

Agenda Item 6

Council 9 July 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 John O'Sullivan
To the Cabinet Member for Environmental Sustainability and
Regeneration
Question**

Please can you tell us when the illegal car sales from the Burn Bullock P/H car park, and the decay of the listed building will be stopped?

Many listed buildings, are lost to us by fire and vandalism, when left neglected.

Reply

The Council recently refused a planning application for retention of the car sales use at the Planning Application Committee in June 2014. At the same time Committee authorised the serving of an enforcement notice to cease the use. The legal team have been instructed to proceed with the service of the notice. It is likely a compliance time period of 56 days will be allowed. Further a second instruction for Legal Services to issue a Listed Building Repairs Notice is on hold awaiting an up-to-date structural report of the building. A listed buildings specialist surveyor carried out a structural and conditions survey of the Listed Building on 26th June and will be providing a report by 10th July. The structural survey is needed to enable the Council to determine the current structural stability of the building in order to correctly identify works to be carried out for its preservation.

Without the survey the requirements of the notice would remain cosmetic at best and there would be no way of knowing whether these works would properly contribute to the preservation of the building or mask some structural defects.

**2) From John Davis
To the Cabinet Member for Community and Culture
Question**

“Re The Canons, Madeira Road, Mitcham, and the granting of a 15 year lease of ground.

What provisions are being made in this lease for the new Multi Use Games Area adjacent to the Canons Leisure Centre to provide free use of the facilities for local people, and to properly mark the areas for multi-sports' use?”

Reply

The lease currently advertised in the local press is to allow the council to lease the Multi Use Games Area to the leisure centre operator in line with their current Leisure Contract terms.

The Multi Use Games Area will provide pre-arranged free use for local schools and their pupils as well as sports development activities, whereby participants will pay a fee to cover costs. Activities will also be provided within this part of the facility where multi-sports and recreational pursuits are part of a general offer e.g. 50 plus group.

The markings currently in place are primarily for football, but can also be used for small sided hockey and handball, whilst other sports and classes do not require specific markings.

**3) From Paul Carter
To the Cabinet Member for Environmental Cleanliness and Parking
Question**

Under what legal provisions can the Council take action to remove fly tipping on the land off the footpath which runs between 33 - 49 Langdale Ave., Mitcham and behind the shops on Upper Green East and when will it act?

Reply

This is private land. Environmental Enforcement Officers can take action under section 92 of the Environmental Protection Act 1990, to serve notice on the land owner to remove the waste. If the landowner fails to remove the waste the council can remove the waste and recharge the land owner. We often come across land that has no registered owner therefore serving notice is not an option.

If Mr Carter is referring to the shops known as 4-38 Upper Green East, the council is exploring options to gate the alley way of these properties. Consultation has been sent out to all properties that back onto the alley way with a view in placing gates between 16-18 Upper Green East, and to place a palisade fence at the rear of 38 Upper Green East to shut off access to the land due to mainly fly tipping issue

Supplementary Question

The mattresses and furniture have been removed. It appears the owner now has taken responsibility for his tenant, one assumes, who has done the dumping. There is still a lot of other rubbish and can the council give an indication of how long it will take to clear this, as it is not only an eye sore, but a health risk? It seems that the council, in its duty of care, would take steps for its immediate removal. Am I correct in my assumption that I won't have to endure this for very much longer?

Reply

Can I thank Paul Carter, who I know very well. We have had other areas in Mitcham actually and put up notices where we're trying to solve the problems. We can't give fixed times on this. It is on private land and we can't keep moving the rubbish otherwise the fly-tippers will think they can tip anywhere and we'll just take it away. What I can tell you is that we have been working particularly hard on this with the land owners, they have been served notices and we are hoping to put gates up there. I can't give a time on this, but we are working extremely hard.

4) From Andrew Boyce To the Cabinet Member for Environmental Sustainability and Regeneration Question:

Does Council have confidence in the advice provided by its planning department, including recommendations on whether to approve planning applications, and advice to members of the public on the statutory process for making representations to the Planning Inspectorate on a planning appeal?

Reply

In general terms, the Council has confidence in the advice provided by planning officers, but they are not infallible. I have no doubt that case officers seek to provide the best possible service they can and endeavour to assess applications and make recommendations accordingly, based on the adopted policies of the council. In respect of appeals, the service endeavours to give good advice to the public to enable them to make representations.

Supplementary Question

Thank you for the written response which answers my question in general terms. So let me deal with some of the specifics about the officer providing incorrect dates with regard to the dates for the planning appeals hearing, and on the date for the deadline for written representations to be sent to the planning inspectorate. This happened in the case of an application for an appeal for a council decision for the Park Hotel in Morden Road, South Wimbledon. Consider it good advice to the public?

Reply

I think clearly there was clearly an error over the information sent out over 34-40 Morden Road, the Park Hotel application, for which I tender my apologies on behalf of the council and we must do our utmost to make sure it won't happen again. I would add that when Mr Boyce did turn up at the appeal that you represented residents in Morden Road very well indeed and a very compelling representation, so well done.

**5) From Beth Morrison
To the Cabinet Member for Environmental Sustainability and
Regeneration
Question:**

Will the Council publish the full results of Transport for London's survey of the implications of the Rediscover Mitcham proposals for traffic flows through Mitcham Town Centre?

Reply

Yes, the Transport for London approval process for junction redesigns and signals (traffic lights) is complex and has several different stages with different departments. Merton officers are working with Transport for London to finalise the proposed changes to the road layout in Mitcham Town Centre. This includes a detailed assessment of the impact on traffic flows. The results will be reported to the Cabinet Member and published in due course.

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