

COUNCIL
12 JULY 2017

(7.15 pm - 9.40 pm)

PRESENT The Mayor, Councillor Marsie Skeete
 The Deputy Mayor, Councillor Judy Saunders

Councillors Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Hamish Badenoch, John Bowcott, Mike Brunt, Michael Bull, Adam Bush, Tobin Byers, Charlie Chirico, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Fidelis Gadzama, Ross Garrod, Suzanne Grocott, Jeff Hanna, Joan Henry, Daniel Holden, James Holmes, Janice Howard, Mary-Jane Jeanes, Abigail Jones, Andrew Judge, Sally Kenny, Linda Kirby, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Edith Macauley MBE, Russell Makin, Peter McCabe, Oonagh Moulton, Ian Munn BSc, MRTPI(Rtd), Katy Neep, Jerome Neil, Dennis Pearce, John Sargeant, David Simpson CBE, Peter Southgate, Geraldine Stanford, Linda Taylor OBE, Gregory Patrick Udeh, Jill West, Martin Whelton and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Philip Jones and David Dean. Apologies for lateness were received from Councillor Hamish Badenoch.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations of pecuniary interest were made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the Annual Council meeting held on 17 May 2017 are agreed as an accurate record.

4 ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 4)

Councillor Tobin Byers, Cabinet Member for Adult Social Care and Health paid tribute to the work of Simon Williams, former Director of Community and Housing, following his retirement at the beginning of July and thanked him for his work in Merton over the past 11 years.

Councillor Oonagh Moulton, Leader of the Conservative Group; and Councillor Peter Southgate, Leader of the Merton Park Ward Independent Residents Group also spoke on the subject of his retirement, thanking him for his hard work and dedication.

The Mayor presented two awards. The first was to Wimbledon Red Watch, in recognition of their rapid response to the Grenfell Tower fire and their continuing efforts to keep Merton residents safe. The second award was presented to the Council's Business Systems team which had recently won two Gold Achievement Awards at the GeoPlace Exemplar Awards for management of its Address and Street Information databases.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated during the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'public questions to Cabinet Members' published document.

6 COUNCILLORS' ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the written member ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member ordinary priority questions to Cabinet Members' published document.

7a STRATEGIC THEME: COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 7a)

The responses to the written member strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member strategic theme priority questions to Cabinet Members' published document.

It was also noted that a copy of the member non priority questions and responses will be published after the meeting, in line with Constitutional requirements.

7b STRATEGIC THEME: MAIN REPORT (Agenda Item 7b)

The Strategic Theme report on Safer and Stronger Communities with a focus on Equalities and Hate Crime was moved by Councillor Edith Macauley and seconded by Councillor Stephen Alambritis.

Councillor Michael Bull also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

7c STRATEGIC THEME: MOTIONS (Agenda Item 7c)

The motion was moved by Councillor David Simpson and seconded by Councillor Charlie Chirico.

The Labour amendment as set out in agenda item 18 was moved by Councillor Brenda Fraser and seconded by Councillor Jerome Neil.

Councillor John Sargeant spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 37, votes against: 19, abstentions: 0.

The substantive motion (as amended) was agreed.

RESOLVED: That this Council welcomes the first Residents' Survey to have been conducted in Merton for 3 years (due to our previous survey company discontinuing this service) and notes the record results Merton has achieved including:

- Record number of residents who think Merton Council is efficient and well run (76%).
- Record satisfaction rates among residents who agree the council is doing a good job.
- Record satisfaction rates among residents who agree the council responds quickly when asked for help.
- Record satisfaction rates among residents who agree the council involves residents when making decisions.
- 92% of Merton residents are satisfied with the local area as a place to live, which is significantly better than the national figure (80%).
- Nearly two thirds of residents agree the council provides value for money (65%), well above the national figure (47%).
- 75% agree the council acts on the concerns of local residents and 81% were in agreement that the council kept them informed about services and benefits, both well ahead of national results.

Council congratulates all our officers, Councillors and partners on these results but most importantly thanks our many residents, including school governors, street champions and community volunteers, who contribute to making Merton such a great place to live.

Council also notes the following results in relation to anti-social behaviour (ASB) from the recently published 2017 Residents' Survey:

- Most residents (96%) feel safe during the day and after dark (85%), and these results are higher than those found nationally.
- Almost all residents (93%) agreed that their local area is a place where people from different ethnic backgrounds get on well together.

- Residents in both Wimbledon and Colliers Wood town centres are more likely than the borough average to be concerned about people being drunk or rowdy in public places, although by definition a borough average figure will include areas that are above and below this benchmark. Residents in Wimbledon are most likely to feel safe and satisfied overall with where they live and all areas are more safe and satisfied than the national figures.
- Groups hanging around the streets are cited as a big problem by 27% of residents in Wimbledon town centre and by 28% of residents in Ravensbury, Cricket Green and St Helier wards, although over 72% do not cite this as a problem.
- There is an above the borough average level of concern in Ravensbury, Cricket Green and St Helier wards about vandalism, graffiti and other deliberate damage to property/vehicles (with 17% of residents citing this as a big problem and 83% not citing it as a problem) and also about noisy neighbours or loud parties (with 22% of residents reporting this as a problem and 78% not), although by definition a borough average figure will include areas that are above and below this benchmark.
- People using or dealing drugs is described as a major concern by significant numbers of residents both in Colliers Wood town centre (18%) and in Ravensbury, Cricket Green and St Helier wards (18%), although this is not reflected in reported drugs related crime or ASB in the borough which is low.
- 63% of all residents do not see rubbish or litter lying around as a big problem in their local area, although 37% do cite it as a problem with this increasing to almost half of all respondents (49%) in Wimbledon town centre and two thirds (66%) in Ravensbury, Cricket Green and St Helier wards. The administration is therefore determined to address this by introducing a new wheeled bin service to reduce the problem of litter strewn on our streets due to foxes attacking black sacks.
- 84% of young people said they were satisfied about how Merton Council runs things, with just 4% dissatisfied. The three issues young people in Merton are most concerned about are gangs (29%), crime (24%) and litter/dirt in the streets (23%).

Merton remains the third safest borough in London but we must not be complacent and it is clear that anti-social behaviour and low level crime of the kind described above is of considerable concern to some residents in Merton, and particularly those living in and around our town centres. This may be borne out by the increased number of reports received each year by Merton's Anti-Social Behaviour team, which has increased by 43% since 2013-14 (from 547 to 781 cases in 2016-17), although neighbour disputes and dog fouling are the most significant areas of increase, and 300 of these referrals were not actually ASB cases and were referred on (we have a policy of recording all reports even where they prove not to have been ASB).

This Council recognises that it has a responsibility, working in close partnership with the local police, to continue to use the significantly reduced resources at its disposal due to central government cuts to continue our close partnership work through the Safer Merton partnership to combat the various issues of concern highlighted by the Residents' Survey, particularly in and around the town centres.

This Council welcomes the purchase of three mobile CCTV cameras for deployment to areas where ASB and/or low level crime is occurring - as set out in the report to the Overview and Scrutiny Commission on 6 July 2017 - and given the significantly reduced resources at our disposal due to government cuts would welcome

government funding to enable Merton to further expand its enforcement activities in order to maximise the possibility of taking action against those who commit these acts of anti-social behaviour.

This Council therefore calls on the Cabinet to look at identifying any further government funding for increasing the use and number of mobile cameras deployed in ASB hotspots around the borough as a cost effective way of supporting the local community and providing much needed reassurance to those affected, bearing in mind the many competing demands on resources in a time of government austerity cuts.

8 REPORT OF THE RAYNES PARK COMMUNITY FORUM (Agenda Item 8)

Councillor Michael Bull presented the report which was received by the Council.

9 REPORT FROM THE WIMBLEDON COMMUNITY FORUM (Agenda Item 9)

Councillor Michael Bull presented the report which was received by the Council.

10 NOTICES OF MOTION - CONSERVATIVE MOTION 1 (Agenda Item 10)

The motion was moved by Councillor Daniel Holden and seconded by Councillor Abdul Latif.

The Labour amendment as set out in agenda item 19 was moved by Councillor Ross Garrod and seconded by Councillor Martin Whelton.

Councillor Mary-Jane Jeanes spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 37, votes against: 19, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 37, votes against: 0, abstentions: 19.

RESOLVED: That this Council welcomes the public meeting held recently by local campaign group, Clean Air Merton, to discuss how best to tackle the serious problem of air pollution in the borough which is part of a London-wide and indeed global problem as acknowledged by a key note Speaker at the meeting, Andrea Lee, Healthy Air Campaigner for ClientEarth, who said: “Without national action, there is not much hope for local action to succeed.” Council also welcomes the work the council’s Air Quality Steering Group has undertaken to draft Merton’s updated Air Quality Action Plan 2017-2022 which will shortly be out to public consultation. Council notes with concern that:

1) Over 12,000 people in Merton are estimated to be exposed to unacceptable levels of pollution, and nationally more than 38 million people, or 59.3% of the UK population, are living in areas where levels of nitrogen dioxide pollution are above legal limits;

- 2) Various locations in Colliers Wood (Western Road and Colliers Wood High Street), Mitcham (London Road and Church Road), Morden (Crown Lane and London Road) and Wimbledon (The Ridgway, Merton Road and Haydons Road) exceed the legal nitrogen dioxide legal annual limit of 40 ug/m³, as do various locations in every single London borough. Council welcomes the Mayor of London Sadiq Khan's plans to establish an ultra low emissions zone;
- 3) 13 out of the 390 nurseries, schools, further education colleges and after schools clubs across the borough are situated in areas where the levels of nitrogen oxide from traffic exceeds the annual legal limit, which at 3% is a lower percentage than our neighbouring boroughs of Kingston, Wandsworth, Richmond and Croydon but slightly above Sutton at 2%, and reflects a nationwide problem with more than 2,000 schools around England and Wales located near roads with illegal and dangerous levels of emissions from diesel cars. This council welcomes the Mayor of London Sadiq Khan's decision to fund new 'air quality audits' for the 50 most affected primary schools in London that will identify new hard-hitting measures to protect pupils from poor air quality; and
- 4) Plans submitted to Merton Council for construction of a concrete batching plant at Waterside Way have led to a large number of objections citing the potential adverse impact on the air quality in neighbouring residential streets and at the nearby primary school and children's playground. An air quality assessment has been submitted as part of the application and it will be considered by the Planning Applications Committee in the usual manner, with impact on surrounding traffic and air quality planning concerns that will be taken into account.

Emissions from road traffic, specifically diesel emissions, have been identified as a major source of pollution in the borough and nationally and this Council recognises that Merton has sought in recent years to address levels of air pollution by encouraging local motorists to switch to less polluting vehicles. This has been through various measures, including the installation of a network of electric vehicle charging points; a reduction in the cost of parking permits for electric cars; provision of more on-street cycle parking facilities; and a year's free membership to an electric car club for Merton residents. However the most innovative and far reaching policy decision the council has taken has been to implement a new diesel surcharge that recognises the disproportionate impact of diesel vehicles on air quality. Council is pleased that the Mayor of London is considering whether similar moves could be made on a pan-London level.

However, this Council understands that, whilst local authorities are already responsible for improving air quality in their area, under the government's proposed new air quality plan they will now be expected "to develop new and creative solutions to reduce emissions as quickly as possible, while avoiding undue impact on the motorist". This council believes that although local authorities like Merton can have an impact locally, air pollution is a national problem that requires national solutions and council is concerned that the government has had to be instructed by the courts to produce plans and on two occasions their draft plans have been deemed so inadequate as to be illegal. This council believes that air quality needs to be addressed by a comprehensive national strategy underpinned by the core principle that "the polluter pays" and that the government could "avoid undue impact on the motorist" by introducing a diesel scrappage scheme.

Given the above, this Council welcomes the work being undertaken in this area both by the borough's Air Quality Task Group, which was established through Scrutiny last year, and by council officers working on the refresh of the Air Quality Action Plan. It is clear there is still more that can and must be done to improve air quality across Merton, particularly by looking at the following:

- Tackling congestion hotspots in the borough and focusing on the worst offending areas for air pollution, which is already a key part of Merton's Draft Air Quality Action Plan;
- Introducing anti-idling measures as has been done in neighbouring Wandsworth, which is already in the Draft Air Quality Action Plan;
- Continue the use of air quality monitoring equipment which has been doubled in the borough, including at Plough Lane, where monitoring has been reintroduced, and invest in our automated monitoring equipment which has now become outdated;
- Initiatives to incentivise cycling and walking as alternative means of transport and to promote car sharing, which is already in the Draft Air Quality Action Plan;
- The parking permit charge for electric vehicles, which has already been reduced, as part of a comprehensive emissions based parking scheme;
- Ensuring that our procurement policies include clean transport criteria now that contracted services have significantly reduced Merton's own transport fleet and supporting the Mayor of London's plans for cleaner buses and an end to the expensive diesel-emitting Routemaster buses favoured by his Conservative predecessor; and
- Increased co-operation across the South West London sub-region on air quality;
- Include air quality as a priority in the Council's Local Plan and review the planning process to ensure that we deliver the best outcomes for the borough in terms of development and air quality.

This Council therefore resolves to redouble its efforts to tackle air pollution and the danger it poses to the health of Merton's residents, and it calls on the Cabinet to:

- a) Call on government to publish a national air quality strategy based on the principle that the polluter pays;
- b) Call on government to introduce a new Clean Air Act;
- c) Continue to look at new and bold ways that the borough can address this issue, in conjunction with the Mayor of London and national government, for incorporation into the 2017-22 Air Quality Action Plan due to go out for public consultation this year; and
- d) Ensure as planned that this consultation is widely promoted and publicised by the Council and that ideas and suggestions to improve air quality are encouraged from individuals, residents' associations, local campaign groups, community organisations and business representatives right across Merton for consideration prior to final adoption of the new Action Plan.

11 NOTICES OF MOTION - CONSERVATIVE MOTION 2 (Agenda Item 11)

The motion was moved by Councillor Daniel Holden and seconded by Councillor Gilli Lewis-Lavender.

The Labour amendment as set out in agenda item 20 was moved by Councillor Tobin Byers and seconded by Councillor Peter McCabe.

The Labour amendment was put to a vote and was agreed unanimously.

RESOLVED: That this Council recognises that, whilst it is Merton Clinical Commissioning Group (CCG) that commissions support for people with neurological conditions, including Motor Neurone Disease (MND), many decisions about services used by residents with MND, such as social care, housing adaptations and support for carers, are made here at local authority level.

Given these overlapping responsibilities of both health and local authorities, this Council therefore resolves to ask Merton's Health and Wellbeing Board (HWB) to consider adopting the Motor Neurone Disease (MND) Charter, which sets out the care and support that people living with MND and their carers deserve and should expect, including the right to an early diagnosis which is primarily a health matter, along with other commitments including the right to access quality care and treatments which covers both health and social care, and the right to be treated as individuals and with dignity and respect which should be common to all services.

If the HWB recommends the adoption of the MND Charter, this Council agrees to promote the Charter within the borough and to make it available to all councillors, council staff, partner organisations and health and social care professionals who deliver services for the council. This will serve to raise awareness of MND and demonstrate what good care looks like for those living with this devastating disease. It will also assist the council, working closely with Merton CCG, positively to influence the quality of life for local people with MND and their carers living in our community.

12 LOCALLY LISTED BUILDINGS - NEW ITEMS FOR THE LOCAL LIST (Agenda Item 12)

The report was moved by Councillor Martin Whelton and seconded by Councillor Ian Munn.

Councillors John Bowcott and Andrew Judge both spoke on the item.

RESOLVED: That Council agrees the additions to the Local List set out in paragraphs 2.2 to 2.11 of the report.

13 OVERVIEW AND SCRUTINY ANNUAL REPORT 2016-17 (Agenda Item 13)

The report was moved by Councillor Peter Southgate and seconded by Councillor Peter McCabe.

Councillor Oonagh Moulton spoke on the item.

RESOLVED: That Council receives the Overview and Scrutiny Annual Report.

14 FREEDOM OF THE BOROUGH (Agenda Item 14)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Dennis Pearce.

Councillor David Williams spoke on the item.

RESOLVED: That

1. Council agrees to award the Freedom of the Borough to the late Reverend Andrew Wakefield in recognition of the substantial contribution he made to the borough;
2. Council agrees to hold a special Council meeting for the purposes of passing the necessary resolutions.
3. Council agrees to congratulate 210 Squadron on their 50th anniversary and, at a future meeting, present it with a certificate.

15 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 15)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Martin Whelton.

RESOLVED: That

1. The Council notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
2. The Council appoints Councillor Philip Jones as Chair of the Pensions Fund Advisory Committee.
3. The Council notes that no changes are proposed to the allocation of seats to political groups at this time.

16 PETITIONS (Agenda Item 16)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Martin Whelton.

RESOLVED: That Council

1. Notes the update on the petitions received at the last meeting,

2. Accepts receipt of a petition presented by Councillor Gilli Lewis-Lavender in respect of the introduction of parking charges at Sir Joseph Hood Memorial Park.

17 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 17)

Councillor Oonagh Moulton announced that the Strategic Theme for the next ordinary meeting of the Council, being held on 13 September 2017, shall be Sustainable Communities.