



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**

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Date: 21 February 2018

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 19 February 2018 are attached.

The call-in deadline is Monday 26 February 2018 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 19 February 2018
Call-in deadline – Monday 26 February 2018 at noon

4	Scrutiny Review of the Homeshare Scheme.	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the report and recommendations arising from the scrutiny review of Homeshare schemes be noted. 2. That the implementation of the recommendations through an action plan being drawn up by officers working with relevant local partner organisations and Cabinet Members be agreed. 3. That the action plan be formally approved by Cabinet before being submitted to the Healthier Communities and Older People Overview and Scrutiny Panel.
5	Air Quality Task Group	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the report and recommendations arising from the scrutiny review of Air Quality in Merton be noted. 2. That the implementation of the recommendations through an action plan being drawn up by officers working with relevant local partner organisations and Cabinet Members be agreed. 3. That the action plan be formally approved by Cabinet before being submitted to the Sustainable Communities Overview and Scrutiny Panel.
6	Reference from the Overview and Scrutiny Commission - second round of budget scrutiny	<p>RESOLVED that, in taking decisions relating to the Business Plan 2018-22, the comments and recommendations made by the Overview and Scrutiny Commission and the outcomes of consideration by the Overview and Scrutiny Panels be taken into account.</p>
7	Business Plan 2018-22	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the response to the Overview and Scrutiny Commission be agreed.

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		<ol style="list-style-type: none"> 2. That, having considered all of the information in this report and noted the positive assurance statement given by the Director of Corporate Services based on the proposed Council Tax strategy, the maximum Council Tax in 2018/19, equating to a Band D Council Tax of £1,169.36, which is an increase of 3% for Adult Social Care flexibility, inclusive of the 1% Adult Social Care precept, be approved and recommended to Council for approval. 3. That all the latest information and the comments from the scrutiny process be noted and recommended to Council as appropriate. 4. That the Business Plan 2018-22 including the General Fund Budget and Council Tax Strategy for 2018/19, and the Medium Term Financial Strategy (MTFS) for 2018-2022 as submitted, along with the Equality Assessments (EAs), be approved and recommended to Council. 5. That, having considered all of the latest information and the comments from the scrutiny process, the Capital Investment Programme (as detailed in Annex 1 to the Capital Strategy); the Treasury Management Strategy (Section5), including the detailed recommendations in that Section, incorporating the Prudential Indicators and the Capital Strategy (Section 4) as submitted and reported upon be approved and recommended to Council for approval. 6. That it be noted that the GLA precept will not be agreed by the London Assembly until 22 February 2018, but the provisional figure has been incorporated into the draft MTFS. 7. That officers be requested to review the savings proposals agreed and where possible bring them forward to the earliest possible implementation date. 8. That it be noted that there may be minor amendments to figures in this report as a result of new information received after the deadline for dispatch and that this will be amended for the report to Council later in February. 9. That the Risk Management Strategy be approved.
8	Savings proposals consultation	RESOLVED that the savings proposals consultation pack be noted.

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	pack	
9	Financial Monitoring Report 2017-18 - December 2017	RESOLVED that the financial reporting data relating to revenue budgetary control, showing a forecast net overspend at year end of £0.6million, 0.4% of the gross budget, be noted.
10	Local Discretionary Business Rate Relief Scheme	RESOLVED that the new Local Discretionary Business Rate Relief Policy for 2018/19 be agreed.
11	Leisure Management Agreement	<p>RESOLVED:</p> <p>A. That the improved financial benefits that have been negotiated and will be available to the council once the new Morden Leisure Centre is open to the public be noted.</p> <p>B. That the preferred option and the priority order of alternative choice options detailed below, for an extension of the leisure management contract between the Council and Greenwich Leisure Limited (GLL) be agreed:</p> <p style="text-align: center;"><u>Preferred Option - 1st Choice</u></p> <p>1. An additional 5 years of operation (by means of a variation to the terms and conditions of the existing contract), whilst retaining the option to further extend by up to 2 years as currently existing within the contract (Option D), subject to there being no substantial challenges to so doing from the published OJEU contract notice (i.e. contract expiry 30th November 2030 but the 2-year extension is retained as a possible further extension to 30th November 2032).</p> <p style="text-align: center;"><u>Alternative Choice Options in Priority Order should the Preferred – 1st Choice Option not be possible.</u></p> <p>2. <u>2nd Choice Option</u> An additional 5 years of operation, by accepting now the ability to extend the contract by two years and to increase the term, (by means of a variation to the</p>

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		<p>terms and conditions of the existing contract), by a further 3 years with no right to further extend (i.e. contract expiry 30th November 2030) (Option C), subject to there being no substantial challenges to so doing from the published OJEU contract notice (i.e. contract expiry 30th November 2030)</p> <p>3. <u>3rd Choice Option</u></p> <p>Take up the 2 years extension currently available within the existing contract (Option B), should there being no substantial challenges from the published OJEU contract notice (i.e. contract expiry 30th November 2027).</p> <p>C. That authority be delegated to the Director of Environment & Regeneration, in consultation with the Lead Member, to finalise the detail of contract extension changes</p> <p>D. That authority be delegated to the Director of Environment & Regeneration and the Director of Corporate Services, in consultation with the Lead Member for Community and Culture, to enact the addition of café and associated facilities with Madeira Hall at Canons Leisure Centre to the operational management of GLL.</p> <p>E. That the change of the contract structure from a management agreement to a lease agreement not be approved at this time.</p>
13	Leisure Management Agreement - Exempt Appendices	Cabinet noted that the content of the exempt appendices would not be discussed and therefore the meeting could remain in public session. The decision is set out under item 11.

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