

Agenda Item 5

Council 5 February 2014

Public questions

Procedure

The Mayor will call your name and ask if you have a supplementary question arising from the answer you have received.

If you do not have a supplementary question then simply respond thank you, no.

If you do have a supplementary question respond thank you, yes. You will be shown to a seat in the chamber where you will ask your supplementary question. Make sure you use the microphone.

Having put your question, please be seated whilst the Cabinet member responds.

Once the response has been given, please return to your seat in the public gallery.

The questions and answers and all supplementary questions and replies will be published on Merton's website after the meeting.

1. From Ray Leyden to the Cabinet Member for Environmental Sustainability and Regeneration

Question

Loft Extensions built on terrace housing, sometimes there is only a foot dimension between properties, which does not allow sufficient space for a maintenance or a fire corridor to prevent fire spreading from one property to another? Fire jumps between properties, reducing the overall protection to below one hour.

Reply

It is a requirement of the Building Regulations that external walls within 1m of a boundary shall have 30 minutes fire resistance from the outside and from the inside, therefore reducing the risk of fire spreading from one property to another.

Maintaining the dormer cheeks, externally, will be a problem if there is only a 300mm gap between the two. It is better therefore to have a wider gap, or no gap with the two dormer roofs connected and weathered over, although there is then the issue of sound transmission to be overcome.

2. From Andre Lampitt to the Deputy Leader and Cabinet Member for Finance

Question

As a local builder I am already finding it hard to compete with migrants from existing EU countries and now with the influx from Romania and Bulgaria undercutting me on price. Can the Council assure me that it will be putting British workers first when issuing contracts to help save our jobs?

Reply

Currently, all Council contracts are let to British businesses. In all Council procurement, including large building contracts, we seek to provide the best value for our Council Tax payers. We carefully analyse bids for contracts in order to achieve best value. This is supported by EU law, which reiterates a duty to obtain and demonstrate value for money. Cost is not the only factor, and we also consider the quality of work offered. On smaller contracts, the council still has an overarching duty to demonstrate value for money and whilst local issues can be considered, all potential bidders must be treated equally. We will not set out to discriminate in favour of one bidder over another. Again, this is reinforced by EU competition law. Our contractors are also bound by other regulations, including on the minimum wage, and this ensures that no bidder can illegally undercut another bid on price.

Merton is happy to work with local businesses to help them put together high quality bids, explain our processes and what we need. We can also provide feedback and advice as we want local businesses to be able to compete on cost and quality. That will not only help them to compete for contracts with Merton Council, but gain contracts elsewhere in the EU, because thanks to EU competition

rules, British businesses are able to compete on a level playing field elsewhere in Europe, and clearly this helps with the country's balance of trade.

3. From Omar Bush to the Cabinet Member for Environmental Sustainability and Regeneration

Question

I am a regular user of Cannon Hill Common and I would like to know why the council is not improving the access to the Common by the lake in Cannon Hill Lane. The entrance is always waterlogged and I have to either go through the puddle or over the mud, which is saturated by water through run off from the path. With the recent downpours it's a quagmire.

Could the cabinet member tell me when we expect improvements to this entrance?

Reply

As a result of the exceptionally wet weather since December 2013 many parks and open spaces are currently waterlogged with standing water at several locations, especially in low-lying areas. Paths, car parks and sports pitches have been affected across the borough with many outdoor activities disrupted or postponed.

The parks team's primary focus during this period has been to resolve some flooding issues that have indirectly affected neighbouring residential properties including in the Cannon Hill Common area.

Some drainage improvements were conducted in May 2103 the vicinity of Cannon Hill Common Lake to improve wet weather access as this area was identified as the most pressing to resolve at that time.

The size and nature of the footpath network on the Common means that resolving wet or muddy footpaths will be a process that will take some years. There is a commitment however, to undertake some further drainage improvement works there this year when ground conditions are suitable for plant and equipment to access the site.

4. From Tony Burton to the Cabinet Member for Education

Question

Does the £3m capital investment in 2016/17 for Cricket Green School included in the Council's Business Plan 2014-18 includes any plans for building on or reducing public access to London Road Playing Fields

Reply

This capital investment is over three years away so is provided in the Business Plan as indicative expenditure required to meet the need for additional places for children with special educational needs. We have not yet begun any design work on any potential schemes, but recognise the importance of public access to the London Road Playing Fields.

5. From Sandra Vogel to the Cabinet Member for Environmental Sustainability and Regeneration

Question

What is the Council's preferred location for the site of the new Mitcham Local Care Centre?

Reply

No preferred site has yet been identified. Whilst it is Merton Clinical Commissioning Group who lead and are in control of this process, the council has been working closely with the CCG to support looking at options for a local care centre for Mitcham. This work has included a revised needs assessment, a site appraisal, and reviewing what services might best be located in any such centre. The work will include developing a model of delivery appropriate for the health needs in East Merton. The Health and Wellbeing Board is sighted on this work and monitoring progress. A task and finish group is being established to take the work forward.

6. From Melanie Nunzet to the Cabinet Member for Environmental Sustainability and Regeneration

Question

Why has the Council not supported the designation of London Road Playing Fields as a Queen Elizabeth II Field?

Reply

The Council actively pursued the designation of this site as a Queen Elizabeth II Field from 2012 and negotiations took place with the scheme administrators, the Fields in Trust, during 2013 with a view to achieving that goal.

The process of designation of the Council's priority site was successfully completed however, and Figge's Marsh is now formally recognised as a Queen Elizabeth II Field, a lasting legacy of the significant events of 2012, including Her Majesty's Diamond Jubilee.

Designation does not come without cost as legal fees and other officer time is utilised. In the end a decision was taken to prioritise one site and not to spend further scarce resources on designating London Road Playing fields.

7. From Gordon Lawson to the Cabinet Member for Environmental Sustainability and Regeneration

Question

Prior to the traffic measures being installed on St Mary's road, Wimbledon Village, i.e. the speed bumps, width restrictors and priority passing, which roads were consulted ?

Reply

The boundary of the consultation (in Nov 2008) included addresses in the following roads: St Mary's Road, Wimbledon Hill Road, Lake Road, Lake Close, St Aubyn's Avenue, Ricards Road, Pine Grove, Leopold Road, Leopold Avenue, Leeward Gardens, Helme Close, Church Hill, Brockham Close, and Belvedere Drive.

Supplementary

I live in Allen Road and as you can see St Mary's road which was the road which was consulted on is at the end of my road and as you can see my road was not consulted. However whenever there have been any proposals by Merton Council for traffic measures in my road which were not 24/7 like these introduced in St Marys road, all the roads named here were consulted and 29 other roads, some to a mile away, why was there disparity in consultation

Reply

I think it is a developing picture. There was certainly in recent times with the last consultation the boundaries of the consultation was agreed with the Ward Councillors. And I would accept that for some recent consultation there significantly were more roads consulted than in the 2008

8. From Joan Keddle to the Cabinet Member for Education

Question

Will the Council's proposals for additional secondary school places involve the development of or any loss or damage to Metropolitan Open Land or any Listed or Locally Listed buildings?

Reply

Currently our feasibility work is at an early stage and before any expansions take place we will need to ensure that surplus secondary school places are filled. Once this has been achieved we will look at options to expand existing secondary schools. Merton currently has no proposals for a new secondary school which involve Metropolitan Open Land or any Listed or Locally Listed buildings. Any future proposals on secondary school expansions would be subject to full consultation.

9. From Stuart Morrison to the Cabinet Member for Environmental Sustainability and Regeneration

Question

Will the Council make a commitment to protecting London Road Playing Fields from development and maintaining public access in perpetuity?

Reply

The Council recognises the value and benefits of local parks to community health and well-being and protects these from inappropriate development via its adopted open space policies and the development control process.

There are no current plans for any development on the London Road Playing Fields, nor any current proposals to restrict public access.

The Council would strongly resist any proposals that would adversely affect the use of this site for leisure and recreational purposes.

10. From Shabir Hussain to the Cabinet Member for Environmental Sustainability and Regeneration

Question

Wimbledon Bridge Footway (north).

In view of the following statement:

'...due to the significant experience Merton has in this area combined with a desire to maintain local control of the contract...'

Councillor Judge: Merton Cabinet minutes 18 July 2011.

Can the council please explain why this footway deteriorated so quickly after it was laid and why a year after it said it would be re-laid (at no extra expense) it has not happened? Is this failure recorded in the contract KPI?

And, is there a policy for council officers not to answer emails from the public on this subject.

Reply

This material was used due to insufficient depth caused by the shallow bridge deck structure and to resemble the new paving on the footway on that side of Wimbledon Bridge. The material has lifted in patches at certain locations, which has been temporarily repaired to make safe. It is believed that this failure is being caused by excessive bridge movement, which was not expected.

The repairs were due to take place last year before Wimbledon Tennis 2013, however this was abandoned due to scaffolding in place for repairs to the adjacent businesses. A revised date was requested, however it appears that this has been overlooked. The contractor has now been asked to plan the remedial work.

Officers seek to answer all emails from the public within 10 working days.

Supplementary

I don't feel the question has been answered in terms of the failure recorded in the contract KPI and therefore, what is the final sanction against officials who repeatedly fail to answer legitimate questions from the public please?

Reply

I have no evidence of failure, and if you have please provide it and we will obtain a proper responses from any officer who is concerned in not answering the questions

11. From Bob Grahame to the Leader of the Council

Question

Given the potential for impact on council resources of additional immigration from the EU, what measures has the Council put in place to measure the current and additional impact on the key council services of Benefits, Housing, Education and Social Care?

Reply

Access to services is a legal entitlement agreed by central government and as such is outside of local authorities' control. The council continually reviews it's services in line with changing demographics such as the increase in residents living longer and changes in the birth rate.

Supplementary

I understand and sympathise with the current situation with that entitlements are dictated by Central Government and outside of the Council's control. Would it be therefore be a good idea to measure the impact if indeed there is any so we can do better planning in the future, if Central Government forces any extra demands on us or doesn't. So would it a good idea to put some measures in place

Reply

We do review services in line with demographic changes as the written answer provides. I do hope that Mr Grahame would be more optimistic and less cynical on immigration within this country. I myself am an immigrant born in Cyprus in 1964 and here I am as the Leader of the Council, giving back as much as I can to the Borough. We will continue to review services in line with changing demographics not only immigration, but changes in child birth as well.

12. From Peter Smith to Cabinet Member for Environmental Cleanliness and Parking

Question

Why are Council officers not prepared to take enforcement action against those responsible for leaving rubbish bags on the pavement along Kingston Road (particular near the Tube station), which is occurring on a daily basis and causing a nuisance to residents, businesses and passers-by?

Reply

Enforcement action has taken place in Kingston Road especially around the south Wimbledon station area; the enforcement team have issued 20 fixed penalty notices over the past few years to residents who have presented their waste on the highway other than on collection day.

In September 2013 the Council introduced time banded collections in the Wimbledon Town Centre area which included a section of Kingston Road. During the first six months it was agreed that our Enforcement Team would work with residents and businesses to educate and encourage the adoption of the time banded waste presentation policy.

The Council is aware that there are some properties where householders find it difficult to store accumulated waste within a small flat or bedsit – especially during warm weather and the council will continue to work with residents to find a solution. During this period our Enforcement Team have worked closely with residents and businesses and this work continues.

As Kingston Road, especially the part towards south Wimbledon station, is now within the time banding pilot scheme, daily enforcement patrols are taking place and where rubbish bags are left on the highway before /after collection times and where evidence of the property owner is found, information has been left to remind those residents about when they can present their waste. As we are now into the fourth month of the pilot scheme, section 46 and 47 (for business) notices of the EPA 1990 are to be served instructing named residents that if their waste is left out other than on collection day a fixed penalty notice will be issued, The enforcement team will be serving over 100 notices to residents at properties within Kingston Road over the next few days.

The council will continue to work with residents where encouragement will resolve the issues and where this does not work then the only alternative action is to issue Fixed Penalty Notices.

Supplementary

I think it is extraordinary that 100 penalty notices are going to be issued in the next few days and 20 have been issued in the last three months. Doesn't that show systematic failure in the reduction of the frequency of the bin collection along Kingston Road and why doesn't the Council rescind this new policy?

Reply

I'm quite happy to see that we are taking further action on enforcement. Enforcement is one of the way forwards as part of the education that we are taking and we are giving to residents in Merton. I don't like giving out enforcement tickets, but I hear what you are saying that we should have done more of this in the past. We are doing more of it now and we aim to do more of it in the future. But as time goes on there is future compliance with littering and anti-littering, we can certainly see what happens then, we may be talking about commercial waste or all sorts of things and types of enforcement is how we are moving forward with the Council. It is part of the education programme so the further we move on the less

enforcement taking place. But I am certainly not ashamed to say that is the way we are moving.

13. From Ben Saunders to Cabinet Member for Community and Culture

Question

Will Merton join Hackney Council in submitting a proposal under the Sustainable Communities Act, asking for the ability to create a new use class for betting shops, which would give people and councils the ability to object to new betting shops opening and prevent clustering and proliferation on our high streets.

Reply

The council has already asked government to create a new planning Use Class for betting shops, which would require betting shops to submit planning applications in order to open on Merton's high streets. This approach would give local people an opportunity to have their say and help the council to prevent negative clusters of gambling premises. The council has already asked its legal department to explore what is required by the Sustainable Communities Act, so that we can be sure it is the most effective way of boosting Merton's high streets.

14. From Barbara Mansfield to The Leader of the Council

Question

What financial and other compensation for loss of trade will be given to businesses including market traders while street works associated with all phases of Rediscover Mitcham are carried out?

Reply

The works in Mitcham are expected to have a positive impact on local prosperity. However over the past year all businesses throughout the town centre have been approached and offered a free-of charge a package of support to help them improve their general performance and to best prepare them for the short term disruption of the improvements. To date over 100 Mitcham businesses have benefitted from this support ranging from entire shop front refurbishments through to advice on window displays, events and training on customer service.

Throughout the period of work itself, businesses directly affected by works are being offered a further package of increased advertising. They will also be approached formally by a Business Rates Valuation Officer where they will be given the opportunity to apply for a temporary reduction in business rates. Funding has also been ring-fenced to support events in the town centre to encourage more footfall in the areas of temporary disruption.

All elements of on-site works have been programmed to minimise disruption wherever possible.

Businesses can also apply to the Council for Hardship Relief which can help reduce the rates payable for a period of time. Claims would be looked at individually and further information is available on the Council's website or from the Business Rates section.

www.merton.gov.uk/business/businessrates/businessratesrelief/hardshiprelief.htm

15. From Daniel Holden to Cabinet Member for Environmental Cleanliness and Parking

Question

Please could the responsible cabinet member explain the instructions given to the refuse staff on emptying and replacing residents' bins on waste collection days? I've heard concerns from quite a few residents that bins are left lying in the street and rubbish strewn across the pavements after refuse collections

Reply

The waste collection crews are instructed to ensure that all bins and boxes are returned appropriately to the properties and with all due care and consideration following each collection and that any waste that is caused by the collection process is cleared and the crews have tools to assist in relation to this. Where waste is present that the crew are unable to deal with then they contact the office and remedial action is taken by a response crew with appropriate tools and vehicles as necessary.

Supplementary

In light of the results of the recently resident survey were levels of satisfaction with Council's street cleaning fell in 2012 and the litter increased. Does she that ensuring road are swept after rubbish collections and taken actions to reduce bins being blow away would make the street scene better. So what does she intend to do about that?

Reply

I think there have been vast improvements, I am aware of what the residents survey and the information on there. There have been improvement of the last 4 years. We are looking to see how we can improve the services. But again it is down to the education as well of people. Your original question talks about litter strewn across road once the refuse collectors have been I think you are talking about recycling as well. I've walked behind them myself and I cannot say that I have seen that myself, there may be times that bins aren't put back in the correct gardens. If you look back years ago we had the house number on the bins, we knew exactly where it went I think sometimes we now do not necessarily know where each bins goes.

You have talked about training staff and that is exactly what we do. Staff are trained, we know what we are doing, and I think there have been significant improvements of what had been in the past. But certainly in the last 4 years there have been improvements in our refuse collections

16. From Stephen Sidkin to Cabinet Member for Environmental Sustainability and Regeneration

Question

The Belvederes Traffic Flow Analysis published in 2007 showed that the overwhelming majority of traffic using the Belvederes:

1. going north bound in the morning peak; and
2. going south bound in the evening peak,

was through traffic (as opposed to local traffic).

Has there been any development since 2007 which has caused the Cabinet Member to consider that this situation may have changed?

Reply

The statement above is incorrect. The table below is an extract from the report to SMAC in 2007 which shows that more 'local traffic' use Belvedere Drive and Church Road whilst Belvedere Grove carries more 'through traffic'.

Table 1 - Percentage (%) 'Through' and 'Local Traffic' from 2006 data (published in 2007).

Road	North-eastbound				South-westbound			
	AM (07:00 – 10:00)		PM (16:00- 19:00)		AM (07:00 – 10:00)		PM (16:00- 19:00)	
	Local Traffic	Through Traffic	Local Traffic	Through Traffic	Local Traffic	Through Traffic	Local Traffic	Through Traffic
Belvedere Grove	38%	62%	50%	50%	63%	37%	17%	83%
Belvedere Drive	88%	12%	99.6 %	0.4%	100%	0%	100 %	0%
Church Road	84%	16%	87%	13%	72%	28%	74%	26%

At the SMAC meeting of December 2012, members of the committee recommended that the Cabinet Member look at other traffic measure to reduce traffic flow into the area. The Council is finalising details of traffic improvements to be consulted upon this year. The proposals, which will be subject to informal consultation, aim to reduce traffic volume, speed and accidents in residential roads in and around the 'Belvederes' and Ridgway.

Supplementary

Why is Merton pushing ahead with yet another consultation exercise involving the Belvederes and unfairly residents in areas outside sometimes far removed from the Belvederes, before undertaking another analysis to determine the horrendous traffic flow which the Belvederes experiences every day of the week

Reply

We are going to press ahead shortly with a consultation on traffic calming measures for the wider Wimbledon village area including substantially the ridgeway. If the traffic calming measure were to be implemented, following the consultation, they may have a knock on effect of deterring through traffic from coming up and crossing the mini roundabout and entering Belvedere Grove. But I feel it is right once the consultation document is agree, which I anticipate it will be shortly by Ward Councillors and myself, we move to the wider consultation on considered measures that have been put forward.

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