

Agenda Item 3

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COUNCIL
5 FEBRUARY 2014
(19.15 - 22.15)

PRESENT The Mayor of Merton, Councillor Krystal Miller, in the chair

The Deputy Mayor of Merton, Councillor John Sargeant

Councillors Agatha Mary Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Mark Betteridge, John Bowcott, Margaret Brierly, Richard Chellew, David Chung, Caroline Cooper-Marbiah, David Dean, John Dehaney, Nick Draper, Iain Dysart, Chris Edge, Suzanne Evans, Karin Forbes, Brenda Fraser, Samantha George, Suzanne Grocott, Maurice Groves, Jeff Hanna, Richard Hilton, James Holmes, Janice Howard, Mary-Jane Jeanes, Philip Jones, Andrew Judge, Linda Kirby, Gilli Lewis-Lavender, Logie Lohendran, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Diane Neil Mills, Oonagh Moulton, Ian Munn, Henry Nelles, Dennis Pearce, Judy Saunders, David Simpson, Linda Taylor, Debbie Shears, Peter Southgate, Geraldine Stanford, Sam Thomas, Ray Tindle, Gregory Udeh, Peter Walker, Martin Whelton, David Williams, Richard Williams, Miles Windsor and Simon Withey

1. APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillors Rod Scott and Linda Scott

2. DECLARATIONS OF INTEREST (Agenda Item 2)

None were made

3. MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

Item 7c – The Conservative group asked for it to be noted that they did not vote on this item.

RESOLVED: That with the inclusion of the above amendment the minutes are agreed as a correct record.

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

The Mayor made presented the Sophie Hosking trophy and the London Safeguarding Childrens Board award.

5. PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The questions and replies are available on the web page for this meeting.

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

The questions and replies are available on the web page for this meeting.

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

The questions and replies are available on the web page for this meeting.

8. STRATEGIC THEME: MAIN REPORT (Agenda Item 8)

RESOLVED: That the report is agreed

(a) STRATEGIC THEME MOTION 1 (Agenda Item 9a)

The motion was moved by Councillors Iain Dysart and Mary-Jane Jeanes.

The amendment set out in item 20 was moved by Councillors Peter Southgate and Karin Forbes.

The amendment was carried with 53 voting in favour.

The substantive resolution was agreed.

RESOLVED:

This Council notes that; “the organisation (Merton Council) does not seem to have the capacity to deliver spending of much above £40 million per annum” (Cabinet Report, 10th June 2013, p20), and that the Capital budget exceeds this sum by circa £11million a year.

This Council believes in the importance of continuing to invest in the borough’s infrastructure.

This Council therefore requests the Overview and Scrutiny Commission’s Financial Management Task Group to continue the task of reviewing the capital programme each year in order to ensure it reflects the Council’s capacity to deliver the programme, and to review the barriers to officers being able to spend the full capital programme each year, as the failure to do so delays key investment in our community and the local economy.

(b) STRATEGIC THEME MOTION 2 (Agenda Item 9b)

The motion was moved by Councillors David Williams and Samantha George.

The amendment set out in item 21 was moved by Councillors Mark Allison and Stephen Alambritis.

The amendment was put to the vote

Voting in favour: 28

Voting against: 29

The amendment was lost

A roll-call was called on the substantive motion

Voting in favour: 57

Councillors: Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Mark Betteridge, John Bowcott, Margaret Brierly, Richard Chellew, David Chung, Caroline Cooper-Marbiah, David Dean, John Dehaney, Nick Draper, Iain Dysart, Chris Edge, Suzanne Evans, Karin Forbes, Brenda Fraser, Samantha George, Suzanne Grocott, Maurice Groves, Jeff Hanna, Richard Hilton, James Holmes, Janice Howard, Mary-Jane Jeanes, Philip Jones, Andrew Judge, Linda Kirby, Gilli Lewis-Lavender, Logie Lohendran, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Diane Neil Mills, Oonagh Moulton, Ian Munn, Henry Nelles, Dennis Pearce, Judy Saunders, David Simpson, Linda Taylor, Debbie Shears, Peter Southgate, Geraldine Stanford, Sam Thomas, Ray Tindle, Gregory Patrick Udeh, Peter Walker, Martin Whelton, David Williams, Richard Williams, Miles Windsor, Simon Withey and John Sargeant.

Voting against: none

The motion was carried.

RESOLVED:

This Council remains very concerned at the serious nature of the whistleblowing allegations, which were circulated to all Members on 14 November 2013 and which relate to management of the council's finances, and in particular the hiring practices and use of long term consultants to fill vacant posts at rates significantly above the salaries associated with the posts.

Whilst welcoming the independent review into this matter being conducted by external auditors, this Council is extremely disappointed that these important investigations have still not been concluded some two and a half months later – particularly considering the initial commitment made in November 2013 to investigate the matters raised as quickly as possible – and that the promised report has yet to be

presented to Members. This means that the matter can not now be considered by Full Council on 5 February 2014 as part of its discussions on financial management.

This Council further regrets that Councillor David Williams had to wait until 28 January 2014 to receive any response from the Cabinet Member for Finance to the Urgent Question that was submitted under Section 4 (A) Para 12.4 (b) of the Council's Constitution at the last Full Council meeting on 20 November 2013 regarding this administration's expenditure on consultants and agency staff and the procedures in place to ensure it is properly audited. The refusal by the Cabinet Member to answer an Urgent Question within the allotted timescales is in clear contravention of Section 4 (A) Para 12.7 of the Council's Constitution as well as of his own words and commitment when he stated on 20 November last year that his "intention is to reply in full later in the week, in line with the deadline for non-priority questions".

This Council believes that residents and council taxpayers in Merton rightly expect the local authority to:

- a) be a responsible guardian of the money which it manages on their behalf; and
- b) operate in a fully open and transparent manner;

and therefore reiterates its clear regret both at not being able to consider the outcome of these whistleblowing investigations at its meeting on 5 February 2014 and at the unacceptable delay in providing a response to an Urgent Question on this matter.

(c) STRATEGIC THEME MOTION 3 (Agenda Item 9c)

The motion was moved by Councillors Richard Hilton and Suzanne Evans.

The amendment set out in item 22 was moved by Councillors Linda Taylor and Suzanne Grocott.

A roll call was called on the amendment:

Voting in favour: 26

Councillors: John Bowcott, Margaret Brierly, Richard Chellew, David Dean, Iain Dysart, Chris Edge, Suzanne Evans, Samantha George, Suzanne Grocott, Maurice Groves, Richard Hilton, James Holmes, Janice Howard, Mary-Jane Jeanes, Gilli Lewis-Lavender, Logie Lohendran, Diane Neil Mills, Oonagh Moulton, Henry Nelles, David Simpson, Linda Taylor, Debbie Shears, Ray Tindle, David Williams, Miles Windsor and Simon Withey

Voting against: 31

Councillors: Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan

Anderson, Laxmi Attawar, Mark Betteridge, David Chung, Caroline Cooper-Marbiah, John Dehaney, Nick Draper, Karin Forbes, Brenda Fraser, Jeff Hanna, Philip Jones, Andrew Judge, Linda Kirby, Edith Macauley, Russell Makin, Maxi Martin, Peter McCabe, Ian Munn, Dennis Pearce, Judy Saunders, Peter Southgate, Geraldine Stanford, Sam Thomas, Gregory Patrick Udeh, Peter Walker, Martin Whelton, Richard Williams and John Sargeant.

The amendment was lost

The substantive motion was put to the vote:

Voting in favour: 26

Voting against: 31

The motion was not carried.

9. REPORT OF WIMBLEDON COMMUNITY FORUM 11 DECEMBER 2013
(Agenda Item 10)

The report was received

10. REPORT OF RAYNES PARK COMMUNITY FORUM 4 DECEMBER 2013
(Agenda Item 11)

The report was received

11. NOTICE OF MOTION - CONSERVATIVE MOTION 1 (Agenda Item 12)

The motion was moved by Councillors Maurice Groves and Debbie Shears.

The amendment set out at item 23 was moved by Councillors Linda Kirby and Stan Anderson.

The amendment was put to the vote.

Voting in favour: 33

Voting against: 22

Carried.

The substantive motion was agreed.

RESOLVED:

This Council notes the statement issued on 6th January 2014 by the Clinical Commissioning Groups (CCGs) of Merton, Kingston, Sutton, Richmond, Wandsworth and Croydon:

“The six south west London CCGs are actively discussing the next steps for local health services following the withdrawal of Surrey Downs CCG from the BSBV programme. As we have made clear in the past, the BSBV business case is now invalid and the options put forward through the programme are no longer on the table for consultation. It follows that all six CCGs are in the process of dissolving the committees to which they had delegated decision making on BSBV.

“However, the challenges outlined in the BSBV case for change remain. If we do not address these challenges, we know that local services will decline in quality and that we will not be able to meet the required quality and safety standards. We are discussing with each other and with our boards how we address these challenges and we hope to make a further announcement in February.”

Council notes its resolution on 12 September 2012 to “vigorously oppose [...]the proposal to close accident and emergency and maternity services at St. Helier Hospital [and] resolves to continue to do everything in its power to keep St. Helier Hospital’s accident and emergency, maternity services and other related services open.”

This Council therefore cautiously welcomes that the preferred BSBV options posing a threat to services provided at St Helier hospital are now no longer viable and are therefore not now being consulted on as part of the BSBV programme.

However, this Council recognises that under NHS Call to Action the long term viability of healthcare across the south west London region is still an issue for consideration by the CCGs. The South West London CCGs continue to believe the current configuration of hospitals is neither clinically nor financially viable, and therefore reconfiguration of local health services still remains as a threat.

Council is appalled that the Chief Executive of the Merton CCG responded to a letter from Siobhain McDonagh MP on 24 January 2014 confirming that the £219m redevelopment of St Helier hospital no longer features in their plans.

Council is further concerned that NHS England wrote to all South West London CCGs on 23 December last stating that their refusal to allow hospitals to take on foundation status “could be interpreted as commissioners planning for clinical and financial failure in some of its providers [hospitals].” Council would be extremely concerned if it was planned that any of our local hospitals would fail.

In light of the above, council recognises that this is no time for complacency and there is still a very real threat to services at St Helier hospital.

Therefore this Council resolves to request that the Leader of the Council write to the Secretary of State, Jeremy Hunt (who on 7 November 2012 confirmed in his reply to a letter from the Leader of the Council that he makes the final decision on the future of St Helier hospital), to ask that the £219m development of St Helier hospital be reinstated and that he confirm that St Helier’s A&E , maternity and associated services are safe and that there is no plan to allow local hospitals to fail, either clinically or financially, due to the withholding of foundation trust status; and that the

Chairman of Merton's Healthier Communities and Older People Overview and Scrutiny Panel asks the Chairman of our local CCG, Dr Howard Freeman, to attend the next Healthier Communities and Older People scrutiny panel meeting in order to update Members on the current position with regard to our local health services and the next steps being considered going forward.

This Council also requests that the panel members ensure that Dr Freeman is fully aware of the high regard felt by Merton residents for the professionalism and sympathetic care provided at St Helier Hospital by its staff, the strong desire of the borough's residents to preserve A&E and Maternity Services at St Helier for the future, and the council's agreed policy of vigorously opposing any downgrading of services at St Helier hospital.

12. NOTICE OF MOTION - CONSERVATIVE MOTION 2 (Agenda Item 13)

The motion was moved by councillors David Simpson and James Holmes.

The amendment set out at item 24 was moved by councillors Iain Dysart and Mary-Jane Jeanes.

The amendment was lost with 2 voting in favour.

The amendment set out at item 26 was moved by councillors Jeff Hanna and Andrew Judge.

The amendment was put to the vote.

Voting in favour 27

Voting against 24

The amendment was carried.

The amendment set out in item 25 was moved by councillors Richard Hilton and Suzanne Evans.

Voting in favour 2

Voting against 28

Not voting 26

The amendment was lost.

The substantive motion was agreed.

RESOLVED:

This Council welcomes the achievements of our local police together with the Safer Merton partnership team in ensuring that overall crime levels in Merton remain low, although the borough is no longer one of the top three safest in London. Council recognises that there remain significant pockets of high crime in some areas of the borough which can blight the lives of some of our residents. According to the Mayor of London, improved satisfaction rates and falling crime rates, both in Merton and across London, have been achieved by relentlessly focusing resources on front line policing and by cutting bureaucracy and unnecessary targets wherever possible, in line with Government policy, so that Merton's police officers can concentrate all their efforts on the primary objective of cutting crime.

However, council notes as of Sept 2013, Merton had 20.1 fewer Sergeants, that is, 1.4 fewer Sergeants on SNT duties and 18.7 fewer on other duties, than in March 2010. Merton also had 25.6 fewer PCs, that is, 37.7 more PCs on SNT duties offset by 63.3 fewer PCs on other duties, and 33.9 fewer PCSOs, that is, 24 fewer PCSOs on SNT duties and 9.9 fewer PCSOs on other duties. From a total of 390.8, more than one in five police staff have gone. Furthermore, the following local police offices in the borough have been shut:

- Pincott Road in Abbey ward
- Green Lane in St Helier ward
- London Road, Mitcham
- Wilson Avenue in Lavender ward
- Crown Parade, Morden.

The remaining police "contact points" in the borough are each open for just three hours a week.

This Council recognises that the fear of crime remains a major concern for many of Merton's residents and notes the comments of the Borough Commander at November's meeting of the Overview and Scrutiny Commission where he said it would be helpful if local businesses were to sponsor an additional police unit in Wimbledon Town Centre. Attracting many visitors as a major transport hub and the centre of Merton's night time economy, Wimbledon Town Centre is the borough's crime hotspot and the main centre for drunken disorder in the borough, with Abbey and Trinity wards consistently having the highest percentage of alcohol related call outs to the police and London Ambulance Service. 45% of all thefts from the person last year took place in Wimbledon whilst figures suggest that around a fifth of the total number of crimes in Merton were committed in Abbey, Trinity and Dundonald wards with some 7% of overall crime in the borough taking place within just 200 metres on or around Wimbledon Broadway, which makes it even more regrettable that the police office in Pincott Road has been closed, despite widespread opposition from local residents, including a petition from local people. In terms of overall crime levels Figges Marsh and Cricket Green have the second and third highest rates of crime in the borough and there are particular pockets of crime and anti social behaviour in other areas.

This Council understands that the local authority has an important role to play in helping protect Merton's residents and businesses against crime and anti-social behaviour, but recognises that local people expect the police, the first line of defence against crime and disorder, to be properly funded by the Mayor of London and notes that:

- Several councils, such as Hammersmith and Fulham, have entered into arrangements with their local police to fund extra bobbies on the beat. However the Deputy Mayor for Policing and Crime wrote to all London Leaders in January to confirm that the cost of this arrangement would be increasing for future years;
- Section 92 of the Police Act 1996 allows local authorities to make grants for police purposes to the Mayor's Office for Policing and Crime which would be used to buy in police inspectors, sergeants and constables on a 2 year contract at a reduced 'buy one get one free' rate as part of a cost sharing agreement;
- Were Merton to enter into such an agreement for 2014-15 as part of the new MetPatrol Plus 'buy one get one free' scheme, the Deputy Mayor for Policing and Crime has confirmed in his letter of 16 January 2014 that the cost to Merton of an extra unit of a sergeant and 6 police constables would be £244,000 in 2014, rising to £271,000 in 2015.
- Cllr David Simpson, Conservative Spokesperson for Community Safety, has publicly stated that he has "not got a clue where that money will come from".
- This would equate to an additional £271,000 cost to local council taxpayers for a service the Mayor of London has already reduced, and that residents believe he should be providing as it is a service they are paying him to provide as part of their council tax.
- The additional cost to Merton would need to be offset by £271,000 of cuts to other services or a rise in Council Tax, or a combination of both.

This Council believes that the Mayor of London has a duty to provide an adequate dedicated safer neighbourhood policing service across the whole borough, including our highest crime areas and asks the Leader of the Council to write to the Mayor of London to:

- point out the detrimental impact on community safety of the reduction in police officer numbers across the borough;
- request the re-opening of the local safer neighbourhood police office in Pincott Road, as a means of improving reassurance in the Wimbledon area; and

- ask the Mayor to ensure there are sufficient resources available for Merton Police in order to reduce levels of crime and anti-social behaviour in the town centre and other areas.

13. APPROVAL OF PAY POLICY STATEMENT AND READOPTION OF THE MEMBERS' ALLOWANCES SCHEME (Agenda Item 14)

RESOLVED:

(1) That the Council approves re-publication of the Pay Policy Statement for 2014/2015 ;

(2) That the Council reconfirms its Members' Allowances Scheme with no change for 2014/2015 with effect from 1 April 2014

14. EVALUATION OF THE COUNCIL'S WEBCASTING PILOT (Agenda Item 15)

RESOLVED: That the Council agrees to continue webcasting committee meetings held in the council chamber.

15. CALENDAR OF MEETINGS 2014-15 (Agenda Item 16)

RESOLVED: That the calendar of meetings in appendix A to the report is agreed.

16. CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 17)

RESOLVED: That the Council notes the changes to membership of committees approved under delegated powers since the last meeting of the Council.

17. PETITIONS (Agenda Item 18)

Petitions were presented by Councillors David Dean, Brenda Fraser and Logie Lohendran

18. BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 19)

RESOLVED: That the main theme for the next ordinary meeting of the Council to be held on 2 April 2014 shall be Public Health.