

## **Committee: Council**

**Date: 6 July 2022**

Wards: All

## **Subject: Update on Motions and Amendments passed by Council 2021-22**

Lead officer: Amy Dumitrescu, Democracy Services Manager

Lead member: Councillor Ross Garrod, Leader of the Council

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### **Recommendations:**

- A. That Council notes the updates within the report on motions and amendments passed at Council during the previous municipal year
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. Council agreed a motion at its' meeting on 21 November 2021 with the following resolution:
- From this point forward, ask that parties endeavour only to submit motions and amendments which comply with SMART goal principles; and
  - Agree to ask officers to table a report at the first business meeting after each Annual Council Meeting documenting the actions taken in response to the motions and amendments passed during the previous civic year.
- 1.2 This report therefore provides an update on actions taken by the Council resulting from motions agreed at Council during the previous municipal year.

## **2 DETAILS**

- 2.1. Fifteen motions were passed at ordinary meetings of the Council during the municipal year 2021-22. An additional motion was agreed at an Extraordinary meeting of the Council in April 2021. The full wording of these motions as passed by Council can be found at Appendix A. The wording reflects the motions as passed, either in their substantive form or as amended as appropriate.

## **3 UPDATE ON MOTIONS**

### **3.1. Motion 1 – Tenants' Champion**

Councillor Nick Draper was appointed as the Tenants' Champion in July 2021 and remained in post until May 2022. At the Annual Council meeting in May 2022, Councillor Andrew Judge was appointed as the new Tenants' Champion.

An update was taken to the February 2022 meeting of the Sustainable Communities Overview and Scrutiny Panel, the full text of which can be found [here](#).

3.2. Motion 2 – Borough of Sanctuary

Council continues to endorse this decision and continue to be a member of the Lift the Ban Coalition.

3.3. Motion 3 – Armed Forces

As requested by the Motion, the Leader of the Council wrote to the Prime Minister, The Minister of State for Immigration, The Parliamentary Under-Secretary of State for Defence People and Veterans, and our two local MPs, outlining the Council's support for Commonwealth and Nepalese veterans, and asked them to press for a change in the legislation that affects those that have served our country so honourably.

3.4. Motion 4 – Speech and Language and SEND

At Council in November 2021 following a motion on Speech and Language Therapy, the following actions were agreed by Council:

- Continue to work with parents and schools to ensure that speech and language needs are identified as early as possible and that where children and young people have an Education Health and Care Plan, to ensure that communication and language development needs are central to these plans where relevant;
- Continue to share with schools opportunities to train school staff to improve their capability and capacity to identify and intervene with pupils with language needs;
- Continue to lobby and encourage Central Government to invest in more funding for the provision needed to support children with special educational needs, such as speech and language therapists by, for example, writing to the Secretary of State for Health and Social Care and the Secretary of State for Education.

Speech and Language Therapy in Merton schools is coordinated and led by the Language and Learning team. Therapists work directly with school staff to support the identification of needs and to ensure support is provided for children with speech and language needs. The team includes teachers (as well as therapists) who support children's wider learning needs.

In addition the team offers buy back support to help schools develop what is ordinarily available to all children or the targeted support required for children in receipt of SEND Support.

Where a need is identified and an Education, Health and Care Needs Assessment (EHCNA) is required, the team undertakes the Assessment. An EHCNA is the assessment required to investigate if an Education Health and Care Plan (EHCP) is needed for a child.

The team also provide the support to any child with an EHCP in a Merton School, where Speech and Language is specified as required within their EHCP.

The team have been piloting different ways to extend the support on offer to children prior to an EHCP. The team have been very lucky to support and run a project, grant funding from the Language and Communication Trust, in The Sherwood Primary School. As part of this project, the team have been providing Speech, Language and Communication (SLC) interventions at the universal level to Reception and Y1 children, having carried out initial assessments. They are now writing up the findings after the first year of the project, and the results are looking very positive. There is the strong expectation that the pilot will clearly identify and support the premise that early intervention and working at a universal and targeted level supports children's SLC development, so children can be supported effectively without the need for an EHCP.

A smaller two term project has also been managed at Harris Primary with children in Years 2 and 3, and the results identify that continued universal and targeted input improves the outcomes for children with a SLC need across all levels of ability. Both of these pilots are informing our practise as we move forward with service improvement and the safety valve plan.

The Collaborate Project – This is a council wide transformation plan and has been piloting an approach to support the parents of children with speech and language difficulties in the Early Years. This work will be led by the Early Years' Service and will focus on the use of evidence based programmes to support parents, in particular responding to the effect of the pandemic on children's speech and language development.

Training provided to schools this year has focused on improving their skills to identify needs. This has been delivered in seven primary schools, with a further eleven schools receiving training on a Progression Tool. This tool enables teaching staff to identify children who may be struggling to develop their speech, language and communication skills. The tool can also be used to track progression of these skills over time or following interventions.

The learning team has been delivering training on using strategies to support children with a dyslexic profile. This has already been delivered to eleven schools and is something that the team are looking to develop further.

Feedback from all training has been extremely positive and welcomed by those who have received it. In addition to this the team have run central training across schools on: TALC (Test of Abstract Language Comprehension); the 'Clever Communication' tool kit; and Lego therapy. The ELKLAN course has run twice this academic year, offering an intensive three day course in supporting verbal pupils with ASD (Autistic Spectrum Disorder). 33 schools in Merton have received ELKLAN training in enhanced school based support for speech and language this year.

The Safety Valve plan is helping us to create more special school places and additionally resources provision places in mainstream school in Merton, so children do not have to journey out of borough to independent schools. We have reviewed the offer of therapy in these schools and increased the funding and staffing to support this expansion. An extra £200,000 of therapy funding has been agreed from the High Needs Block of the DSG to fund an expansion of 4.7 posts. These posts are currently out to recruitment for September start.

### 3.5. Motion 5 – Dedicated Schools’ Grant

The DfE Safety Valve programme is one of a number of initiatives in response to the very significant pressures in the Dedicated Schools Grant (DSG) and the High Needs Block (HNB) in particular. The HNB is the part of the education grant used to support those with special educational needs and disabilities (SEND). Over 20 local authorities with very high deficits are, or soon will be, part of the Safety Valve programme. A further 54 authorities with significant deficits are in their Better Value Programme and there are more authorities also carrying deficits in their DSG funds.

The government has also launched a Green Paper on SEND, which proposes some significant changes to the way those with SEND are supported. The Schools Bill also includes provision to try to ensure that mainstream schools are inclusive of those with SEND. The combination of the Green Paper, the Schools Bill and the two programmes are an acknowledgement from government that the SEND system is broken. A failure in funding keeping pace with demand and costs have combined with policy changes (such as the extension in responsibility to age 25) to leave the majority of authorities in England with rising demand and increasing deficits. Merton in particular has faced a high level of EHCPs and the impact of having a significant amount of expensive independent sector provision in the area.

Merton was invited to join the second tranche of the Safety Valve process in July 2021. A cross departmental team, led by the Chief Executive, was pulled together. Significant external capacity was also brought in to develop the recovery plan. The negotiations took place over four formal and numerous informal meetings between July and December. Just before Christmas 2021 we submitted our final plan and a challenging request not only for £28.8m funding but also that it be front loaded and supported by £14.5m in capital grants plus the cost of land for a new school.

The agreement was signed off by the DfE in March 2022 and committed them to £28.8m deficit funding, of which £11.6m has been paid upfront. The remainder will be paid over five years subject to meeting the agreement conditions. The agreement sets out nine conditions to be met including supporting mainstream schools to be inclusive of SEN and to reduce escalation to Education Health & Care Plans (EHCPs), strengthening the SEN offer in mainstream schools, developing specialist provision in-borough, and strengthening the oversight and commissioning of independent sector settings.

Good progress has been made on the action to meet these conditions. The number of EHCPs has stabilised and we have received confirmation of capital funding from DfE to expand specialist provision in mainstream schools. We are working well with our schools on inclusive practice and reducing escalation. However, we are only two months into a five-year plan. The increased demand arising from COVID is a significant risk to the plan as is the high rate of general inflation.

### 3.6. Motion 6 – Pension Fund

The Merton Pension Fund has a fiduciary duty to act in the best interest of its members and the Fund is taking managed steps to be a fully sustainable investor. This will help us to meet our responsibility to our members in meeting present and future benefits and to have a stable employer contribution so it will not have an adverse impact on the Council and other employers' budgets

Fund also recognises the importance of managing Environmental, Social and Corporate Governance ("ESG") issues, including climate change, that are financially material to the Fund, both in terms of opportunities and risks. It is imperative that ESG considerations and active ownership are integrated throughout investment processes and that they are considered as part of funding and investment strategy setting.

Please see below the list of actions taken by the Fund in its journey to become to become a fully sustainable investor:

1. Carry out an annual Carbon footprint analysis of our investment portfolios and continue to reduce exposure since 2018. As of 31 March 2021, the fund's equity holdings have a Weighted Average Carbon Intensity ('WACI') of 87.4 tCO2/\$m Sales. This equates to 57% reduced WACI vs the composite Fund benchmark (201.6). Pleasingly, the carbon intensity has been on a downward trend since initial measurement in 2018, falling from c219 to c87 tCO2/\$m sales. We expect our carbon foot print to come further down as at March 2022 and the results will be published in Sept 2022.
2. All new investment decisions include carbon emission analysis and any investment falling within red or amber categories are avoided.
3. We have also made direct allocations to low carbon /Net zero strategies, sustainable investments and reduced our exposure to fossil fuel and continue to do so. Aim to move Paris aligned investment in July 2022 and this will show 45-50% of the fund assets are invested in line with Climate Emergency.

4. Our ESG commitments were made clear in our investment strategy statement which details our investments beliefs too. This can be found on our website and the link is [Investment Strategy Statement \(merton.gov.uk\)](https://www.merton.gov.uk/investment-strategy-statement)
5. We are a member of the Local Authority Pension Fund forum (LAPFF), which makes a collective voice to change organisations' ESG approach/views and holds them to account. This is part of exercising our shareholders rights to make positive changes
6. The Fund gives equal weight to Social and Governance too. It recently made a 5% allocation to a social impact investment fund to make a direct impact on the society in which we live.

### 3.7. Motion 7 – Flooding

Merton's flood risk officers meet regularly with Thames Water and are working collaboratively to flood risk reduction plans and strategies for the borough. Thames Water are responsible for clean water and sewer infrastructure (not highway drains). In addition, Merton's officers have also fed into the pan-London independent review of the summer 2021 flooding. We have requested that the Council receives details of Thames Water's cleansing programme for their sewers as part of this independent review. Merton is also producing formal flood risk investigation report under Section 19 of the Flood & Water Management Act 2010 into the summer floods. An online survey will be undertaken to feed into this to ensure that all flooding reports get captured.

We have produced a series of comms and social media messages to residents and businesses on this matter asking all residents to make sure they report flooding to Thames Water as well as the council, completing the "Thames Water flooding questionnaire" and reading the Thames Water sewer flooding guide which gives residents guidance on how to claim money off their Thames Water bill on the second last page. Both are available via the Thames Water flooding page [Flooding | Emergencies | Help | Thames Water](#)

In addition, following Council holding Thames Water to account on flooding issues including making it easier for residents to report flooding and claim damages, Thames Water held a roadshow in Raynes Park Town Centre on 12<sup>th</sup> January 2022.

The Council have instructed planning officers to ensure that flood prevention continues to be considered in planning decisions in line with National, Regional and Local Planning Policy. Furthermore, the Council have updated their policies in relation to flood risk management and Sustainable Drainage as part of the borough's New Local Plan.

Where planning permission is required, in line with National Policy, the Council promotes permeable surfaces and the wider use of Sustainable

Drainage (SuDS) in all developments including crossovers. This is in line with Merton's published SuDS SPD:

<https://www.merton.gov.uk/streets-parking-transport/streets-and-pavements/flooding/suds>

In terms of flood prevention, under the National Planning Policy Framework, when determining planning applications, local planning authority officers must ensure flood risk is not increased elsewhere. Merton's Strategic Flood Risk Assessment (SFRA) explicitly addresses how planning applications must approach flood risk. Development proposals must incorporate the recommendations of Merton's SFRA to ensure that the drainage on the site is improved and address the likelihood of fluvial flooding and the critical drainage area. Officers are required to protect the amenity of surrounding residents when considering development proposals.

With regard to permeable surfaces, the new Interim Head of Development Management and Building Control has started in post during June and is tasked with reviewing guidance with the Council's Flood Risk and Drainage Officer to seek to achieve these where possible in addition to the measures required by the main drainage policies.

The Development Management team includes an Interim Tree Officer who has a responsibility to promote tree planting. The Interim Head of Development Management and Building Control is proposing to reinforce this service by appointing a new Principal Tree and Landscape Officer under a staffing restructure. The Greenspaces team are to engage with the Planning Department to ensure Trees removed in development applications are replaced in the Borough using Planning Obligations (including a x3 replacement of young trees against loss of x1 mature tree if appropriate) .

Vehicle crossover applications are to include a replant obligation if a tree is removed (staked trees in place – deny the application ) and surface permeability to remain or be improved .

New tree planting using Wetland tolerant species in areas of potential Summer storm flooding occurrences to withstand periodic ground waterlogging .

Ongoing maintenance of ditched areas with the potential of ' leaky dams ' installed in flood areas to slow flood water volumes .

3.8. Motion 8 – Planning Enforcement

In response to this motion, a separate report has been produced and will be considered and discussed elsewhere on the agenda for this Council meeting.

3.9. Motion 9 – Civility in Public Life

The Council continues to support this motion.

3.10. Motion 10 – Clarion Housing

3.11. Cabinet and Council officers continue to work with Clarion Housing.

### 3.12. Motion 11 – Climate

The following actions have been taken by the Council in response to the motion as follows:

- 1. To continue to support Merton’s communities including the Climate Action Group in their lead and delivery of projects across the borough, recognising that 97% of carbon emissions in Merton are outside Merton Council’s control.**

In order to promote carbon reduction across Merton, in January 2021 the Council launched [Merton’s Climate Action Group](#) a Council/ Community partnership to support the development of community-led carbon reduction projects across the borough to accelerate action on climate change that can’t be done by the Council alone, or by individuals alone. The group aims to do this by encouraging positive networks of people from all parts of the borough, whose combined resources, skills and expertise, can successfully develop and implement community-led projects which reduce carbon emissions.

In 2021, the Council allocated Neighbourhood CIL funding to support three Climate Action Group projects which are being delivered this year: Merton Garden Streets 2022 (neighbourhood planting), The Wheel (circular economy hub) and Energy Matters (training energy champions in pilot schools). In addition to these projects, the Climate Action Group is organising and taking part in local events (e.g. Canons Summer Fair on 18th June, Car Free Day events in September, etc.) to engage with stakeholders across the borough to showcase local climate initiatives and promote sustainable behaviours.

The council has also funded and is about to recruit two Retrofit Officers to help link up homeowners and property owners with funding and other assistance on retrofitting their private homes or other buildings. The Retrofit Officers will also work with National Grid on an energy masterplan to ensure there is adequate electricity supply across the borough to support increased Electric Vehicle charging, increased electricity demand for heating and lighting. The Retrofit Officers will be funded from £2million that the council has allocated and is being spent to deliver the Climate Strategy and Action Plan.

As part of this £2million funding and in order to increase climate action in Merton, the Council recruited a Climate Engagement Officer to lead on climate engagement with communities and the development of Merton’s Climate Action Engagement Strategy. This includes supporting Merton’s Climate Action Group, as well as engaging with schools, young residents and residents from BAME groups.



**2. To continue to work with employers in the borough, including businesses, the third sector, charities and the public sector to encourage them to take steps to reduce their carbon emissions and operate in a more sustainable way, and learn from any best practice that they have already put in place.**

In March 2022, the Council recruited a Climate Engagement Officer to lead on climate engagement with communities and partners, including businesses and organisations operating in the borough. In July 2022, in partnership with Sustainable Merton, the Council will be relaunching the Environment sub-group of Merton's Sustainable Communities and Transport Partnership to engage with partner organisations across the four key themes of Merton's Climate Strategy & Action Plan: Buildings & Energy, Transport, Green Economy and Greening Merton.

Merton's Towards Employment team has been working with partners to develop a number of local training programmes and employment pathways to help develop green skills locally. The Council also works with local partners, to promote sustainable behaviours in local business through initiatives like Merton's Best Business Awards, and Merton's Business Network for Climate Action. As stated above, once recruited the Retrofit Officers will be able to help develop a Retrofit Strategy to help Merton's businesses and other property owners access advice and government funding for retrofitting the buildings they own.

In collaboration with the South London Partnership, the Council is also working to develop green skills and jobs in South London via the Mayor's Construction Academy for South London, the South London Knowledge Exchange Project, and the Green Jobs and Skills in London: cross-London report.

**3. To work with the third sector, charities, businesses, and residents across the borough to continue to meet targets set in the Climate Action Plan.**

As above.

3.13. Motion 12 – Motions and Amendments

The Monitoring Officer assesses all Motions when received to ensure they adhere to the SMART principles. The updates on motions are contained within this report.

3.14. Motion 13 – AELTC

The Planning Application for this site will be considered by the Planning Committee in due course. Two petitions were submitted on this subject at the Council meeting in February 2022 and the responses to those petitions can be found in the relevant agenda item for this Council meeting on 6 July.

3.15. Motion 14 – Covid Regulations

The Leader (Mark Allison) wrote to Siobhain McDonagh MP and Stephen Hammond MP on 10 March 2022.

3.16. Motion 15 - Transport

3.17. The Secretary of State for Transport, Grant Shapps MP was written to on 10 March 2022.

3.18. Motion agreed at Extraordinary Council April 2021 - VAWG

An update was provided to Cabinet in March 2022; the full report can be read [here](#).

**4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. The original motion requesting to present this report to Council on an annual basis was agreed by Full Council by a unanimous vote in November 2021.

**5 TIMETABLE**

5.1. As agreed in November 2021, this report will be an annual report brought to the first meeting of the Council following the Annual Council meeting each year.

**6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1.

**7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. Nothing specific for the purposes of this report

**8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. None for the purposes of this report

**9 CRIME AND DISORDER IMPLICATIONS**

9.1. None for the purposes of this report

**10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None for the purposes of this report

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – Full wording of motions agreed at Council 2021-22

**12 BACKGROUND PAPERS**

12.1. None