

COUNCIL
12 SEPTEMBER 2018
(7.17 pm - 9.38 pm)

PRESENT The Mayor: Councillor Mary Curtin
 The Deputy Mayor: Councillor Geraldine Stanford

Councillors Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Edward Foley, Brenda Fraser, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Janice Howard, Natasha Irons, Mark Kenny, Sally Kenny, Linda Kirby, Paul Kohler, Rebecca Lanning, Najeeb Latif, Edith Macauley MBE, Russell Makin, Peter McCabe, Simon McGrath, Nick McLean, Oonagh Moulton, Aidan Mundy, Hayley Ormrod, Dennis Pearce, Owen Pritchard, David Simpson CBE, Marsie Skeete, Peter Southgate, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Barlow, Butler and Quilliam.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meetings held on 4 July 2018 and 12 July 2018 are agreed as an accurate record.

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

The Mayor provided a brief update on her Mayoral engagements since the last meeting, including thanking all those involved in the Summer Cabaret which had raised £1,100 for the Mayor's Charities. The Mayor also thanked Councillor Macauley who had raised £1,200 for the Mayor's Charities through her annual sponsored swim; and Paul Myers from the Future Merton team who had raised over £1000 in the Prudential Ride London. The Mayor also highlighted some forthcoming fundraising events, including a Murder Mystery evening; an afternoon tea for over 65s; a pantomime and a Christmas Carol service.

There were no announcements from the Leader or the Chief Executive.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a further question to the Cabinet Member. There were no supplementary questions asked.

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 remaining Member 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 Sustainable Communities was moved by Councillor Whelton and formally seconded by Councillor Alambritis.

Councillors Omar Bush and Fairclough also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

7c STRATEGIC THEME: CONSERVATIVE MOTION (Agenda Item 7c)

The motion was moved by Councillor Holden and seconded by Councillor Dean.

The Liberal Democrat amendment as set out in agenda item 16 was moved by Councillor Fairclough and formally seconded by Councillor Bailey.

The Liberal Democrat amendment was put to a vote and fell – votes in favour: 5, votes against: 32, abstentions: 19.

The Labour amendment as set out in agenda item 17 was moved by Councillor Brunt and seconded by Councillor Dehaney.

The Labour amendment was put to a vote and was carried – votes in favour: 35, votes against: 21, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 35, votes against: 16, abstentions: 5.

RESOLVED:

This council notes the changes in the performance of Veolia to undertake the waste management duties that it is contracted to do, and which Merton taxpayers pay for.

As of 1st September, 1,277 people have signed the Conservative led public petition which has not yet been received by the Council, calling upon Merton Council to return weekly bin collections; and allow residents to retain their own waste bins, without having to adapt to the new system along with everyone else in the borough.

Council notes that the changes arise as a result of the need to make significant savings across council services due to more than 40% cut in funding from the Conservative government to local authorities which has necessitated making stringent efficiency savings, and the fact that significantly reduced funding levels often impact on the service levels required.

Council further notes that the introduction of a new wheeled bin service will save the council upwards of £1.6m a year, and that these savings have already been incorporated into the council's budgets for future years, Council acknowledges nevertheless that:

- Since the beginning of June the number of missed bin collections has increased by a third;
- Veolia has not hit its target for removing detritus from Merton's streets since April;
- Veolia has failed to meet its target for clearing litter from the streets since early May, during June and July over 25% of sites were considered to be below standard.

The Council resolves to continue to monitor Veolia's performance against the service level agreement, whilst also noting the savings afforded by this contract which can be used to help deliver otherwise underfunded services which protect the most vulnerable in our society.

7d STRATEGIC THEME: LIBERAL DEMOCRAT MOTION (Agenda Item 7d)

The motion was moved by Councillor Bokhari and seconded by Councillor Kohler.

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

The Labour amendment was put to a vote and was carried – votes in favour: 51, votes against: 5, abstentions: 0.

The substantive motion (as amended) was then agreed.

RESOLVED:

“This council notes, in the absence of any discussion on step free access to public transport in the Sustainable Communities Report, that:

1. The failure to provide complete step-free access to rail transport across the borough severely impacts the mobility of many residents of, and visitors to, the borough.
2. Despite the issue being raised periodically at full Council meetings., it recognises that the decision to fund and provide step-free access is with the Department of Transport, Network Rail and Transport for London.
3. The matter cannot be left until the various issues that continue to arise in respect of Cross Rail 2 are resolved, although it is welcomed that the Mayor of London has committed Crossrail 2 will be 100% step-free, and that the Mayor also recently announced funding to make Wimbledon Park step free.

This council resolves to ask:

1. That the Sustainable Communities Overview and Scrutiny Panel looks at undertaking a report as part of its work programme which highlights key accessibility issues at local stations, but also outlining positive actions that Merton could take to help to improve access. It also asks that it invites key witnesses From Transport for London, Network Rail and South West Trains to the panel if a report is brought; and that
2. The Cabinet encourages and assists bids to the Department of Transport's “Access for All” and the Mayor’s Transport for London programme to make more stations in Merton step-free.

8 REPORT OF THE RAYNES PARK COMMUNITY FORUM 14 JUNE 2018
(Agenda Item 8)

Councillor Bokhari presented the report which was received by the Council.

9 REPORT OF THE WIMBLEDON COMMUNITY FORUM 20 JUNE 2018
(Agenda Item 9)

Councillor Holmes presented the report which was received by the Council.

10 NOTICES OF MOTION - LIBERAL DEMOCRAT MOTION (Agenda Item 10)

At the invitation of the Mayor, the Chief Executive advised that due to there being two similar motions on the agenda, items 10 and 12 would be debated together and then voted upon separately. For ease of reference, they are listed in the minutes as they appeared in the agenda.

The Liberal Democrat motion was moved by Councillor McGrath and seconded by Councillor Kohler.

The Labour motion was moved by Councillor Allison and seconded by Councillor Lanning.

Councillors Moulton, Williams and Ward also spoke on the two motions.

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

RESOLVED:

Council notes:

1. That two years have passed since the EU Referendum and little concrete progress has been made in negotiating the terms of the United Kingdom's withdrawal from the EU; and
2. The mounting popular concern at the prospect of leaving the EU with either a bad deal or no deal at all.

Council further notes:

- a) That 63% of Merton residents voted to remain in the EU in the 2016 Referendum;
- b) That jobs are already moving from the City to other parts of the EU, and the stark warnings from companies such as Airbus, Vauxhall Motors, Jaguar Land Rover and BMW about the impact of Brexit on British manufacturing;
- c) The estimate by the Bank of England that households are already around £900 a year worse off because of lower growth due to Brexit;
- d) The participation of over 100,000 people in the "march for a People's Vote" in London on 23 June;
- e) The uncertainty caused for the 2.9 million EU citizens living in the UK and the 1.2 million UK nationals who live elsewhere in the EU;
- f) The support for a "People's Vote" – a referendum on the terms of any Brexit deal including an option to remain, by organisations such as Prospect, TSSA, the Royal College of Midwives, the Royal College of Nursing, the BMA and representatives of a million students and by Mitcham & Morden's MP, Siobhain McDonagh MP (as expressed on social media).

Council therefore:

1. Expresses its support for the work being carried out through the Scrutiny process into ways for Merton to better support citizens from the EU27 as Brexit progresses, particularly looking at what support can be given as their rights change and the related uncertainty created by that process, and encourages all councillors to engage with that review;
2. Welcomes the news that the Council's Risk Register is being updated with regards to Brexit, and calls on the Cabinet to ensure Register maintains a

- robust and up to date account of the risks of the UK leaving the EU with no deal, and to implement any recommended measures as soon as possible;
3. Supports the call for a People's Vote on any final Brexit deal with an option to remain in the EU; and therefore
 4. Requests that the Leader of the Council write Wimbledon's MP, Stephen Hammond MP, to ask him to support a People's Vote for the above reasons.

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

The motion was moved by Councillor Gretton and seconded by Councillor Andrew Howard.

The Labour amendment as set out in agenda item 19 was moved by Councillor Macauley and seconded by Councillor Alambritis.

The Labour amendment was put to a vote and was unanimously carried – votes in favour: 56, votes against: 0, abstentions: 0.

The substantive motion (as amended) was then agreed.

RESOLVED:

This Council notes that in June 2017 Merton council adopted in full the definition of anti-Semitism from the International Holocaust Remembrance Alliance, as adopted by Her Majesty's Government in 2016:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews.

Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially

but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.

- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.
- Anti-Semitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of anti-Semitic materials in some countries).
- Criminal acts are anti-Semitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.
- Anti-Semitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.”

Council calls on Cabinet to have the definition included in the Hate Crime Strategy 2017-2021.

12 NOTICES OF MOTION - LABOUR MOTION (Agenda Item 12)

The Labour motion was formally moved by Councillor Allison and formally seconded by Councillor Lanning.

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

RESOLVED:

This Council supports the People's Vote campaign for a People's Vote on the final Brexit deal.

13 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 13)

The report was formally moved by Councillor Allison and formally seconded by Councillor Alambritis and Councillor Simpson spoke on the item.

The report was put to a vote and was agreed.

RESOLVED:

1. That the Council notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
2. That the Council notes the appointment of Councillors Marsie Skeete, Mary Curtin and Geraldine Stanford as trustees of the Mayor's Charitable Trust with effect from 30 July 2018. The Trustees appointed Councillor Marsie Skeete as Chair.
3. That the Council agrees the reinstatement of Councillor Barlow on both the Healthier Communities and Older People Overview and Scrutiny Panel following the resignation of Councillor Holmes; and on the Standards and General Purposes Committee following the resignation of Councillor McLean.

14 PETITIONS (Agenda Item 14)

The report was formally moved by Councillor Allison and formally seconded by Councillor Alambritis.

RESOLVED

That Council

1. Notes the update on the petitions received at the last meeting,
2. Accepts receipt of petitions presented by Councillor Holden on Wheelie Bins; and Councillor Dean on a planning application.

15 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 15)

That the Strategic Theme for the next ordinary meeting of the Council, being held on 21 November 2018 be Children and Young People with a focus on Bridging the Gap.