Merton Council - call-in request form

1. Decision to be called in: (required)

SLWP - options for joint procurement of waste collections, street cleaning and associated services

2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii)of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	X
(b) due consultation and the taking of professional advice from officers;	X
(c) respect for human rights and equalities;	X
(d) a presumption in favour of openness;	X
(e) clarity of aims and desired outcomes;	X
(f) consideration and evaluation of alternatives;	X
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	X
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

There are serious concerns and many unanswered questions about the Cabinet's decision, at its meeting on 10th November, to press ahead with proposals to transfer responsibility for upkeep of the borough's green spaces to the South London Waste Partnership (SLWP).

It is clear there has been a complete lack of consultation with residents, Greenspaces staff, trade unions and Friends of Parks groups on the Cabinet's plans. The report considered by Cabinet on 10th November is the first and only information on these proposals so far made public. Furthermore, section 4 of the report provides no evidence of any consultation which has taken place thus far on this specific decision; the only references are to future consultation.

Nor has there been any pre-decision scrutiny by Members of this decision. The report recognises there should be a role for the Sustainable Communities panel and yet that same panel has not been consulted on the major decision taken on 10th November despite there being appropriately timed meetings which would have allowed the opportunity to do so.

As such, there has been no presumption in favour of openness and transparency in the decision making process. The report is extremely thin on the details of what is proposed for the maintenance of Merton's green spaces and the potential consequences. There are only two references to parks in the whole main report and the appendices do not enlighten the reader any further on what is proposed in terms of LOT 2. The vast majority of the report focuses on waste collection and processing which raises the question as to whether this was attempt to slip through the major changes relating to parks as part of a much wider package. There is for example no reference to parks in the title of the report.

Reading the report, there is no way of knowing whether or not what is being proposed for parks and green spaces is proportionate to the desired outcome. The SLWP only has a legal remit for waste collection and processing. No information is provided as to how this external partnership body, which currently has no experience of parks maintenance, could

successfully take on the maintenance of Merton's open spaces.

The report also demonstrates a lack of respect for human rights and equalities. It refers to a 'preliminary integrated impact assessment' having been completed and yet this is not provided with the report. The lack of consultation shows disdain for all those staff and Friends groups who work so hard to maintain the borough's precious open spaces. Residents across the borough deserve to have easy access to green space which is safe, secure and well maintained yet there is nothing contained in the report to ensure this duty is fulfilled by the council in the future.

There are also serious and unanswered questions about the democratic accountability of the SLWP to Merton's residents, taxpayers or councillors should this body be granted responsibility for maintenance of the borough's parks. Friends of Parks groups have raised particular concerns that the SLWP will further outsource the maintenance to another external company thereby potentially stretching democracy, accountability and communication with the Friends groups to breaking point.

With regard to clarity of aims and desired outcomes, it is not clear from the report what amount of financial savings the authority could expect to make as a result of this decision. Nor is there a detailed breakdown in the report of the impact on future staffing levels within the Greenspaces team.

Finally, whilst there is a brief section in the report on alternative options, there is no clear explanation as to why grounds maintenance is being included in this joint procurement exercise. Trade union sources indicate that Merton's green spaces are the most efficiently managed in London with spend per acre at the lowest anywhere in the capital and spending of just 0.5% of Merton's revenue. Yet the Cabinet doesn't appear to have considered this and instead has decided to have an external provider in place within months. Nor has there been any published information provided to the Cabinet on previous unsuccessful attempts to outsource the parks maintenance service which we understand has been tried twice before.

5. Documents requested

All papers provided to the Director of Environment and Regeneration/Director of Corporate Services and relevant Cabinet Members prior to, during and subsequent to the decision making process.

All emails, reports and associated documentation relating to the joint procurement project provided to the relevant Cabinet Members, Leader of the Council, Chief Executive, Director of Environment and Regeneration, Director of Corporate Services and other council officers.

The detailed financial analysis of the projected costs/savings from the

project.

The detailed analysis of the impact of the proposals on the future maintenance of Merton's green spaces.

The preliminary integrated impact assessment cited in the report.

All correspondence between the relevant Cabinet Members, Leader of the Council, Chief Executive, Director of Environment and Regeneration, Director of Corporate Services, other council officers and the SLWP on the joint procurement project.

6. Witnesses requested

Cllr Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

Cllr Judy Saunders, Cabinet Member for Environmental Cleanliness and Parking

Chris Lee, Director of Environment and Regeneration

Cormac Stokes, Head of Street Scene and Waste

Doug Napier, Greenspaces Manager

Staffside representative

Representatives from Friends of Parks groups

7. Signed (not required if sent by email): David Dean

D Holden

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor's email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy Services, 8th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on 020 8545 3864