke on this item.

The motion was put to a vote and was carried unanimously.

RESOLVED:

Merton is a place that welcomes those from around the world. We value the enormous contributions that refugees and migrants have made, and continue to make to the borough. Declaring Merton to be a “Borough of Sanctuary” would reaffirm Merton’s commitment to the borough’s refugee and migrant communities.

Council calls on cabinet to declare Merton to be a “Borough of Sanctuary”; to continue to work with organisations in the borough who support refugees and asylum seekers in the borough, to work with community groups to harness public support to help and support refugee, migrant and asylum seekers in Merton, and to continue to celebrate the contribution of refugee and migrant communities to Merton and challenge anti-refugee and anti-migrant attitudes wherever they are found.

7e STRATEGIC THEME: CONSERVATIVE MOTION (Agenda Item 7e)

The motion was moved by Councillor Holmes and seconded by Councillor Gretton

The Labour amendment as set out in agenda item 29 was moved by Councillor Ward and seconded by Councillor Henry.

The Labour amendment was put to a vote and was carried – votes in favour: 32, votes against: 16, abstentions: 10.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 32, votes against: 23, abstentions: 3.

RESOLVED:

This council recognises that the decision made by the Labour Mayor of London to close Wimbledon Police Station was as a direct result of the Government cutting police budgets severely - the Met has had to find £600 million in savings since 2010. These cuts have forced the Mayor to make some very difficult decisions in order to protect frontline policing, including measures to save money on buildings so that officers can remain out on the beat.

Council therefore welcomes the recently announced increase in police funding provided by the Government, although the £750m they have announced so far is only a partial reversal of the cuts they have already inflicted, which led to officer numbers falling to a fifteen-year low in mid-2018.

Council further recognises that although since 2016 Mayor Khan has presided over an increase in crime that is far below that of the rest of the country, the Government’s

under-resourcing of our police services has failed to protect Londoners. Council notes that in London since 2010/11:

- Knife crime has increased by 10%, according to the ONS, which is the lowest of any English region.

Despite Government under-investment in policing, Council notes that Mayor Khan has succeeded in obtaining extended powers and additional funding for other services in London, including in housing, healthcare and transport, and has improved the GLA's campaigning function to deliver hugely successful campaigns like London Is Open and his work to encourage young people not to carry a knife.

Council therefore condemns the failed policies of the past and recognises that change is needed in the Government's approach to crime and policing. Furthermore council fully endorses the Mayor of London's clear message to the Government that London needs 6,000 of the new 20,000 officers and 2,000 of the 6,000 announced for 2020/21, expresses concern that London has been allocated barely more than two thirds of the number required at 1,369 new officers, and calls on the Government to provide sufficient funding to local police services.

8 REPORT OF THE RAYNES PARK COMMUNITY FORUM 19 SEPTEMBER 2019 (Agenda Item 8)

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

9 REPORT OF THE WIMBLEDON COMMUNITY FORUM 25 SEPTEMBER 2019 (Agenda Item 9)

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

10 REPORT OF THE COLLIERS WOOD AND NE MITCHAM COMMUNITY FORUM 3 OCTOBER 2019 (Agenda Item 10)

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

11 REPORT OF THE MITCHAM COMMUNITY FORUM 10 OCTOBER 2019 (Agenda Item 11)

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

12 REPORT OF THE MORDEN COMMUNITY FORUM 16 OCTOBER 2019 (Agenda Item 12)

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

13 NOTICES OF MOTION: LIBERAL DEMOCRAT MOTION (Agenda Item 13)

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

The Conservative amendment as set out in agenda item 30 was moved by Councillor Gretton and seconded by Councillor Barlow.

Councillor Whelton spoke on the item.

The Conservative amendment was put to a vote and fell – votes in favour: 19, votes against: 32, abstentions: 7.

The original motion was then put to a vote and fell – votes in favour: 26, votes against: 32, abstentions: 0.

(NOTE – The notice of votes given to the Mayor to read out on the original motion was incorrect. This has been corrected for the minutes and is set out above.)

14 NOTICES OF MOTION: CONSERVATIVE MOTION (Agenda Item 14)

The motion was moved by Councillor Barlow and seconded by Councillor Andrew Howard.

The Labour amendment as set out in agenda item 31 was moved by Councillor Irons and seconded by Councillor Kenny.

Councillor Quilliam also spoke on this item.

The Labour amendment was put to a vote and was carried – votes in favour: 35, votes against: 0, abstentions: 23.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 35, votes against: 0, abstentions: 23.

RESOLVED:

This council supports the government's proposed £500 million investment in the Merton, Sutton and Surrey Downs Clinical Commissioning Groups, as long as that includes the retention of accident and emergency, maternity and all existing services at St Helier hospital in order to protect the interests of the most disadvantaged residents living in the catchment area.

15 COUNCIL TAX SUPPORT SCHEME 2020/21 (Agenda Item 15)

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

The report was put to a vote and was carried unanimously.

RESOLVED:

1. That the uprating changes for the 2020/21 council tax support scheme detailed in the report be agreed, in order to maintain low council tax charges for those on lower incomes and other vulnerable residents
2. That Council adopts the new 2020/21 scheme.

16 PENALTY CHARGE NOTICE - CHANGE IN BANDING LEVEL (Agenda Item 16)

The report was moved by Councillor Whelton and seconded by Councillor Allison and Councillors Dean and McGrath spoke on the item.

The report was put to a vote and was carried. Votes in favour – 42, votes against – 16, abstentions – 0.

RESOLVED:

1. Subject to consultation, the Council approves the proposal to change parking Penalty Charge Notice (PCN) charges from Band B to Band A.
2. To agree the consultation process and timescales set out in this report and authorise the Director of Environment (in consultation with the Lead Member) to conduct the consultation process.
3. Subject to the consultation, the Director of Environment (in consultation with the Lead Member) is authorised to take all necessary steps to give effect to the proposed change of Band.

17 ADDITION OF THE WIMBLEDON PARK LAKE RESERVOIR SAFETY SCHEME TO THE CAPITAL PROGRAMME (Agenda Item 17)

The report was moved by Councillor Allison and seconded by Councillor Alambritis and Councillor McLean spoke on the item.

RESOLVED:

That Council approve the following Capital Scheme to be included in the Capital Programme, funded by the deletion of the scheme below:

Scheme	2019/20 Budget	2020/21 Budget	Narrative
Sports Facilities – Wimbledon Park Lake De-Silting	(1,393,160)	0	Money being vired to cover priority scheme on the lake
Sports Facilities – Wimbledon Park Lake Reservoir Safety	75,000	1,318,160	Money required to cover statutory obligations
Total	(1,318,160)	1,318,160	

18 APPOINTMENT OF THE MONITORING OFFICER (Agenda Item 18)

The report was moved by Councillor Alambritis and seconded by Councillor Allison and Councillors McLean and Fairclough spoke on the item.

RESOLVED:

That the appointment of the recommended candidate to the post of Managing Director of the South London Legal Partnership be confirmed; the post be designated as the Council's Monitoring Officer; and references in the constitution be amended from Assistant Director Corporate Governance to Managing Director of the South London Legal Partnership.

19 APPROVAL OF PAY POLICY STATEMENT AND OF THE MEMBERS ALLOWANCES SCHEME (Agenda Item 19)

The report was moved by Councillor Allison and seconded by Councillor Alambritis and Councillors McLean and Bokhari spoke on the item.

RESOLVED:

1. That Council approve publication of the Pay Policy Statement for 2020/21;
2. That Council reconfirm the existing Members' Allowance Scheme for 2020/21, to retain the same level of allowances for 2020/21, thereby agreeing to not apply the local government pay settlement, with effect from 1 April 2020;
3. That Council approve an amendment to the Members Allowances Scheme so that the dependent carers allowance is set at the London Living Wage as recommended by the Independent Panel and agreed by Council on 18 September 2019;
4. That Council approve the inclusion of a new paragraph in the Members Allowances Scheme to confirm that member allowances will continue to be paid during periods of sickness and parental leave (as agreed by Council on 18 September 2019); and
5. That Council authorise the Monitoring Officer to make the consequent wording changes to the Members' Scheme of Allowances in Part 6 of the council's constitution as drafted in Appendix D.

20 AMENDMENTS TO THE CONSTITUTION (Agenda Item 20)

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

RESOLVED:

1. That the changes to the Constitution set out at paragraph 2.2 of the report in response to advice received from the Local Government Ombudsman be authorised.
2. That the changes to the Constitution set out at paragraphs 2.4 and 2.5 of the report in response to the review of Ethical Standards be authorised.

3. That the changes to the Constitution set out at paragraph 2.9 of the report to update the Council's Budget and Policy Framework be authorised.

21 FAIRTRADE RESOLUTION (Agenda Item 21)

The report was moved by Councillor Cooper-Marbiah and seconded by Councillor Allison.

RESOLVED:

That Council support and agree the proposed Fairtrade resolution as detailed in 2.8 of the Council report.

22 APPOINTMENT OF AN INDEPENDENT PERSON (Agenda Item 22)

The report was moved by Councillor Alambritis and seconded by Councillor Allison and Councillor McLean spoke on the item.

RESOLVED:

4. That Council agrees to appoint Katy Willison as an Independent Person for the purposes of Chapter 7 of the Localism Act for a period of three years from 6 February 2020;
5. That Ms Willison also be appointed as an advisory non-voting member of the Standards and General Purposes Committee for the duration of her tenure as an Independent Person

23 CALENDAR OF MEETINGS 2020/21 (Agenda Item 23)

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

RESOLVED:

That the Calendar of meetings for the 2020/21 municipal year, attached at Appendix A to the Council report, be agreed.

24 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 24)

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

RESOLVED:

1. That the Council approves the re-appointment of Councillor Adam Bush as Vice-Chair of the Pension Fund Investment Advisory Panel.
2. That the Council notes that the Merton Heritage Forum agreed at its meeting on 15 October 2019 to dissolve and no longer meet as a constituted body with

immediate effect; and agree that the Terms of Reference of the Forum are removed from the Council's Constitution.

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

25 PETITIONS (Agenda Item 25)

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

RESOLVED

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

26 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 26)

RESOLVED:

That the Strategic Theme for the next ordinary meeting of the Council, being held on 1 April 2020, shall be Children and Young People with a focus on Schools.