

Committee: Council

Date: 6 July 2022

Subject: Petitions

Lead officer: Louise Round, Managing Director South London Legal Partnership

Lead member: Leader of the Council, Councillor Ross Garrod

Contact officer: Amy Dumitrescu, Democracy Services Manager

Recommendation:

1. That Council receive petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.
 2. That Council notes the responses provided to the petitions submitted at the meeting held on 2 February 2022.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report invites Council to receive petitions in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.

2 DETAILS

- 2.1. At the meeting held on 2 February 2022, the four petitions listed below were submitted and the responses are set out below. Any petitions received by Council are referred to respective departments with responsible officers asked to advise the presenting member in each case of the way in which the petition is to be progressed.

Petition One

A petition was submitted by Councillor Kohler entitled Stop Wimbledon Park Development which stated "We the undersigned demand that Merton Council enforce the legal covenants agreed to by AELTC and call on both AELTC and Merton Council to keep their promises to the people of Wimbledon".

Officer Response

The Restrictive covenant was the subject of a motion at a council meeting in February 2022 where it was agreed as set out below.:

Council Notes:

The assurances given by the AELTC and Merton Council when the Freehold of the land occupied by the Wimbledon Golf Club was sold to the AELTC by Merton Council The statement in the Wimbledon Informer on 24 September 1993 by the then Leader of Merton Council that:

"The golf course land will be retained as open space. The whole stretch has been designated Metropolitan Open Land. We have declared it a conservation area and placed strong covenants on the sale."

The statement in the Wimbledon Informer on 24 September 1993 by the Chairman of the All England Lawn Tennis Club that:

“We completely understand and support everyone’s determination to keep the land open and we have purchased the land on that basis.”

Council therefore reiterates that, while the land has in fact never been freely open to residents, covenants over this land held on behalf of the residents of Merton will need to be respected henceforth.

Council also notes that the covenant is a legal issue separate to the consideration of the AELTC Planning Application 21/P2900 and any future similar applications.

The Council is wholly aware of the Restrictive Covenants attached to the land sold in 1993. At the present time there is no breach of these covenants. The land is subject to a Planning Application which has yet to be determined. The Council recently debated this matter in Full Council and agreed that the Covenant would be respected should there be any possible breach. That remains the position of the Council.

Petition Two

A petition was submitted by Councillor Gould entitled Increase Access to Electric Charging in Merton which stated “We request the Council urgently create a strategic plan, using evidence of what works from neighbouring boroughs, to make electric charging practical for all residents”.

Officer Response

The Council will be developing an EV charging strategy during the 2022/23 financial year that will incorporate guidance and best practice from TfL, the Government and other local authorities.

In 2021, the Council installed 90 lamp column chargers in residential areas including many in the South Wimbledon and Raynes Park areas (see [Zap Map](#) for existing chargepoints). The Council recently submitted a further bid to the Government’s On-Street Residential Chargepoint Scheme ([ORCS](#)) to install another 250 lamp column chargers in 2022/23, which will be located in areas of the borough that rely on on-street parking.

Petition Three

A petition was submitted by Councillor Benbow regarding Deen City Farm which stated “We the undersigned are calling upon Merton Labour to stop their unnecessary cut and think again. Deen City Farm is an important part of the local community and has a fantastic record of promoting the local environment and educating Merton children about rural issues.”

Officer Response

The local importance of Deen City Farm to the community is recognised by the Greenspaces team and we have met collaboratively to develop an alternative proposal that will meet the needed savings over a more sustainable period. Following feedback from the scrutiny process, in respect of saving ENV2022-23 03, regarding Deen City Farm, Cabinet have agreed that this saving should be phased over five years commencing in 2023/24. The savings proposal is proposed to be achieved through the reduction of the annual grant received by Deen City Farm by the annual reduction of the Council's provided grant over the next five (5) years, culminating to a reduction of 50% of the 2022/23 grant.

The following table details the grant reduction schedule over this period.

Year	Reduction of Grant	Annual Grant Provision
2022/23	£0	£84,900
2023/24	£8,490	£76,410
2024/25	£8,490	£67,920
2025/26	£8,490	£59,430
2026/27	£8,490	£50,940
2027/28	£8,490	£42,450

The Greenspaces team and Deen City Farm trustees will undertake work during the period of the alternative proposal to secure comparable funding and provide business support during this period. In addition, the Council's service will provide capital investment support for potential projects that enable alternative funding or cost reduction during this period. If additional secure alternative funding is secured in advance of the proposed Grant reduction Schedule, then, subject to agreement with the trustees of Deen City Farm as to how the alternative funding is defined as 'secured'. The additional value of secured funding will amend the schedule until the target of £42,450 is achieved to meet the needs for savings and contribute to the Council's MTFs.

Petition Four

A petition was submitted by Councillor Barlow regarding the AELTC Covenant which stated "We the undersigned therefore call upon Merton Council to uphold and enforce the legal covenant which protects this land."

Officer Response

The Restrictive covenant was the subject of a motion at a council meeting in February 2022 where it was agreed as set out below:.

Council Notes:

The assurances given by the AELTC and Merton Council when the Freehold of the land occupied by the Wimbledon Golf Club was sold to the AELTC by Merton Council The statement in the Wimbledon Informer on 24 September 1993 by the then Leader of Merton Council that:

“The golf course land will be retained as open space. The whole stretch has been designated Metropolitan Open Land. We have declared it a conservation area and placed strong covenants on the sale.”

The statement in the Wimbledon Informer on 24 September 1993 by the Chairman of the All England Lawn Tennis Club that:

“We completely understand and support everyone’s determination to keep the land open and we have purchased the land on that basis.”

Council therefore reiterates that, while the land has in fact never been freely open to residents, covenants over this land held on behalf of the residents of Merton will need to be respected henceforth.

Council also notes that the covenant is a legal issue separate to the consideration of the AELTC Planning Application 21/P2900 and any future similar applications.

The Council is wholly aware of the Restrictive Covenants attached to the land sold in 1993. At the present time there is no breach of these covenants. The land is subject to a Planning Application which has yet to be determined. The Council recently debated this matter in Full Council and agreed that the Covenant would be respected should there be any possible breach. That remains the position of the Council.

- 2.6 Members are invited to present petitions at this meeting, and a response will be provided to the next ordinary Council meeting in September 2022.

3 ALTERNATIVE OPTIONS

- 3.1. None for the purposes of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purpose of this report.

5 TIMETABLE

- 5.1. None for the purpose of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. This report complies with the constitutional requirements for dealing with petitions.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

11 APPENDICES

11.1. None

12 BACKGROUND PAPERS

12.1. None.

This page is intentionally left blank