

Merton Council Council

12 September 2018

Supplementary Agenda 4

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 and Replies

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Council 12 September
Councillor Non priority questions

From Councillor David Williams to the Leader of the Council:

Would the Leader please list the meetings and correspondence he has had since the last ordinary meeting of the Council on 4th July 2018 to save St Helier Hospital?

Reply

There was a series of public meetings over the summer as part of the commissioners' engagement on Epsom and St Helier. The two Merton meetings, both attended and contributed to by the Leader, were:

Thursday 26 July: 2pm-4pm at the Chaucer Centre

Thursday 2 August: 6.30pm-8.30pm at Tooting and Mitcham Football Club

From Cllr Simon McGrath to the Cabinet Member for Regeneration, Housing and Transport

What is the process for approving the Wimbledon Masterplan? Will the Cabinet Member agree that the Masterplan should come to full Council so that a proper debate can be had?

Reply

Wimbledon Masterplan is a supplementary planning document (SPD). This means that the document provides guidance on how existing planning policies will be implemented. The plan does not create new policy; its guidance for applicants and officers/councillors assessing planning applications.

Merton's process for adopting planning documents is;

- New planning policies or major changes of policy that affect a number of wards – decisions are taken at Full Council.
- SPDs or guidance such as the Wimbledon Masterplan are decided by Cabinet following a period of public consultation. EG the recent Shopfront Design SPD.

All councillors have the opportunity to comment on the plan at the consultation stage.

From Councillor Janice Howard to the Cabinet Member for Community and Culture:

As the United Kingdom leaves the European Union can the Council confirm what support will be given to those EU nationals that live in the Borough so that they are kept up to date with Government initiatives, and to ensure that they are aware of their right to apply for settled status?

Reply

There has been no clear guidance to the Council or support for EU nationals in the borough from the Government. The council's officers are currently assessing the potential impact of the UK's withdrawal from the European Union on the council, services and residents of the borough.

One of the key implications is Settled Status and the rights of EU nationals that are currently living within the borough. A briefing is being put together, part of which will include information about the scheme. This briefing will look at the ways that the council can support EU residents that will be affected, particularly those in hard to reach and vulnerable groups, through offering information and advice on how to apply for Settled Status.

The briefing will be available to the council's decision making process from early October. Cabinet will be asked to make a decision on agreeing to the offer of support, and the required allocation of resources.

From Cllr Paul Kohler to the Cabinet Member for Community Safety, Engagement and Equalities

Given the Council's failure to influence the Mayor of London's decision in 2017 to close Wimbledon police station, how is the Cabinet Member proposing to change her approach to any new consultation that the Mayor undertakes following the High Court judgment in July quashing the closure decision?

Reply

The outcome from the judicial review does not require the Mayor of London to undertake any new, external consultation with the community on this matter. The outcome did place a requirement for the Deputy Mayor for Policing and Crime, Ms Sophie Linden, to review the details of responses submitted to MOPAC and consider whether the decision to close Wimbledon should be upheld.

The timelines for MOPAC to undertake this work and formally announce a decision is unknown.

From Councillor Oonagh Moulton to the Cabinet Member for Community and Culture:

Will Merton Council join the 160 local authorities who have already agreed to purchase a WW1 Tommy silhouette as part of the There But Not There campaign from the Remembered charity, which is raising funds for the Royal British Legion by commemorating the sacrifice of British and Commonwealth soldiers during the First World War?

Reply

In Merton we proudly honour those fallen in WWI, and have a number of memorials and events across the borough dedicated to their memory. I will look into this particular memorial and discuss with the Leader and Cabinet.

Councillor questions under the Strategic Theme (Sustainable Communities)

From Councillor David Dean to the Cabinet Member for Environment, and Street Cleanliness:

When does Merton Council start using the Beddington Lane incinerator?

Reply

The Energy Recovery Facility in Beddington is currently in the commissioning phase (testing) which will continue until the facility moves into the fully operational phase which will be achieved before the end of 2018.

From Cllr Carl Quilliam to the Cabinet Member for Regeneration, Housing and Transport

Can the Cabinet Member outline Merton's plan and a timeline for introducing 20mph speed limits, explaining how and if this is a different policy to the one the administration has followed since 2010, what new funding is being made available and how it relates to the London Mayor's policy on the same issue?

Reply

Merton Council is supportive of lower speed limits and although there is an expectation by the Mayor of London's new transport strategy for the Council to consider a borough-wide 20mph speed limit, which we support the aspiration of, the required funding has not been forthcoming and therefore due to limited funds and continuous cuts to TfL budget, it has not been possible to roll out a 20mph speed limit across the borough as a single comprehensive project. However, the Council has been concentrating on introducing localised 20mph speed limits primarily outside schools.

Given the Council's aspiration to introduce a borough wide 20mph, we are assessing potential funding mechanisms and benchmarking the roll out process from other 20 mph boroughs. Indicative funding is being sought through the Borough's LiP over the next 2/3 years. This is our next tranche of funding from TfL to deliver the Mayor's transport strategy locally. Considering the extent of work and costs involved, the Council, if minded to do so, would need to implement the proposal in phases over a 2/3 financial year. Our Traffic and Highways team are currently costing and assessing options to determine how we may wish to proceed with a phased introduction of 20mph limits. Meanwhile the Council will continue to introduce

localised 20mph speed limits at key locations such as outside schools, town centres and areas of high pedestrian footfall.

From Councillor Daniel Holden to the Cabinet Member for Environment, and Street Cleanliness:

When will the council publish the street cleaning dashboard showing the contractor's targets and results?

Reply

I am pleased to confirm that Members can share the weekly performance dashboard publicly. It is important to note that this is raw information based on resident reports or our inspections. This weekly information was developed at the start of the contract to give officers and members a weekly 'barometer' based on available data. It is not the contractual information used for deductions and as such it may differ from the information reported to Scrutiny and in contract performance reports. We will ensure that this is clear on all future dashboards.

From Councillor Nick McLean to the Cabinet Member for Community and Culture:

Can the Cabinet Member confirm that Merton Council will follow in the footsteps of other local authorities and apply for a High Court injunction to prevent gypsy and travellers setting up unauthorised encampments in Merton?

Reply

The Council is actively considering obtaining an injunction to protect its property from unauthorised encampments. We are in consultation with the Metropolitan Police who have been very supportive in our existing actions under the Criminal Justice Act. We also need to understand the resource implications for establishing and maintaining an injunction and the experience of its effectiveness from other boroughs who have initiated the process. The process adopted elsewhere is to obtain a temporary injunction for three months followed by a permanent one (normally three years). The London Borough of Sutton for example at present have the temporary injunction in place and intend obtaining their permanent injunction on 7th November 2018

From Councillor Nick McLean to the Cabinet Member for Community and Culture:

Can the Cabinet Member confirm that given the unacceptable anti-social behaviour, such as urinating in residents' gardens, ridiculously loud music at the recent EE Festival and the rejection of the licencing application for the Diynamic Festival, that the council will be reviewing its policy with regard to the type of events that are suitable for the boroughs greenspaces, in residential areas such as Morden Park, and can they confirm where the money raised from such events goes to?

Reply

The Council scrutinises all approaches and applications for all outdoor event productions for their suitability and impacts. The Council can and has refused some event enquiries even before the formal event licensing stage. We shall continue to review our approach and the suitability of open spaces for events as they are presented to us. The Council is keen to strike the right balance between ensuring residents enjoy a good quality of life whilst also using our open spaces to host great events that contribute financially and culturally.

All of the income received from hosting outdoor events in our parks remains within the Greenspaces budget and forms a key element of the core funding for that service, benefitting, therefore, all users of our parks and open spaces.

A core principle of the formal event licensing process is that each application is treated on its merits and, in the case of the EE Festival, the event occurred at the same venue in 2017 with comparatively few complaints.

A robust event management plan was submitted by the same event producers for their 2018 event and the application considered and approved by the Council's Licensing Sub-Committee with conditions, including in relation to noise that were fully complied with throughout.

The Council and other relevant agencies - none of whom formally objected to the 2018 EE Festival event licence application, nor to the more recent Diynamic Festival application - are also committed to ensuring that large music and other outdoor events are compliant and delivered effectively and safely, avoiding unnecessary nuisances and to engage with the producers both pre and post event, outside of the formal licensing process through such vehicles as the Safety Advisory Group and by listening to the local community's views, to ensure that is the case insofar as practical.

From Councillor Nigel Benbow to the Cabinet Member for Environment, and Street Cleanliness:

Can the Cabinet Member confirm how much money has been levied in fines against Veolia, can he confirm the council controls this money, and what has it been spent on?

Reply

In the first year of the contract, the standard of service delivered was, at times, significantly below the level expected. There were a number of contributory factors to this, including significant changes to the service in some areas and issues with data transfer between IT systems held by all parties. This latter issue in particular meant that performance measurement against specific performance indicators was not consistently achievable. During this period, the boroughs have withheld the

maximum level of deduction possible within the contract and Veolia put significant levels of extra resources into the service to improve performance.

We are currently in discussions with Veolia on all the matters described above to agree a final position for year one and this year to date. Until we have resolved this the deductions information is commercially sensitive and will not be published or released under Freedom of Information regulations.

From Councillor Daniel Holden to the Cabinet Member for Environment, and Street Cleanliness:

Can the Cabinet Member confirm that if the Veolia contract is altered that it will not cost Merton residents more money, that there will be no reduction in the amount of hours that Veolia work, and will he commit to regularly updating the council about the discussions?

Reply

There are currently no plans to alter the contract with Veolia or reduce the amount of hours worked. Any changes in the term of the contract would be considered a key decision and as such any future changes would need to be presented to Cabinet for their consideration and final approval.

From Councillor Hayley Ormrod to the Cabinet Member for Environment, and Street Cleanliness:

Can the Cabinet Member confirm whether the council intends to fine Cappagh following the explosion and subsequent environmental pollution at the Waterside Ways site, what are the results of the council investigations to date, will this affect any application for a Permit B and has an application been submitted?

Reply

I am aware of the dust incident reported by local residents at Waterside Way and I can confirm that our Pollution Team visited the site very quickly after the report.

- During officers inspections they found activities on site that may be subject to the Council's Environmental Permitting Regulations, and as such the site have been required to submit an application.
- We are still unsure of the cause of the dust problem as there are a number of views as to what happened, and indeed we are still unsure if this is linked to the potentially licensable activities found on the site.
- The case remains open and any licence application will be open for public consultation.
- It is important to note that the licence application is for potentially licensable activities on site, and not those requested as part of the recent planning application.

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- Officers are aware of the public interest in the site and will be alerting interested parties when and if, the licence application is processed.
- Pollution officers will respond immediately to any further problems of this kind, and fortunately to date there has been no recurrence reported.

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