



CORPORATE SERVICES DEPARTMENT
Caroline Holland - Director

To all Members of the Council

**Democratic Services
London Borough of Merton
Merton Civic Centre
Morden, Surrey SM4 5DX**

Tel: 020 8545 3356
Email: democratic.services@merton.gov.uk

Date: 13 December 2017

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 11 December 2017 are attached.

The call-in deadline is Monday 18 December 2017 at noon

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

Democracy Services

Decisions of the Cabinet held on Monday 11 December 2017
Call-in deadline – Monday 18 December 2018 at noon

		<p>will be no more than seven years.</p> <p>4. That for Lots 1, 2 & 3, the use of existing providers be approved for such a period of time as may be required to allow for the continued provision of Home Care Services ensuring:</p> <ul style="list-style-type: none"> a) a smooth transition from existing providers to new providers and b) customer choice.
7	Harris Academy Wimbledon - Contract award decision for Merton Hall construction works	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the benefits and risks identified in the Cabinet report with regard to implementing the construction contract to enable the works to Merton Hall and therefore the delivery of a permanent site for the new Harris Academy Wimbledon school be noted. This includes the application for the statutory listing of Merton Hall by the Secretary of State for Digital, Culture, Media and Sport, following an assessment by Historic England, the nomination to list Merton Hall as an Asset of Community Value (ACV), and an application to the Planning Court for a judicial review of the decision to grant planning permission. 2. That the Council enter into a construction contract with the organisation set out in the exempt appendix to the Cabinet report for works to Merton Hall agreed in the draft contract with the Elim Church, to a contract value as set out in the exempt appendix to the Cabinet report, but only subject to the following conditions: <ul style="list-style-type: none"> (i) That the Council has entered into a conditional contract with the Elim Trust Corporation as trustee for Elim FourSquare Gospel Alliance (Elim Church) that will bind Elim Church to transfer the freehold of their land at High Path to the Council upon completion of the specified construction works and for the Council to transfer the freehold of Merton Hall to Elim

Decisions of the Cabinet held on Monday 11 December 2017
Call-in deadline – Monday 18 December 2018 at noon

		<p>Church.</p> <p>(ii) The Secretary of State for Digital, Culture, Media and Sport (DCMS) determines to decline the application made to add Merton Hall to the list of buildings of special architectural or historic interest maintained by the DCMS (The National Heritage List for England), whether or not any subsequent request is made for the DCMS to review that decision.</p>
8	Recommendation to award a contract for a replacement PABX and associated telephony services for the Council	RESOLVED that the award of a contract to Company D for the provision of a replacement PABX and associated telephony services for a period of 5 years, with an option to extend for a further 2 years, thus giving an overall contract value of £2,077,456, be approved.
9	Consultation on planning guidance for a transparent approach to development viability	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That greater transparency in assessing planning applications in Merton be supported and a 6 week consultation on a draft <i>Development Viability</i> supplementary planning document on and the planning application validation checklist be approved; and 2. That delegated authority be granted to the Director of Environment and Regeneration to approve these documents in consultation with the Cabinet Member for Environment, Housing and Regeneration and in consideration of the Borough Plan Advisory Committee's recommendations at their meeting in early January 2018.
10	Business Plan 2018-22	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the draft savings/income proposals (Appendix 3) and associated draft equalities analyses (Appendix 7) put forward by officers be agreed and referred to the Overview and Scrutiny panels and Commission in January 2018 for

Decisions of the Cabinet held on Monday 11 December 2017
Call-in deadline – Monday 18 December 2018 at noon

		<p>consideration and comment.</p> <ol style="list-style-type: none"> 2. That the latest amendments to the draft Capital Programme 2018-2022 which was considered by Cabinet on 16 October 2017 and by scrutiny in November 2017.(Appendix 5) be agreed. 3. That the proposed amendments to savings previously agreed. (Appendix 2) be agreed. 4. That the Council Tax Base for 2018/19 set out in paragraph 2.6 and Appendix 1 be agreed. 5. That the draft service plans (Appendix 6) be agreed. 6. That the Council participates in the London Business Rates Pilot Pool and signs up to the Memorandum of Understanding and the draft resolutions set out in Appendix 9g be agreed. 								
11	Financial Monitoring Report 2017-18 - October 2017	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the financial reporting data relating to revenue budgetary control, showing a forecast net overspend at year end of £1.4million, 0.3% of the gross budget be noted. 2. That the adjustments to the Capital Programme contained in Appendix 5b be noted. <p>That Cabinet approve the following adjustments to the Capital Programme</p> <table border="1" data-bbox="734 1262 1868 1305"> <thead> <tr> <th data-bbox="734 1262 976 1305">Scheme</th> <th data-bbox="976 1262 1227 1305">2017/18 Budget</th> <th data-bbox="1227 1262 1458 1305">2018/19 Budget</th> <th data-bbox="1458 1262 1868 1305">Funding/re-profiling</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Scheme	2017/18 Budget	2018/19 Budget	Funding/re-profiling				
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Decisions of the Cabinet held on Monday 11 December 2017
Call-in deadline – Monday 18 December 2018 at noon

		Community & Housing	£	£	
		Libraries IT	(100,000)	100,000	Re-profiled in accordance with tender process
		Environment & Regeneration			
		Morden TFL	(200,000)	0	It is envisaged that this allocation will form part of later years funding still to be approved by Tfl
		Total	(300,000)	100,000	
		Please note: Colliers Wood Financial Lease was presented to Council for approval on 22/11/17 so will only require to be noted by Cabinet.			
14	Home Care - Award of Contracts for the Provision of Home Care Services - Exempt Appendix	Cabinet noted that the content of the exempt appendix would not be discussed and therefore the meeting could remain in public session. The decision is set out under item 6.			
15	Harris Academy Wimbledon - Contract award decision for Merton Hall construction works - Exempt Appendix	Cabinet noted that the content of the exempt appendix would not be discussed and therefore the meeting could remain in public session. The decision is set out under item 7.			
16	Recommendation to award a contract for a replacement PABX and associated telephony services for the Council - Exempt appendix	Cabinet noted that the content of the exempt appendix would not be discussed and therefore the meeting could remain in public session. The decision is set out under item 8.			

Merton Council - call-in request form

1. Decision to be called in: (required)

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);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(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.	
(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:

5. Documents requested

6. Witnesses requested

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

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