

Merton Council

Council

12 July 2017

Supplementary agenda

5 Public questions to cabinet members

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The questions and written responses will be circulated at the meeting.

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From: Darren Stillwell

To the Cabinet Member for Regeneration Environment and Housing

Following the Conservators decision to increase the charge to the Friends of Mitcham Common for use of the Ecology Centre as a result of the idverde contract, will Merton Council provide details of other facilities where new or extra charges are to be made as part of that contract?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR COMMUNITY AND CULTURE

Merton Council is able to offer a range of meeting venues for hire for community and commercial activities in its parks across the borough and levies fees as appropriate to the nature of the hire and the hirer. The vast majority of these are let by and operated by idverde, but the setting of fees and charges remains a decision for the Council.

The relevant fees and charges for room hire were last increased, marginally, in April of this year, but this was not as a direct consequence of idverde's involvement but part and parcel of a Council fees and charges review that occurs annually in the last quarter of any financial year in anticipation of the new financial year.

From: Barbara Mansfield

To the Cabinet Member for Regeneration, Environment and Housing

Disruption and mistakes have been ongoing in Mitcham for a long time. Is the Council going to accept responsibility for the loss of trade to all the business's situated on and around the Fair Green and pay compensation to traders, as a result of the "Rediscover Mitcham" project?

Reply

The improvements we are making to Mitcham town centre have already improved the public realm and as with any change there will inevitably be some disruption to pedestrian and traffic movements.

The works have been phase in cooperation with TfL. During the planned disruptions businesses and the community have been kept informed of the programme of works. Whilst the longer term regeneration of the town centre has been taking place the Council has made every effort to ensure that the businesses have been informed on the progress and supported wherever possible.

Several of the businesses have received new shop front grants including:

- Ginos - grant for internal and external works and to assist the creation of his café.

- Star Café (now Cravings) - grant for internal and external works to rebrand and provide public toilet facilities.
- Tag Elezz - grant for internal and external works.
- Bling Boutique - Shop front grant
- Old 3 Kings Public House - Large external refurbishment
- Top Fashion - grant for external works
- Macgraths - grant for internal and external works
- Incredible smiles - external works

We have made extensive efforts to kick start a new market for the town centre. We have provided new market stalls and covers for the market square and set up a storage space to hold all the equipment securely. We have worked with local training providers to support entrepreneurs to set up market stalls on a Friday and Saturday and supported this through covering the cost of the rent for the plots.

We did provide an offer for some compensation to the market stalls to pay for the rental fees during last summer's disruption where the bus stops were moved and meant fewer people coming into the market square. The market square was directly impacted during this period but has now been settled for some time.

As a council we have also provided regular updates at Mitcham Community Forum and on www.merton.gov.uk/rediscovermitcham

From: Andrew Morgan
To the Cabinet Member for Street Cleanliness and Parking

The months old rubbish pile behind the Grade II listed White Hart pub in Mitcham is three meters high. It is a health hazard and a fire hazard. Photographs were submitted with this question. When will Merton Council use its powers to require the landowner to clear it?

Reply

Both Environmental Enforcement and Planning Enforcement have been involved in attempting to deal with this issue. The waste is all on private land and as such is the responsibility of the landowner to remove. One huge pile has already been removed to be sadly replaced by another. The underlying problem is a lack of security to the site making it easy to access. The occupying company are based in the Isle of Man and the leaseholder based in Wimbledon, which makes liaison with these parties all the more challenging. Planning Enforcement have tried to call the company on a number of occasions with no response and officers have written to both and have had no reply. An Environmental Enforcement officer for this area visited on 3rd July 2017 after being informed of the latest fly tip. She has found evidence that will assist with our enforcement and will pursue this, however to solve the on-going problem, the company need to secure the land. Officers will continue to work towards a long term solution and utilise our enforcement powers as necessary to bring this matter to a satisfactory conclusion.

From: John Davis

To the Cabinet Member for Regeneration, Environment and Housing

Planning Enforcement Cases: will Merton Council list those currently outstanding in Cricket Green Ward, and when each of these was first initiated, plus those cases that have run their course within the last three years?

Reply

The Council has limited ability to run bespoke reports from the enforcement module on the database system. At this time there is the ability to run a list of all outstanding cases but not access those that have run their course. There is the ability for new reports to be established on the system, however, this requires specialist consultant time to be booked in and procured. The Council will consider this in future but this will need to be merited and offer value for money spent.

From: Amanda Calver

To the Cabinet Member for Regeneration Environment and Housing

In the interests of transparency, will the council publish how members of the Planning Application Committee vote on each application?

Reply

Under the Council Rules of Procedure (Section 10 of Part 4a of the Council's Constitution) votes at meetings of the Council, including the Planning Applications Committee, are taken by a show of hands or, if there is no dissent, by the affirmation of the meeting.

Under the provisions set out in Paragraph 10.4 of Part 4a of the Constitution, a recorded vote can be taken if at least six members present at the meeting demand it. In this case, the names of members voting for and against the motion or amendment, or abstaining, will be recorded and the names entered in the minutes to show who voted for and against and who abstained.

From: Ros Davis

To the Cabinet Member for Regeneration Environment and Housing

Barring lorry/van parking in Glebe Court, has led to Cricket Green road being blighted with overnight trucks outside residences. A no-parking notice covering coaches and lorries applies from 6.30pm to 8.00am, but only two lamp-posts have signs. Can every lamp-post display signs, and can enforcement follow?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR STREET CLEANLINESS AND PARKING

Cricket Green is a much loved conservation area and we seek to minimise street clutter by avoiding repetitious road signs. As mentioned there are existing "no

parking” notices we feel that adding signs to every lamppost would be detrimental to the street scene. We appreciate there is a balance to be struck between clutter and enforcement and will raise this with our Parking Enforcement team and look to ensure that enforcement is carried out .

From: Tony Burton

To the Cabinet Member for Regeneration Environment and Housing

To ask Merton Council whether and/or when it will publish the green space maintenance specification in its contract with idverde as promised by the Director of Environment and Regeneration in November 2016?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR COMMUNITY AND CULTURE

The Council has already provided a late draft final version of the specification to Friends of Parks and other interested parties and we remain committed to providing the relevant details of the final specification insofar as it is able within commercial and information security constraints and is aiming to do so imminently, subject to review and advice from the Council’s legal advisors.

From: Nichola Thompson

To the Cabinet Member for Regeneration Environment and Housing

Back in December, you asked residents to submit ideas for spending of the CIL. We could do with some major environmental improvements in our area at the north end of Haydons Road. How has the council decided to spend these funds, and will we see any local benefits?

Reply

Thank you for making comments on the council’s consultation. The council has drawn together everybody’s comments and will report these back to Cabinet in September 2017 with a view to allocating funds to specific projects across the borough and ensuring resources are devolved in an equitable way between all parts of the borough.

From: Ingrid Dickenson

To the Cabinet Member for Regeneration Environment and Housing

Why did planning officers omit air pollution readings from their report recommending planning approval for a Cement Batching Plant on Waterside Way, close to a primary school, playground, public allotments, nature park and WandleTrail riverwalk, and why are air quality readings not taken into account for all local developments?

Reply

The planning application is still to be determined and an updated report will be reported to Planning Applications Committee when it comes for determination. The report on air quality will be produced after taking advice from the Councils Environmental Health Officers. We will take air quality readings when relevant to the application but rest assured we do take this issue extremely seriously.

From: Melanie Nunzet

To the Cabinet Member for Regeneration Environment and Housing

Has Merton Council used the service of the Mitcham Common Manager in each of the last three years, and what payment has been paid to Mitcham Common Conservators for services rendered?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR COMMUNITY AND CULTURE

The Mitcham Common Manager is directly employed by Merton Council and is an integral part of the Greenspaces management team, albeit mainly deployed at Mitcham Common.

The Council has co-funded the operations at Mitcham Common in the form of a grant for many years. In the current financial year this grant is £24k. In 2015/16 and 2016/17 the grant was £48k. There have been no other contributions or payments to the Mitcham Common Conservators during this time.

From: Paul Carter

To the Cabinet Member for Regeneration Environment and Housing

How are travel plans enforced and which planning permissions have included travel plan conditions in each of the last 2 years and how many times, and where, has enforcement been taken against breach of a travel plan in that time?

Reply

Travel plans are often required by condition attached to the original planning permission. If the plan is not implemented in accordance with the agreed submitted criteria, then planning enforcement officers can instigate enforcement action, which may include the service of a breach of condition notice. Sometimes the plans are covered by legal agreements which can be similarly enforced through the courts if necessary. Ultimately, it is for the Council to determine whether enforcement action is expedient in each case. There have been no enforcement cases to date.

From: Sandra Vogel

To the Cabinet Member for Regeneration Environment and Housing

What criteria does Merton Council use when determining whether to notify those who have made representations on planning applications of changes to the development proposed made after the period of public representations and before determination?

Reply

In the first instance, the Council will only notify the public of changes to application proposals if those changes increase or significantly change any relative impacts. Immediate neighbours are notified, including those who have expressed a view but may not have been initially notified. If communication is received after the period of public representation, that communication will still be considered providing a decision has not been made. The statutory requirement is to either notify neighbours or erect site notices. Merton facilitates both. In any event, all application details are provided on the website (not a statutory requirement) so any changes can be viewed.

From: Paul Rasmussen

To the Cabinet Member for Regeneration Environment and Housing

What are the chances of replacing the ugly and out of place electricity pylons with crafted, visually appealing structures like tennis players? Or even footballers if the stadium ever starts. See article - <http://www.bbc.co.uk/news/world-13473408>

Reply

The Wandle Valley electricity pylons have been a feature of the area for many years (for good and bad reasons) linked to the large electricity transformer station at Plough Lane. The pylons and the whole electricity distribution system is the responsibility of National Grid. We are not aware of any investment plans from National Grid that would provide any opportunity to improve (or indeed remove) the pylons.

The most recent example has been the London Olympic Park where 52 pylons were removed by creating two 6km long tunnels costing £250m.

The Council has in the past explored the possibility of removing the Wandle Valley pylons, but at a cost of c£5-11m per pylon, it is completely cost-prohibitive for the Council to consider given current financial restraints but if alternative sources of funding can be found that does not involve council funding, I would certainly be supportive both here and in other locations.

<http://www.telegraph.co.uk/news/earth/energy/11864783/Power-lines-to-be-taken-down-at-cost-of-11-million-per-pylon.html>

<http://www.building.co.uk/pylon-removal-starts-as-tunnels-finished-at-olympic-park/3127621.article>

From Anthony Fairclough

To the Cabinet Member for Finance

Does Merton have a major incident plan in place, and when was the last time this was tested by a drill?

Reply

Merton does have a major incident plan in line with the requirements of the Civil Contingencies Act 2004. The plan is tested and validated through a variety of exercises both internally and externally with London Councils and blue light services. The Major emergency plan does not activate all areas of the council in one go as it responds to the scale and nature of the incident. For example our Major incident plan has been activated as part of the response to the Grenfell Tower fire and officers from a number of departments via the emergency planning team are continuing to support the affected Boroughs as part of the mutual aid arrangements activated under the major incident plan.

The plan is routinely tested to ensure departmental plans and arrangements align to the major incident response and the dates of these and what was tested are as follows:

Spring 2015/16	Service plan	Legal services annual exercise
Summer 2015	Dept plan	Full departmental table top
5/11/15	Sub Regional Resilience Forum (SRRF)	Marauding terrorist attack – FM/Social care/E&R
29/1/2/3 Feb/Mar	Multi Agency Exercise Unified Response (EUR)	Building collapse/underground – BECC/RC Mgr./E&R
12/05/16	AELTC	Emergency planning team
09/06/16	CS&F	L2/L3 table top
30/06/16	SRRF	CBRN – E&R, BRF
30/10/16	London Resilience Forum	Move to Critical – Public Protection
11/10/16	Ex Connects	Whole council BECC activation and response test
23/11/16	Chemical Biological Radiation Nuclear	All departments & BRF
08/11/17	SRRF	Flooding – E&R / LALO
09/02/17	Safer City	Whole council response/ London GOLD Activation

11-12/04/17	Team	IT Critical incident response test
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The council has also activated the plan in response to 3 other incidents across the borough in 2016/ 17 where the deployment of specially trained Local Authority Liaison Officer (LALO) occurred and Borough Emergency Control Centre staff were activated.

From: Luke Taylor
To the Cabinet Member for Street Cleanliness and Parking

How many fewer parking permits have been issued for diesel vehicles since the introduction of the diesel surcharge, compared to the same period in the previous 5 years?

Reply

We do not have data for the previous five years as the council’s system did not record whether a vehicle was petrol or diesel. From April 2017 this data is currently being recorded when parking permits are renewed.

From: Andrew Biden
To the Cabinet Member for Regeneration Environment and Housing

What actions are the Council taking in relation to the regeneration of the parade of shops between Haydons Road station and the junction at Plough Lane (including an update on the Co-Op retail unit and next door unit, which has had unsightly scaffolding erected outside it for nearly a year)?

Reply

Haydons Road parade does not currently feature in our current programme of shopping parade improvements. Recent parade improvement projects in Mitcham Fair Green, Morden Court Parade, Leopold Road and Colliers Wood High Street have been delivered by leveraging in external finance from various funding bids, including the Mayor of London’s Regeneration Fund and developer contributions.

Unfortunately, we don’t have the funds or officer capacity to undertake all the parade projects that people would like us to. We will certainly keep Haydons Road in mind if any future funding opportunities arise.

The Co-Op development is still under construction and whilst scaffolding may be considered unsightly, it is essential whilst the works are completing.

From: Vincent Bolt
To the Cabinet Member for Regeneration Environment and Housing

What discussions has the council had with housing associations relating to fire safety in their properties in Merton and will the council be providing any additional funding to support fire safety initiatives in social housing in Merton as a result?

Reply

The council has contacted all housing associations in the borough regarding fire safety. All responses to date indicate that their fire safety measures are up to date. The council is not aware of any major works arising from any additional fire safety checks made and there have been no requests to the council to provide any additional funding.

From: Hugo Forshaw
To the Cabinet Member for Regeneration Environment and Housing

How many properties in the borough have a medium or high fire risk assessment rating, or have been deemed unsafe for habitation?

Reply

The Council works closely with other agencies to make the borough safer and we have discussed this question with the Local Fire Commander who provided the following advice:

“Landlords, such as housing associations, have a legal duty under the Regulatory Reform (Fire Safety) Order 2005 (RRO) to carry out a detailed fire risk assessment to identify any risks and hazards in their buildings and then to act on the findings to put them right.

It is important to understand that responsibility for making buildings safe sits with the owners or managers of that building. It is the responsibility of the Fire Brigade to enforce fire safety legislation not to issue safety certificates or keep records for all of the properties requiring a fire risk assessment.

The London Fire Brigade’s fire safety officers are currently visiting tower blocks across London identified with cladding which have failed government fire safety tests. Once on site they are carrying out in-depth inspections to ensure all the correct firefighting facilities and fire precautions within those blocks are in place and advising on any immediate actions that need to be taken.

The LFB can confirm that there are currently no properties in the borough of Merton that have been deemed unsafe for habitation as a result of these recent inspections.”

The Council is working closely with Clarion and with all other landlords of clad building and buildings over 30 meters in height to ensure they assess the increased risks exposed by the recent tragedy and respond to the issues raised.

From: John Braithwaite
To the Cabinet Member for Regeneration Environment and Housing

With the proposed rerouting of traffic, as part off the Morden regeneration scheme, do these proposals include the widening of Aberconway Road, and if so by how much?

Reply

The transport proposal for Morden town centre regeneration are still being evaluated and a final scheme design has yet to emerge, it is therefore difficult to determine the extent or scope on any potential works on Aberconway Road at this stage.

Stakeholders will be kept informed as appropriate of the results of the highways modelling and proposals associated with the chosen scheme when the appropriate details are available.

From: Andrew Boyce
To the Cabinet Member for Regeneration Environment and Housing

What steps, including funding, has the Council taken in the last two years to promote local history and heritage in South Wimbledon?

Reply

TO BE ANSWERED BY THE CABINET MEMBER FOR COMMUNITY AND CULTURE

Cabinet signed off a new Heritage Strategy for Merton in October 2015. The Heritage Strategy sets out a range of objectives linked to promoting and conserving our rich heritage and was devised in partnership with a number of local historical and community organisations. Austerity cutbacks dictate that Merton has minimal funding to devote to the strategy, but it manages tremendous achievement with the help of its partners, as the recent Heritage Discovery Day at Morden Library demonstrated.

Heritage works in South Wimbledon include the following projects:

- The works to improve the Chapter House and Merton Priory as a visitor attraction centre are shortly to begin and will be finished in 2018, led by the Priory Trust. This is part of a wider £2.4 million Heritage Lottery Fund project to improve access and conservation to the Wandle Valley.
- Working with the council Communities First delivered a walking and oral history project that focussed on Abbey Mills and its industrial heritage.
- Repair works have been undertaken to the Merton Priory Wall by its owner the National Trust, and we are working with the Trust to enhance the area around it.

- Early stage work is in place to commemorate Nelson's 'Paradise Merton', where Doel Close is currently situated, as part of Clarion's redevelopment of the High Path estate.
- We continue to liaise with local organisations to develop new projects in the South Wimbledon area. There is, after all, so much more that is being delivered and that is to be delivered. I look forward to Mr Boyce's future involvement as a volunteer.

From: Natalie Gordon
To the Cabinet Member for Street Cleanliness and Parking

Watermeads Residents' Association would like clarification on who is responsible for emptying the dog bins at the entry to Rawnsley Avenue, on the green behind the estate, and on the path behind 50 Octavia Close. We have tried on numerous occasions to identify this. They are causing residents' much concern.

Reply

I will contact Clarion and officers and get back to you with clarification on this matter.

From: Debbie Wambergue
To the Cabinet Member for Regeneration Environment and Housing

Clarion may have to demolish some buildings as a result of potential fire risk following the Grenfell tower disaster. Are Clarion planning to demolish any buildings in Merton and what assurances has the council received that remaining buildings meet high safety standards?

Reply

Clarion Housing have no plans to demolish buildings in Merton as a result of any potential fire risk. Clarion have provided assurances that all tall buildings have up to date fire risk assessments and that those buildings have been re-inspected since the Grenfell Tower fire. Clarion report that they have worked closely with the London Fire Brigade to ensure that their response to this disaster is compliant with the London Fire Brigade requirements.

From: Raylis Rasmussen
To the Cabinet Member for Regeneration Environment and Housing

What is the council doing about smartening up the parade of shops on Haydons Road North where the new Co-op is due and P&P Glass is located? I suggest investing to improve the parade of shops with things like the railings, flowers, cleaning, pavements as outside Wimbledon Park tube station.

Reply

Haydons Road parade does not currently feature in our current programme of shopping parade improvements. Recent parade improvement projects in Mitcham

Fair Green, Morden Court Parade, Leopold Road and Colliers Wood High Street have been delivered by leveraging in external finance from various funding bids, including the Mayor of London's Regeneration Fund and developer contributions.

Unfortunately, we don't have the funds or officer capacity to undertake all the parade projects that people would like us to. We will certainly keep Haydons Road in mind if any future funding opportunities arise.

The Co-Op development is still under construction and whilst scaffolding may be considered unsightly, it is essential whilst the works are completing.

From: Paul Kohler
To the Cabinet Member for Street Cleanliness and Parking

Please confirm the specific measures the funds raised by the diesel surcharge have been, or have been earmarked for being, spent on.

Reply

By law, any revenue generated from parking must be spent on transport related schemes. These include but are not limited to, traffic management and control schemes, road and infrastructure schemes and Concessionary Fares (ie the Freedom Pass).

From: Simon McGrath
To the Cabinet Member for Regeneration Environment and Housing

Please list all of the planning applications which have been approved since 1 January 2016 for application with more than ten units, and for every one the total number of units and the number which meet the definition of affordable housing.

Reply

The Council does not have a report that can list such cases and nor is the database system currently designed to record those specific criteria. All applications including decisions and reports are displayed on the Councils website and are available for public viewing and scrutiny. The Councils policy on affordable housing, Policy CS8, specifies that the site characteristics including size, site suitability and economics of provision such as financial viability issues can be considered. As the Council independently viability tests all affordable housing cases which do not meet the 40% target, all applications therefore comply with the policy.

From: Hina Bokhari
To the Cabinet Member for Education

Which 5 Merton schools have the highest proportion of SEN pupils relative to the size of the school, and what support does the local authority provide to those schools?

Reply

I have assumed that the question relates to mainstream rather than special schools or Pupil Referral Units.

The five mainstream schools with the highest % of SEN pupils i.e. relative to the size of the school are Malmesbury Primary School, Harris Academy Morden, Benedict Primary School, St Mark's Primary School and All Saints Primary School. This information include pupils with a statement of special educational needs or Education Health and Care Plan and those identified by the school as needing additional support but not a statutory assessment of their needs.

The LA provides a range of support including:

- support for Special Needs co-ordinators (SENCOs) in schools;
- advice from Educational Psychologists for school staff, parents and children;
- an early intervention service for those with identified needs who have not yet completed the statutory assessment process; and

support services targeted at particular needs i.e. services for children with social, emotional and mental health needs, those with autistic spectrum disorders, sensory support services for children and young people with visual or hearing impairment, speech and language therapy services and services supporting children's health needs

From: John Tippett-Cooper

To the Cabinet Member for Regeneration Environment and Housing

There is a planning application for the redevelopment of Haslemere Industrial Estate. Given that the redevelopment falls far short of the affordable housing target (19%), please can the Council explain why a policy compliant 40% affordable scheme was not possible and if necessary publish the independent viability assessment report?

Reply

The Scheme was tested for viability by an independent consultant commissioned by the Council and this report concluded 19% was the maximum affordable contribution whilst the scheme still remained viable. The Viability reports contain commercially sensitive information and are not routinely published, although are made available to Councillors (as decision makers) on request. The Council is also looking at publishing such reports in the future with the agreement from developers.

From: Emma Maddison

To the Cabinet Member for Street Cleanliness and Parking

What is the impact of council staff parking on the streets surrounding council workplaces (such as the Civic Centre) and how is the council currently and in the future going to support its staff to travel to work by alternative means, and reduce the impact on local residents?

Reply

No record is held or required to be held on the impact of staff parking on the public highway surrounding workplaces.

The Council will shortly be refreshing the staff travel plan and repeating its objective to promote sustainable travel to, from and during work. The Council has been successful in promoting greater use of cycling to work and also at work through the purchase of pool bicycles for staff to use to go about their work. In addition, we have successfully deployed a fully electric pool car for the past 2 years.

As we consolidate staffing at Merton Civic Centre the staff travel will be looking to reduce reliance on the motor car and considering how we can promote greater car sharing as well as active transport (cycling and walking).

From: Carl Quilliam
To the Cabinet Member for Education

How many primary and secondary pupils in Merton were in classes of 30 or more in each of the last five years, including the most recent figures available?

Reply

The School Admissions (Infant Class Sizes) (England) Regulations 2012 prescribe certain limited circumstances in which pupils may be admitted as exceptions to the infant class size limit. It is therefore unusual for classes in Reception and years one and two to exceed 30 and in the last five years this has been limited to 2 classes each year and 3 in 2015/16.

There is no legal restrictions on class size above Key stage 1.