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SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL

20 MARCH 2018

(7.16 pm - 9.40 pm)

PRESENT: Councillors Abigail Jones (in the Chair), Daniel Holden, Stan Anderson, Kelly Braund, Michael Bull, David Chung, Russell Makin and John Sargeant

ALSO PRESENT: Councillors Ross Garrod (Cabinet Member for Street Cleanliness and Parking), Martin Whelton (Cabinet Member for Regeneration, Environment and Housing), Hannah Doody (Director of Community and Housing), Jason Andrews (Environmental Health Pollution Manager), John Hill (Assistant Director for Public Protection), Graeme Kane (Assistant Director of Public Space, Contracting and Commissioning), Chris Lee (Director of Environment and Regeneration), Paul McGarry (FutureMerton Manager), James McGinlay (Assistant Director for Sustainable Communities), Paul Walshe (Parking Services Manager) and Annette Wiles (Scrutiny Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Cllr Draper, Cabinet Member for Community and Culture.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the previous meeting were accepted as a true and accurate record.

4 PERFORMANCE MONITORING (Agenda Item 4)

Hannah Doody, Director for Community and Housing, provided an introduction to the performance indicators for her department:

- CRP 062/SP 035 No of homelessness preventions: highlighted that new legislation comes into effect on 1 April 2018 as a result of the Homelessness Reduction Act. Work is currently underway to predict the resulting demand on the service and put in place a new IT system to manage this. Noted that the service will approach the new requirements by establishing a plan for those at risk of homelessness which has to be put in place within 56 days;
- SP 280 No of active volunteers in libraries: highlighted the high number of library volunteers (above target) supporting the service and how these had recently been thanked at an awards/recognition event; and

- SP 287 Maintain Library Income: again highlighted that this PI is above target. Noted the drive to look at using library community spaces to have an impact on health and wellbeing.

In response to member questions, the Director clarified:

- It was clarified subsequent to the meeting, (for the purpose of the minutes), that the School Library Service is a paid for service. Demand is declining but as the charge made hasn't increased for three years this is thought to be a product of a reduced requirement for physical stock and school budgets being reduced;
- There has been an increase in the number of young people using Merton's libraries. This is particularly where they don't have appropriate space at home and are using the library later in the afternoon for exam preparation. Usage of library services by children and young people continues to increase through successful membership schemes for primary and secondary schools and proactive engagement through cultural activities such as *My Library*;
- Bed and Breakfast accommodation is not an ideal space for temporary provision. Merton works with a range of other temporary accommodation providers;
- Merton has a long history of homelessness prevention which has now been made a statutory duty. This will be approached by working in partnership across the sector, with other providers, to give support to those at risk of homelessness. Often homelessness results from a change in circumstances for example because of the end of a shorthold tenancy, because a landlord wants to sell a property or due to a drop in income. The Council will work with those at risk of homelessness to develop specific/tailored plans to meet their needs. This will include working with those at risk of homelessness for longer than the 56 days required as this is beneficial to all those involved; and
- Rough sleeper numbers are being carefully monitored. There is a precise definition of those who are rough sleepers which means data can only be captured late at night or early in the morning. Numbers of rough sleepers in the borough can often seem higher because of transient numbers during the day many of whom will return to an inner London Borough overnight. The last count conducted in November 2017 identified five rough sleepers in Merton but this exercise will shortly be repeated. Noted the support provided to rough sleepers in the borough during the recent spell of adverse weather. Also the advice provided throughout the year on how to access benefits and other forms of advice.

Chris Lee, Director for Environment and Regeneration, provided an introduction to the performance indicators for his department:

- SP 127 % Parking permits issued within 5 working days: historically this has been a high performing indicator. However, at the start of this municipal year performance was impacted by a high volume of applications for the newly implemented diesel levy. As a result, it has been impossible for the position to be completely caught-up. Arrangements to meet the same level of demand at the start of the next municipal year have been made and tested;
- CRP 045/SP 118 Income from development and building control and SP 414 Volume of planning applications: income from development and building control is under target and this position is unlikely to be recouped before the end of the municipal year. This is directly correlated with the fall in volume of planning

applications (approximately 500 below target). The target for planning applications was met last year. It was noted that the volume of planning applications can be cyclical and that there has been an increase in planning fees which may be having an effect; and

- SP 040% Market share retained by LA: noted that there has been an increase in the share of building control retained by the authority. It has been suggested that this is a post Grenfell Tower effect with a shift back to building control provided by local authorities. If this continues to grow at the same rate next year (20%), this will provide additional income of around £160K which would fund three additional building control officers. It was noted that income received from building control has to be reinvested in the service.

In response to member questions, the Director clarified (with additional comments from officers as noted):

- The noted increase in fitness centre participation by 14 to 25 year olds and the number of leisure centre users may be down to seasonal factors (the New Year fitness drive). However, there is no other detail to explain this increase;
- Sickness in the parking service was explained as being affected by seasonal factors as workers are out in all weathers and subject to colds etc. Assaults on staff are also a factor as is chronic long term illness. However, this performance indicator is skewed more than previously so as a result, action plans are being produced;
- John Hill, Assistant Director for Public Protection, added that it is important to give managers confidence to address staff sickness issues. Training is therefore being provided and sickness levels are coming down month on month;
- It is thought likely that the council will exceed its annual target for the number of new homes; and
- John Hill explained that the percentage of PATAS cases lost actually represents a fraction of the total number of fixed penalty notices issued and there is no one discernible common issue explaining why these cases have been lost.

5 PERFORMANCE MONITORING: WASTE, RECYCLING AND STREET CLEANING (Agenda Item 5)

Graeme Kane, Assistant Director for Public Space, Contracting and Commissioning, introduced the item. This is the final in the monthly reports provided to the Panel at the request of members. Highlighted that the rate of missed bins remains higher than desired. Also that the recent snow event had presented a challenge to the service. Gritting and bin collections had been prioritised with resources reallocated from street cleaning, (it is too dangerous to provide this element of the service during the snow in addition to not wanting to remove grit that has been spread). Veolia performed well during the adverse weather conditions which provided reassurance; it worked closely with and under the direction of the Council's Highways Maintenance Team and proved to be reliable, professional and on time.

The trend in the recycling rate remains largely unchanged. It is unlikely that this will improve until the new service provision comes into place in autumn 2018. However, greater use of the garden waste service with the start of growing season may see

some increase. Noted that the volume of fly tips is not a reflection of Veolia's performance; it is judged on the speed at which fly tips are removed. The enforcement team continues to investigate and fine where it can identify those that are fly tipping.

To address litter issues caused by the continuation of the bag service (until the new service provision in the autumn) in addition to crews dropping litter, Veolia is providing six additional litter pickers who will attend to streets following collections. This approach started this month and the impact will start to be seen. This will then allow street cleaners to do detailed cleaning work.

Green sweeper rubbish sacks should be removed from streets within 24 hours. Expressed gratitude to residents who highlight where these remain on street for longer and noted that these reports are then addressed by the Neighbourhood Client Team. Analysis of fly tipping reports show that only seven out of the 708 reports made in February mention green sweeper rubbish sacks. Therefore, this is perceived to be a bigger issue than is the case.

Council officers continue to work closely with Veolia. Neighbourhood Client Officers are undertaking joint inspections with their Veolia counterparts and identifying solutions to issues. Meetings are also taking place with the Veolia Contract Manager and the UK General Manager. Noted that the service is starting to see improvements.

In response to member questions, the Assistant Director clarified:

- December 2017 is the anomaly in the missed bin figures where this dropped for the last two weeks on the month with the focus on Christmas and the New Year;
- Consent forms for the removal of graffiti from private property are issued by both Merton's Neighbourhood Client Team and Veolia with the organisations working closely to ensure these are completed. A charge is made for the removal of graffiti from private property. The Assistant Director noted the need to provide further briefings to the Council's customer contact centre to ensure it is aware of these arrangements;
- Fly tipping is happening in all sizes right across the borough. Likely that residents currently have no way to contain items and that this will be improved by the rollout of wheeled bins this autumn. The speed at which tips are being addressed is being challenged by the volume of reports. The percentage of fly tips removed within 24 hours in January 2018 was 51%*, (this figure has been supplied for the minutes as it was missing from the report);
- It isn't thought likely that fly tipping will lessen as a result of the integration of requests for bulky item removal to the online service. The average wait for a bulky item collection depends on where a resident lives as collection slots are arranged according to the resident's standard waste/recycling collection day and popularity of the service differs from one area to the next. Currently the average wait is less than a week for Monday, Tuesday, Wednesday and Friday collections and three weeks for a Thursday collection, where collections are very popular;
- Noted the issue of street sweeping in Hillside for further exploration; and

- Online reports to the service are being monitored with work ongoing with Veolia to ensure those that have been open for too long are addressed and closed. Noted the issue of the online system not accepting more than one report per location.

* Note: Veolia is currently providing two additional fly-tip collection vehicles which do not have on-board computers to record the time at which a fly-tip is collected. Therefore, the statistics are not able to reflect whether these fly-tip reports have been collected within 24 hours and will be under reporting the number of collections made within 24 hours.

Several members praised the work of the Neighbourhood Client Team which the Assistant Director committed to pass on. Praise for the work of the street sweeper for Garth Road and Lynmouth Avenue was also noted.

Cllr Jones, in her capacity as Chair of the Panel, highlighted that it would need to determine how it will continue to monitor Veolia's performance in the new municipal year. Also, she thanked the Assistant Director for his work given this was his last meeting before leaving Merton for a new role.

6 UPDATE REPORT: PLANNING ENFORCEMENT (Agenda Item 6)

James McGinlay, the Assistant Director for Sustainable Communities, introduced the item. He highlighted that suspected breaches of planning can be reported anonymously. Each report is then prioritised to determine the response period that applies. Broadly, reports fall into one of two categories: where there is a suspect breach of a given planning consent or where there has been no application for planning permission.

Currently, the number of backlog cases is exceeding the target (by approximately 50 cases). A significant number of these will require no further action because they are not breaches and in instances of actual breaches, an assessment will be taken of community impact before deciding what further action is taken. In cases where there is no further action, there needs to be transparency with the original complainant on the reasons. Noted that there is a good quantity of reported breaches that are actually neighbour disputes or relate to other council services (such as environmental health or parking). Any internal changes to a building are not a planning enforcement issue but a matter for building regulations.

There has been an increase in the backlog of cases signifying a decline in performance during 2017. This has been caused by two factors; 1) a reduction in the size of the planning enforcement team and 2) difficulties in recruiting to vacant planning enforcement positions. As a result, there has been exploration of alternative ways to resource the team and this month work will start with Capita to stabilise the backlog.

It is also planned to use technology to increase productivity. This will include a mobile solution to allow officers to work on site more easily and still progress cases. Additionally, it is planned to develop an online reporting facility which will allow for

better screening of submissions. This will filter out those cases where they are not a breach and prevent further build up of cases.

A collaboration with other councils (Sutton and Kingston) has been and continues to be explored. However, it is hard to see how this will provide benefit given each borough has its own policies and difficulties recruiting into the planning enforcement team.

In response to member questions, the Assistant Director clarified:

- Recognised the need to make the system more transparent. This will include communicating updates/outcomes to appropriate Councillors to avoid their enquiries causing additional work to the enforcement team. There will be a process review including how to provide feedback to members for example when a case is closed;
- Additionally, the new online reporting system will allow filtering to stop cases being reported where there hasn't been a breach. However, the procurement process is only just starting with delivery 12 months away;
- Difficulties in recruiting officers to the planning enforcement team aren't just as a result of the salary level. There is a requirement that all planning enforcement officers have to be qualified planners and planning enforcement isn't such an attractive career option as the others open to those these qualifications. Campaigns are happening nationally and pan-London to highlight planning enforcement as a worthwhile career;
- Further work is currently underway to understand the full breakdown of planning enforcement cases to inform the development of a new protocol/policy, to ensure that the team has the right staffing and that this is reflected in the new e-forms which will be developed; and
- Collaboration with other boroughs could be beneficial but not where they are all under the same pressures (ie: a lack of staffing). Peaks in demand across a number of services have been analysed and this has shown that the services tend to be busy at the same times. It is these issues rather than any lack of financial incentive that is limiting the ability to achieve a collaboration.

RESOLVED: That the Panel be routinely supplied with trend data on the number of planning enforcement cases that are six months old or more.

7 PERFORMANCE MONITORING: ANPR UPDATE REPORT (Agenda Item 7)

Paul Walshe, Head of Parking and CCTV Services, introduced the item. He noted that the Automatic Number Plate Recognition system (ANPR) had been introduced in 2016 but had been subject to technical difficulties. These are now resolved and the system is working well. ANPR is being used to catch motoring contraventions and to modify driving behaviour. Where ANPR is successful in stopping motoring contraventions, cameras are moved to new locations. Highlighted that it is also the aim of ANPR to have a positive impact on air quality.

In response to member questions, the Head of Service clarified:

- Feedback from drivers about road layouts that they believe has contributed to their motoring contravention is passed onto the Highways Maintenance team and it has led to some changes being made;
- Boxed junctions all have adequate signage as per the legal requirements. It remains the case that if a driver can't see a way to exit the boxed junction, then they should not enter. This is the case at all times of day;
- There has been a 200% increase in the number of moving motoring contraventions caught as a result of ANPR. The rate of appeals lodged since the introduction of ANPR has halved. This is because for each contravention captured an evidence package is provided which can be shared with the driver making it much more difficult to appeal;
- A trial of ANPR cameras for use outside schools to enforce parking requirements is about to go ahead. This will be used to determine whether or not Merton will purchase these types of cameras for ongoing use; and
- Decisions about whether or not to relocate a camera will be determined on the number of contraventions caught. Where these go down to single figures in a month moving the camera will be considered. However, it will need to be established that the drop in contraventions is down to ANPR having changed behaviours and not for another reason (such as the camera being faulty).

John Hill, Assistant Director for Public Protection, highlighted that Merton's use of ANPR is ground breaking – the borough is the first in London to use the technology in this way. He also thanked Adrian Rutkowski for his work. Adrian is on secondment to the ANPR team as a technical adviser.

8 CABINET RESPONSE AND ACTION PLAN: AIR QUALITY TASK GROUP (Agenda Item 8)

Jason Andrews, Environmental Health Manager, introduced the item. The Air Quality Action Plan (AQAP) has been written to reflect the look and feel and of the Merton coordinated Love Clean Air Website, it also attempts to engage residents and highlight how individuals can participate in air quality improvement in Merton. The input of the Air Quality Task Group to the Action Plan was highlighted with thanks given to the Panel for its contribution which resulted in a much more coordinated Air Quality Action Plan.

In response to member questions, it was clarified:

- (Cllr Garrod, Cabinet Member for Street Cleanliness and Parking) As stated in the AQAP, any review of the diesel parking surcharge will be shared with the Panel. It will be for any new administration to make decisions about the scope of the review and whether consideration will be given to Borough wide or localised Clean Air Zones (CAZs);
- (Chris Lee, Director Environment and Regeneration) The diesel surcharge will be reviewed after two years and will be subject to pre-decision scrutiny by the Panel before progressing to Cabinet. Highlighted that a key aspiration of the diesel surcharge is to promote a change in resident behaviour away from the most polluting vehicles;

- (Jason Andrews) As the Environmental Health Manager for two out of the three boroughs in the Regulatory Partnership, has great awareness of what is happening in other authorities. Merton is seen as leading the way. For example, other boroughs are still at the stage of considering a diesel surcharge, a key recommendation from the GLA for local authorities to tackle air pollution; and
- (Jason Andrews) A range of measures will be used to assess the success of the AQAP. Highlighted the difficulty of using ambient readings of air quality given this is affected by factors from outside the borough. Therefore, will use direct emission measurement from the 'tail-pipe' to show the overall reduction of pollution in the borough over the coming years, though ambient monitoring will still take place. This monitoring has increased from 20 to 50 locations in the borough over the past year.

RESOLVED: the Panel resolved to receive an update six monthly on the task group recommendations. One of these updates should be timed to coincide with and provide an update on the AQAP after a year as part of the formal reporting of the borough's actions to tackle air quality to its governing body.

Cllr Jones, in her capacity as Chair of the Panel, took the opportunity to thank John Hill, the Assistant Director for Public Protection, for this contribution to the Panel as he departs from the Council.

9 UPDATE REPORT: TOWN CENTRE REGENERATION (Agenda Item 9)

Paul McGarry, Head of futureMerton, provided members with an update presentation on town centre regeneration. In response to member questions, the Head of Service provided the following clarification:

- It hasn't been feasible to put a facility in place in Wimbledon's car parks to count and digitally display the number of vacant spaces on road signs. This is because the car parks have a range of different owners and a variety of operational formats (Pay and Display, Barrier Entry etc). However, all Wimbledon's car parks now have new standardised signage that displays the total number of parking spaces available in each car park. The signage also lists all car parks with consistent naming;
- Sites have been suggested as a possible first phase of the Morden redevelopment. This features a number of existing car parking sites and therefore it will be important to complete a review of parking in Morden before progressing further;
- Additional local shopping parades have been identified for refurbishment. There is now a blueprint for this approach set out in Merton's Shopfront Design Guidance which can be utilised once external funding is secured for the work;
- Confirmed that the Council is successfully working with the local business community to deliver the town centre regeneration strategy. For example, Centre Court and Love Wimbledon made a contribution to the costs of the new car parking signage in Wimbledon;
- Confirmed that the road surface in Mitcham town centre had been restored to its previous condition following gas works; and

- Noted that it is still the intention to look at public toilet provision in Mitcham town centre (using Section 106 monies). Also, that there are already several venues in the area that are part of the community toilet scheme and publicised on the Council's website.

RESOLVED: The Panel resolved to thank officers for the presentation and all that has been achieved in delivering work to date on the town centre regeneration. The success of these schemes, particularly Mitcham and Colliers Wood, over the last four years has been highlighted through the presentation which looked at both before and after pictures of the regeneration works.

10 PLANNING THE PANEL'S 2018-19 WORK PROGRAMME (Agenda Item 10)

Members highlighted three issues for consideration for the work programme for the next municipal year:

- Pre-decision scrutiny of the renewal of the Highway Maintenance contract,
- An update on and performance monitoring of the Diesel Levy;
- A focus on roads and pot holes.