

# Merton Council

## Council

**15 September 2021**

### **Supplementary Agenda 4 - Amendments**

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Council 15 September 2021

Liberal Democrat Amendment to Agenda Item 10: Clarion Estate Regeneration Programme Support

To add new Recommendations:

B. Noting that while the Council was made aware of this issue in a letter from Clarion to the Chief Executive in April 2020 there has been no communication with tenants or members of the public about the Cabinet decisions and that the first time this issue was put in the public domain was at the Cabinet meeting on 6 September 2021

C. Calling on Cabinet to

- to agree to publish (subject to redaction of any personal or commercially confidential information) the Stock Transfer Agreement between Merton Priory Homes and Merton Council, and the review of the Clarion Viability Study carried out for Merton in June 2020 and any updated document.

- to consult with residents on the Eastfields, Ravensbury and High Path Estates about the proposed changes to the Stock Transfer Agreement or MERP before the amendments are formally made.

- to publish legal advice (or appropriate summaries) on the agreements between Clarion and Merton, to councillors and residents as appropriate.

Cllr Simon McGrath

Cllr Anthony Fairclough

Cllr Paul Kohler

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COUNCIL MEETING – 15 SEPTEMBER 2021

7c NOTICE OF MOTION

Labour Amendment

Speech and Language Therapy

This Council notes:

- Merton's Local Offer provides parents with a range of information on Communications with parents on how to access provision for children with additional needs, including speech and language therapy, including on Dyslexia, need to be improved and made transparent, and. However, improvements can always be made and the council regularly reviews it with local parents groups.
- Ofsted and CQC's inspection of Merton's SEND services noted that "Children under five with emerging speech, language or communication difficulties have good access to a range of activities tailored to their needs within children's centres. These sessions help to develop children's confidence and help parents to become more confident in supporting their child's development at home."
- Merton schools are well-placed to identify any speech and language needs, and provide their own support where they have the skills and refer children for additional specialist support where required.
- Despite this, some parents and schools experience The difficulties in resourceing accessing appropriate levels of services to our for children and young people, in part due to shortages within the profession, exacerbated by shortfalls in funding from central government

This Council therefore calls on Cabinet to:

- 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 ensure that Use the education planning process as an opportunity to address communication issues, whilst ensuring support for children and young people's communication and language development needs are central to these plans where relevant; and
- 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;
- Consider how Merton can effectively 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.

Cllr Jenifer Gould   Cllr Hina Bokhari   Cllr Eloise Bailey

MOTION NOW TO READ:

This Council notes:

- Merton's Local Offer provides parents with a range of information on how to access provision for children with additional needs, including speech and language therapy, including on Dyslexia. . However, improvements can always be made and the council regularly reviews it with local parents groups.
- Ofsted and CQC's inspection of Merton's SEND services noted that "Children under five with emerging speech, language or communication difficulties have good access to a range of

*activities tailored to their needs within children's centres. These sessions help to develop children's confidence and help parents to become more confident in supporting their child's development at home."*

- Merton schools are well-placed to identify any speech and language needs, and provide their own support where they have the skills (for example, Nuffield Early Language Intervention) and refer children for additional specialist support where required.
- Despite this, some parents and schools experience difficulties in accessing appropriate levels of services for children and young people, in part due to shortages within the profession, exacerbated by shortfalls in funding from central government

This Council therefore calls on Cabinet to:

- 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; and
- 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.

Dedicated Schools Grant motion

Labour Amendment to 7d Strategic Theme Motion

This council recognises that the ~~Labour administration~~Conservative Government has failed to fund local authorities across the country to manage the demands on their funding for education, while expanding their responsibilities. This has led to 90% of councils having an overspend in the Dedicated School Grant due to spending on children with special educational needs and disabilities. In Merton, this has built up over the previous four years with a current in year overspend of £12.2million.

Council notes:

1. That the administration had faced difficulties with ~~did not give due priority to~~ the management of the Dedicated Schools Grant due to the Government's approach, but has made it a priority and has already taken a number of steps towards~~and the~~ reduction of the annual overspend while maintaining services for children and young people.
2. ~~The poor~~Despite considerable efforts to respond to the Government's approach, financial management of the DSG by the Labour administration remains challenging, due to the lack of additional funding which has ~~has led to the an~~ increasing overspend of the DSG nationally, and lack of clarity about how the widespread overspends will be handled by the Government which has resulted in having to make provision for overspend, leading to council budget cuts

Therefore, council calls upon the cabinet to continue to implement its management plan and work with the Department for Education to agree a plan for managing ~~establish a cross party working group to oversee the restructuring of~~ the DSG to ensure that it is placed on a sustainable footing without affecting the outcomes of vulnerable learners.

Cllr Hayley Ormrod

Cllr James Holmes

Cllr Omar Bush

MOTION NOW TO READ

This council recognises that the Conservative Government has failed to fund local authorities across the country to manage the demands on their funding for education, while expanding their responsibilities. This has led to 90% of councils having an overspend in the Dedicated School Grant due to spending on children

with special educational needs and disabilities. In Merton, this has built up over the previous four years with a current in year overspend of £12.2million.

Council notes:

1. That the administration had faced difficulties with the management of the Dedicated Schools Grant due to the Government's approach, but has made it a priority and has already taken a number of steps towards reduction of the annual overspend while maintaining services for children and young people.

2. Despite considerable efforts to respond to the Government's approach, financial management of the DSG by the Labour administration remains challenging, due to the lack of additional funding which has led to an increasing overspend of the DSG nationally, and lack of clarity about how the widespread overspends will be handled by the Government which has resulted in having to make provision for overspend, leading to council budget cuts

Therefore, council calls upon the cabinet to continue to implement its management plan and work with the Department for Education to agree a plan for managing the DSG to ensure that it is placed on a sustainable footing without affecting the outcomes of vulnerable learners.



## 8) Labour Amendment to Liberal Democrat Motion

Proposed by

Cllr Jenifer Gould  
Cllr Simon McGrath  
Cllr Anthony Fairclough

This Council notes that:

- A 'Climate Emergency' was declared by this Council in July 2019.
- Merton Council is a member of the Local Authority Pension Fund Forum which promotes the long-term investment interests of local authority pension funds, maximising our influence as shareholders to promote environmental, social and corporate governance (ESG) amongst the companies in which we invest, and holding us to account
- The Merton Pension Fund takes into account all three ESG factors, therefore it does not have a standalone policy on fossil fuels because it is also concerned with working conditions and human rights, for example
- As of June this year our measurable carbon footprint was 30% lower than it was the year before. The Fund's weighted average carbon intensity has reduced by 60% from 219 to 87 between 2018 and 2021. this is 115 lowers than the composite Fund benchmark 202.
- Burning fossil fuels poses a serious risk to the stability of the climate upon which our well-being and economy depend, and research demonstrates that up to 80% world's proven fossil fuel reserves will have to remain unburnt if we are to have a reasonable chance of keeping global warming to less than 2 degrees Celsius.
- Four London Borough local authority pension funds have committed to full divestment, including: London Borough of Waltham Forest in September 2016; London Borough of Southwark in December 2016; London Borough of Islington in September 2018; and, London Borough of Lambeth in December 2018.

This Council believes that:

- The Council should invest its pension funds in ways that support our Climate Emergency declaration by following its commitment to increase its allocation to sustainable and low carbon assets; and
  - ~~· Since 80% of fossil fuels must remain in the ground, the reserves of the fossil fuel industry risk becoming 'stranded assets' with little or no value — representing a substantial financial risk for those that invest in them.~~
- The Council calls on Merton's Cross Party Pension Committee Committee to continue to decarbonise its assets, and aspire to be at the forefront of responsible investment practice
- ~~divest from fossil fuels and adopt responsible investment policies which~~
- - ~~· rule out new investments in fossil fuel companies; and~~
  - ~~· divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds within three years.~~

Amended motion now to read:

This Council notes that:

- A 'Climate Emergency' was declared by this Council in July 2019.
- Merton Council is a member of the Local Authority Pension Fund Forum which promotes the long-term investment interests of local authority pension funds, maximising our influence as shareholders to promote environmental, social and corporate governance (ESG) amongst the companies in which we invest, and holding us to account
- The Merton Pension Fund takes into account all three ESG factors, therefore it does not have a standalone policy on fossil fuels because it is also concerned with working conditions and human rights, for example
- **As of June this year our measurable carbon footprint was 30% lower than it was the year before. The Fund's weighted average carbon intensity has reduced by 60% from 219 to 87 between 2018 and 2021.this is 115 lowers than the composite Fund benchmark 202.**
- Burning fossil fuels poses a serious risk to the stability of the climate upon which our well-being and economy depend, and research demonstrates that up to 80% world's proven fossil fuel reserves will have to remain unburnt if we are to have a reasonable chance of keeping global warming to less than 2 degrees Celsius.
- Four London Borough local authority pension funds have committed to full divestment, including: London Borough of Waltham Forest in September 2016; London Borough of Southwark in December 2016; London Borough of Islington in September 2018; and, London Borough of Lambeth in December 2018.

This Council believes that:

- The Council should invest its pension funds in ways that support our Climate Emergency declaration by following its commitment to increase its allocation to sustainable and low carbon assets; and

The Council calls on Merton's Cross Party Pension Committee to continue to decarbonise its assets, and aspire to be at the forefront of responsible investment practice

Full council 15 September

## 9) Labour Amendment to Conservative Group motion

This council recognises the repeated failure of ~~the Labour administration and Veolia Thames Water~~ to protect the borough from flooding. The Labour administration ~~has failed in its duty~~ continues to ensure that Veolia ~~cleans~~ is held to account regarding cleaning the drains and gullies of the borough that are in their remit, which has made a significant contribution to ~~to reduce the effect of~~ recent flooding in Merton caused by Thames Water failing to unblock and desilt their drains.

Council notes that at the Sustainable Communities Scrutiny Panel on 2<sup>nd</sup> September 2021, a report was presented providing an overview of the recent flooding incidents and actions that the Council is taking, as well as other risk management authorities such as Thames Water and the Environment Agency. The Council pro-actively mitigates flood risk through a programme of high-risk gully cleansing, gully sensors, annual maintenance of drains, implementation of SuDS such as raingardens and is working with Thames Water to unblock and de-silt their drains using CCTV investigations of the infrastructure. In addition, the Council has undertaken flood risk investigations under section 19 of the flood & water management act.

- Council notes that Merton became a lead local flood authority in 2010 and therefore officers are consulted on all flood-related matters in planning;

Therefore, council calls on cabinet to:

- -Ensure that Thames Water, which has primary responsibility for the issues that have arisen in recent years, is held to account regarding their drain clearance programme
- Promote publicity to ensure that residents and businesses are able to claim compensation from Thames Water in future, recognising that the process for reporting flooding and claiming damages has been improved following representations from council officers and cabinet
- Ensure that Veolia is held to the terms of the contract and ensures that all drains and gullies in their remit continue to be ~~are~~ cleared ~~immediately~~;
- ~~• Provide regular updates to council to ensure that drains and gullies are kept clear;~~
- Ascertain the resources required for an increase the monitoring of drains and gullies from the current once every three years schedule, and consider invoking the step-in clauses in the contract with Veolia in future ~~to~~ if this will ensure Merton has the best protection from flooding, or if in future Veolia fail to live up to their service level agreement;

- Instruct planning officers to ensure that flood prevention is a continues to be considered in planning decisions, and remains a priority for future developments;
- Instruct planning officers to investigate and report back on ~~promote~~ promoting permeable surfaces in future parking crossover applications;
- ~~Increase~~ Where applicable, increase tree planting or other mitigating measures where they are more appropriate to assist with flood prevention.

Cllr Nick McLean   Cllr Daniel Holden   Cllr David Dean

Motion therefore now to read:

This council recognises the repeated failure of Thames Water to protect the borough from flooding. The Labour administration continues to ensure that Veolia is held to account regarding cleaning the drains and gullies of the borough that are in their remit, to reduce the effect of recent flooding in Merton caused by Thames Water failing to unblock and desilt their drains..

Council notes that at the Sustainable Communities Scrutiny Panel on 2<sup>nd</sup> September 2021, a report was presented providing an overview of the recent flooding incidents and actions that the Council is taking, as well as other risk management authorities such as Thames Water and the Environment Agency. The Council pro-actively mitigates flood risk through a programme of high-risk gully cleansing, gully sensors, annual maintenance of drains, implementation of SuDS such as raingardens and is working with Thames Water to unblock and de-silt their drains using CCTV investigations of the infrastructure. In addition, the Council has undertaken flood risk investigations under section 19 of the flood & water management act.

- Council notes that Merton became a lead local flood authority in 2010 and therefore officers are consulted on all flood-related matters in planning;

Therefore, council calls on cabinet to:

- Ensure that Thames Water, which has primary responsibility for the issues that have arisen in recent years, is held to account regarding their drain clearance programme
- Promote publicity to ensure that residents and businesses are able to claim compensation from Thames Water in future, recognising that the process for reporting flooding and claiming damages has been improved following representations from council officers and cabinet
- Ensure that Veolia is held to the terms of the contract and ensures that all drains and gullies in their remit continue to be cleared;

- Ascertain the resources required for an increase the monitoring of drains and gullies from the current once every three years schedule, and consider invoking the step-in clauses in the contract with Veolia in future if this will ensure Merton has the best protection from flooding, or if in future Veolia fail to live up to their service level agreement;
- Instruct planning officers to ensure that flood prevention continues to be considered in planning decisions, and remains a priority for future developments;
- Instruct planning officers to investigate and report back on promoting permeable surfaces in future parking crossover applications;
- Where applicable, increase tree planting or other mitigating measures where they are more appropriate to assist with flood prevention.

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