

# Merton Council

## Council meeting

### Membership

**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, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, 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, Carl Quilliam, David Simpson CBE, Marsie Skeete, Peter Southgate, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams

**Date: Wednesday 6 February 2019**

**Time: 7.15 pm**

**Venue: Council chamber - Merton Civic Centre, London Road, Morden SM4 5DX**

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# Council meeting

## 6 February 2019

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**Note on declarations of interest**

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

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# Agenda Item 3

COUNCIL  
21 NOVEMBER 2018  
(7.15 pm - 10.47 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, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, 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 Foley 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 meeting held on 12 September 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 activities since the last meeting, in particular thanking those involved for organising the remembrance weekend in November and highlighting the forthcoming Mayor's Charity Christmas meal, Christmas Carol Service and New Year Service all of which still had tickets available from the Mayor's Office.

The Leader announced that he would be inviting Councillor Moulton, Leader of the Opposition to make an announcement. Councillor Moulton announced that the

nomination for Mayor-elect for the 2019/20 municipal year would be Councillor Janice Howard.

There were no announcements from 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. 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 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 Children and Young People with a focus on Bridging the Gap was moved by Councillor Braund and seconded by Councillor Irons.

Councillors Bailey and Benbow 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 Moulton and seconded by Councillor Barlow.

The Labour amendment as set out in agenda item 29 was moved by Councillor Fraser and seconded by Councillor Alambritis.

The Labour amendment was put to a vote and was carried – votes in favour: 57, votes against: 0, abstentions: 0.

The substantive motion (as amended) was then put to a vote and was carried unanimously.

RESOLVED:

Council notes that as an employer:

We are committed to:

- promoting equality of opportunity and social inclusion
- eliminating unlawful discrimination
- promoting good relations between employees and communities of all backgrounds.

And we have made a commitment as a Disability Confident employer.

To further strengthen this work, this Council supports the Social Mobility Pledge and resolves to request the Cabinet to agree to its formal adoption

Partnership

We will build on the work we do partnering with schools or colleges to provide coaching through quality careers advice, enrichment experience and / or mentoring to people from disadvantaged backgrounds or circumstances.

Access

We will further provide structured work experience and / or apprenticeships opportunities to people from disadvantaged backgrounds or circumstances.

Recruitment

We will continue to assess employee recruitment practises to ensure they promote a level playing field for people from disadvantaged backgrounds or circumstances.

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

The motion was moved by Councillor Cooper-Marbiah and seconded by Councillor Sally Kenny.

The Liberal Democrat amendment as set out in agenda item 27 was moved by Councillor Fairclough and seconded by Councillor Bokhari.

The Liberal Democrat amendment was put to a vote and fell – votes in favour: 5, votes against: 52, abstentions: 0.

The Conservative amendment as set out in agenda item 28 was moved by Councillor Gretton and seconded by Councillor Omar Bush.

The Conservative amendment was put to a vote and fell – votes in favour: 17, votes against: 40, abstentions: 0.

The original motion was then put to a vote and was carried – votes in favour: 40, votes against: 17, abstentions: 0.

RESOLVED:

Merton Council notes that as a result of the ongoing cuts by the Government, Merton schools:

- Must bear the brunt of unfunded National Insurance increases
- Will suffer inadequate High Needs Block Funding, leaving our most vulnerable pupils without the support they need

Despite this context of cuts, Council notes:

- That 91% of Merton's schools have been rated Good or Outstanding by Ofsted, and results continue to improve.

Council regards:

- The Chancellor's Budget announcement for £400 million for schools to spend on 'little extras' as insufficient compared to the £2.5 billion that has been cut since 2015. Furthermore, the £400 million is a one off payment so does not deal with the long term funding crisis in schools.

The Government's treatment of state education undermines the efforts of teachers, support staff, students and parents across the UK who work hard to maintain high standards. Therefore, Merton Council resolves:

- To join other councils in resisting the Government's ongoing cuts to school budgets and call for more funding to be invested in education
- To call on the Government to fully fund the pay increase for teachers that is independently recommended by the School Teachers' Review Body

#### 8 REPORTS OF THE RAYNES PARK COMMUNITY FORUM 18 SEPTEMBER 2018 (Agenda Item 8)

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

#### 9 REPORT OF THE WIMBLEDON COMMUNITY FORUM 27 SEPTEMBER 2018 (Agenda Item 9)

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

#### 9a WIMBLEDON COMMUNITY FORUM MOTION (Agenda Item 9a)

The motion was moved by Councillor Holmes and seconded by Councillor Draper.

The was then put to a vote and was carried unanimously.



RESOLVED:

At the most recent meeting of the Wimbledon Community Forum on 27<sup>th</sup> September, residents expressed their concern at the lack of progress in transferring Morley Park from Berkeley Homes to Merton Council. Residents ask that the Cabinet Member for Regeneration, Housing and Transport report to the next Wimbledon Community Forum on how they propose to bring negotiations with Berkeley Homes over Morley Park to a rapid conclusion and open the park consistent with the planning consent.

10 REPORT OF THE COLLIERS WOOD AND NE MITCHAM COMMUNITY FORUM 4 OCTOBER 2018 (Agenda Item 10)

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

11 REPORT OF THE MORDEN COMMUNITY FORUM 11 OCTOBER 2018 (Agenda Item 11)

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

12 REPORT OF THE MITCHAM COMMUNITY FORUM 17 OCTOBER 2018 (Agenda Item 12)

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

13 NOTICES OF MOTION - LIBERAL DEMOCRAT MOTION (Agenda Item 13)

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

The Labour amendment as set out in agenda item 30 was moved by Councillor Whelton and seconded by Councillor Alambritis.

Councillor Latif spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 52, votes against: 0, abstentions: 5.

The substantive motion (as amended) was then put to a vote and was carried unanimously.

RESOLVED:

Council Notes:

- The welcome publication of the draft Wimbledon Masterplan;
- That there have been representations made to some elements of the Masterplan as part of the council engagement with local residents;
- The plan sets out a clear vision and way forward for the town centre which will support economic growth and be a better place for residents, visitors and businesses to enjoy

- The comment from the Leader of the Council on Twitter that “We must look to other innovative Councils like @yourcroydon as we forge ahead to deliver a new Wimbledon” which recognises that business growth and regeneration are key to development of South London town centres;
- That following the current consultation, which includes scrutiny by the cross-party Borough Plan Advisory Committee, the Masterplan will be put to the Cabinet for approval;
- That none of the Cabinet represent a Wimbledon ward, however, Wimbledon centre benefits the entire borough and is the main retail and business centre for Merton; and
- That the draft Local Plan is also out for consultation, and will be approved by the full Council
- The welcome extension of the consultation to 6<sup>th</sup> January 2019, allowing more people to respond in addition to the extensive engagement already undertaken by the council

Council believes:

- That Wimbledon town centre is a major shopping, commercial and leisure location for all our communities.
- That, following approval by the Cabinet, the decision on whether to approve the Wimbledon Masterplan should be taken by the full Council, in view of its strategic importance to the whole borough

#### 14 NOTICES OF MOTION - CONSERVATIVE MOTION (Agenda Item 14)

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

Councillors Southgate and Allison spoke on the item.

Under Paragraph 8.13 of Part 4A of the Council’s Constitution, Councillor Williams made a Point of Personal Explanation in response to comments made in the debate which he felt had misunderstood the content of his earlier speech in respect of intention behind the motion.

The motion was put to a vote and fell – votes in favour: 22, votes against: 32, abstentions: 2.

#### 15 NOTICES OF MOTION - LABOUR MOTION 1 (Agenda Item 15)

The motion was moved by Councillor Mundy and seconded by Councillor Henry.

The Conservative amendment as set out in agenda item 23 was moved by Councillor McLean and seconded by Councillor Ormrod.

The Conservative amendment was put to a vote and fell – votes in favour: 24, votes against: 33, abstentions: 0.

The Liberal Democrat amendment as set out in agenda item 24 was moved by Councillor Bokhari and seconded by Councillor Fairclough.

The Liberal Democrat amendment was put to a vote and fell – votes in favour: 24, votes against: 33, abstentions: 0.

The original motion was then put to a vote and was carried.

RESOLVED:

The council notes:

1. Though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.
2. There were 3,805 victims of modern slavery identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.
3. Modern slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

The council believes:

- a. That action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK.
- b. That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government.
- c. That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.
- d. An important step is adoption of the Co-operative Party's Charter Against Modern Slavery which states:

The council will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.

8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

The council calls on cabinet:

1. To adopt the Co-operative Party's Charter against modern slavery to ensure our procurement practices do not support slavery.
2. To consider the wider impact of modern slavery on the borough, and work to ensure that all forms of modern slavery are eliminated in Merton.

## 16 NOTICES OF MOTION - LABOUR MOTION 2 (Agenda Item 16)

The motion was moved by Councillor Macauley.

The Mayor advised the meeting that the 3 hour mark was approaching and that the Council would be asked to vote to extend the meeting to conclude the remaining business on the agenda; and that if the vote fell, the guillotine would come into effect at 10.15pm and the remaining items of business would be voted on in turn with no further discussion.

The motion was seconded by Councillor Skeete.

The proposal was then put to a vote and was carried unanimously.

The Mayor advised the Council that the meeting had been extended and the business would continue.

The Conservative amendment as set out in agenda item 25 was moved by Councillor Holmes and seconded by Councillor Simpson.

The Conservative amendment was put to a vote and fell – votes in favour: 17, votes against: 40, abstentions: 0.

The original motion was then put to a vote and was carried – votes in favour: 40, votes against: 17, abstentions: 0.

RESOLVED:

Merton's migrant communities contribute a huge amount to the borough, and are the heart of the borough's cultural identity.

Merton Council expresses dismay at the 'hostile environment', and the financial and emotional impact this has had on the Windrush generation and their families, including children and grandchildren.

The council notes:

1. the work of organisations the JCWI, BME Lawyers 4 Justice, the Runnymede Trust, MPs and the All Parliamentary Group on Race who have been campaigning on these issues, and
2. the role the Caribbean High Commissions have played in lobbying the Government.

The council resolves to:

1. Write to the Prime Minister to call for an independent public enquiry into the Windrush scandal,
2. Demand the Government fully supports advice agencies in their work to achieve justice (and compensation for all losses, injury and damages to date where necessary) for all Merton residents of the Windrush generation,
3. Review our own policies and procedures to ensure we support those affected,
4. Support the call for fees for naturalisation to be waived for all those who have been affected, and
5. Oppose the criminalisation of Windrush families.

#### 17 COUNCIL TAX SUPPORT SCHEME 2019/20 (Agenda Item 17)

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

The Conservative amendment as set out in agenda item 26 was moved by Councillor Williams and seconded by Councillor Moulton.

The Monitoring Officer advised that, in accordance with Part 4A, paragraph 10.4 of the Constitution, a recorded vote would be taken.

The Conservative amendment was then put to a vote and fell –

Votes in favour: Councillors Barlow, Benbow, Adam Bush, Omar Bush, Crowe, Dean, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Latif, McLean, Moulton, Ormrod, Simpson and Williams.

Votes against: Councillors Akyigyina, Alambritis, Allison, Anderson, Attawar, Bailey, Bokhari, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Dehaney, Draper, Fairclough, Fraser, Henry, Irons, Mark Kenny, Sally Kenny, Kirby, Kohler, Lanning, Macauley, Makin, McCabe, McGrath, Mundy, Pearce, Pritchard, Skeete, Southgate, Stringer, Ward, Whelton, Wilkinson and Deputy Mayor Councillor Stanford.

Not voting: The Mayor, Councillor Curtin.

The Monitoring Officer advised that, in accordance with Part 4A, paragraph 10.4 of the Constitution, a recorded vote would be taken on the original motion.

The original recommendation was then put to a vote and was carried –

Votes in favour: Councillors Akyigyina, Alambritis, Allison, Anderson, Attawar, Bailey, Bokhari, Braund, Brunt, Butler, Byers, Christie, Chung, Cooper-Marbiah, Cowper, Dehaney, Draper, Fairclough, Fraser, Henry, Irons, Mark Kenny, Sally Kenny, Kirby, Kohler, Lanning, Macauley, Makin, McCabe, McGrath, Mundy, Pearce, Pritchard, Skeete, Southgate, Stringer, Ward, Whelton, Wilkinson, the Deputy Mayor Councillor Stanford and the Mayor, Councillor Curtin.

Votes against: Councillors Barlow, Benbow, Adam Bush, Omar Bush, Crowe, Dean, Gretton, Holden, Holmes, Andrew Howard, Janice Howard, Latif, McLean, Moulton, Ormrod, Simpson and Williams.

RESOLVED:

1. That the uprating changes for the 2019/20 council tax support scheme detailed in the report be agreed, in order to maintain low council tax charges for those on lower incomes and other vulnerable residents
2. That Council adopts the new 2019/20 scheme.
3. That Council agrees to implement the council tax technical reforms concerning the increased empty property premium from 1 April 2019 and subsequent years following the amendments to Section 11B of the Local Government Finance Act 1992.

18 ADOPTION OF THE COUNCIL'S NEW DRAFT STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 (Agenda Item 18)

The report was moved by Councillor Draper seconded by Councillor Alambritis.

RESOLVED:

That the Council adopts the revised draft Statement of Principles under the Gambling Act 2005, as approved by Members of the Licensing Committee on 10 October 2018.

19 SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE (Agenda Item 19)

The report was moved by Councillor McCabe and seconded by Councillor Alambritis.

Councillor Fairclough also spoke on the item.

RESOLVED:

That the Council confirms that the power to refer to the Secretary of State under Regulation 23 of Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 is retained by the Council.

20 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 20)

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

The report was put to a vote and was carried.

RESOLVED:

1. That the Council notes the changes to memberships of committees made under delegated authority since the last meeting of the Council.
2. That Council agrees to appoint Councillor Adam Bush as Vice-Chair of the Pension Fund Investment Advisory Panel.

## 21 PETITIONS (Agenda Item 21)

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

RESOLVED

That Council

1. Notes the update on the petition received at the last meeting; and
2. Accepts receipt of a petition presented by Councillor McLean on the application of a blanket injunction banning illegal traveller incursions.

## 22 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL (Agenda Item 22)

That the Strategic Theme for the next ordinary meeting of the Council, being held on 6 February 2019, shall be Sustainable Communities with a focus on Air Quality.

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## Committee: Council

**Date: 6<sup>th</sup> of February 2019**

Wards: All

**Subject: Strategic Theme – Sustainable Communities (Air Quality)**

Lead officer: Director for Environment and Regeneration, Chris Lee

Lead members: Councillor Tobin Byers, Cabinet Member for Adult Social Care and Health. Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport

Contact officer: Jason Andrews, Air Quality & Contaminated Land Manager

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### Recommendations:

That Council review and consider the content of the report.

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## 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. Each meeting of Council receives a report updating progress against one of the Council's strategic themes. The theme for this report is **Air Quality**.
- 1.2. The portfolio holders are Councillor Tobin Byers, Cabinet Member for Adult Social Care and Health and Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport. The Sustainable Communities Overview and Scrutiny Panel continues to exercise its statutory function in relation to environmental sustainability (including energy, waste management, parks and open spaces, air quality and the built environment), enterprise and skills (including regeneration, employment, adult education and libraries), housing and transport.
- 1.3. The report provides an overview of the Sustainable Communities Overview and Scrutiny Panel priorities to:
  - Ensure that the Council is fulfilling its statutory responsibilities under Part IV of the Environment Act 1995.
  - Ensure that the Council take active steps to reduce pollution from Nitrogen Dioxide and Particulate Matter in the borough.

The report details actions that have been taken to manage air pollutants in the borough, and looks at what further actions are proposed to offer protection to residents and businesses in Merton.

## 2.0 BACKGROUND

- 2.1 Air pollution is recognised as a major contributor to poor health with more than 40,000 premature deaths attributed to poor air quality across the UK each year, with over 9000 attributed to poor air quality in London.
- 2.2 Air pollution is associated with a number of adverse health impacts: it is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are often less affluent.

- 2.3 Public Health England estimate that 6.5% of mortality in Merton is attributable to poor air quality.
- 2.4 Air quality has been identified as a priority both nationally and within London, where pollution levels continue to exceed both EU limit values and UK air quality objectives. Merton along with nearly all London boroughs continue to breach the legally binding air quality limits for both nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>).
- 2.5 The air quality monitoring network run by Merton has shown that the UK annual mean NO<sub>2</sub> objective (40µg/m<sup>3</sup>) continues to be breached at a number of locations across the borough including Colliers Wood, Morden, Tooting and South Wimbledon. In some locations the NO<sub>2</sub> concentration is also likely to be in excess of the UK 1-hour air quality objective (200µg/m<sup>3</sup> not to be exceeded more than 18 times per year) which indicates a risk not only to people living in that area but also for those working or visiting the area.
- 2.6 Pollution in Merton comes from a variety of sources. It includes pollution originating outside the borough, and, in the case of particulate matter, a significant proportion comes from outside London and even outside the UK. Obviously the Council has limited control over this, however local sources are primarily from road transport and from development/buildings.

### **3 Legal Framework**

- 3.1 The UK Government and the devolved administrations are required under the Environment Act 1995 to produce a national air quality strategy. This strategy sets out the UK's air quality objectives and recognises that action at national, regional and local level is needed, depending on the scale and nature of the air quality problem.
- 3.2 Part IV of the Environment Act 1995 and Part II of the Environment (Northern Ireland) Order 2002 requires local authorities in the UK to review air quality in their area and designate air quality management areas (AQMA) if improvements are necessary. Where an air quality management area is designated, local authorities are also required to work towards the Strategy's objectives prescribed in regulations for that purpose. An Air Quality Action Plan (AQAP) describing the pollution reduction measures must then be put in place. These plans contribute to the achievement of air quality limit values at local level.
- 3.3 In the past few years the UK government has been challenged successfully by environmental lawyers from Client Earth. These challenges have been predominantly around the measures within the governments Clean Air Strategy and the implementation process and time periods. The government has recently revised its Clean Air Strategy. The revised Strategy refers to the strengthening of existing powers where necessary and the introduction of new powers for Local Authorities to further reduce air pollution from key areas such as transport, the home, farming and industry. Details of amended Local Authority powers will follow in the new Environment Bill and associated clean air legislation.
- 3.4 Although legal challenges on air quality have been levelled at central government, the same challenge and recommendations can equally be applied to any Local Authorities air quality responsibilities. These challenges, along with the emerging health impact of poor air quality have given the agenda added impetus over the past few years.

As well as the legal responsibility, a Local Authority has a duty to ensure the health and wellbeing of its residents, visitors and businesses.

**Table A. Summary of National Air Quality Standards and Objectives**

Pollutant	Objective (UK)	Averaging Period	Date <sup>1</sup>
Nitrogen dioxide - NO <sub>2</sub>	200 $\mu\text{g m}^{-3}$ not to be exceeded more than 18 times a year	1-hour mean	31 Dec 2005
	40 $\mu\text{g m}^{-3}$	Annual mean	31 Dec 2005
Particles - PM <sub>10</sub>	50 $\mu\text{g m}^{-3}$ not to be exceeded more than 35 times a year	24-hour mean	31 Dec 2004
	40 $\mu\text{g m}^{-3}$	Annual mean	31 Dec 2004
Particles - PM <sub>2.5</sub>	25 $\mu\text{g m}^{-3}$	Annual mean	2020
	Target of 15% reduction in concentration at urban background locations	3 year mean	Between 2010 and 2020
Sulphur Dioxide (SO <sub>2</sub> )	266 $\mu\text{g m}^{-3}$ not to be exceeded more than 35 times a year	15 minute mean	31 Dec 2005
	350 $\mu\text{g m}^{-3}$ not to be exceeded more than 24 times a year	1 hour mean	31 Dec 2004
	125 $\mu\text{g m}^{-3}$ not to be exceeded more than 3 times a year	24 hour mean	31 Dec 2004

Note: <sup>1</sup>by which to be achieved by and maintained thereafter

#### 4. Air Quality in Merton

4.1 Pollution in Merton comes from a variety of sources. It includes pollution originating outside the borough, and, in the case of particulate matter, a significant proportion of this comes from outside London and beyond the UK. Of the pollution that originates inside the borough the main sources of NO<sub>x</sub> are road transport (57.1%), domestic gas boilers (18.8%) and Non-Road Mobile Machinery NRMM (11.6%) – Figure 1. The main sources of particulate matter (PM<sub>2.5</sub>) are road transport (51.6%), NRMM (17.7%) and industry (10.3%) – Figure 2. The main sources of particulate matter (PM<sub>10</sub>) are road transport (50.4%), re-suspended dust from roads and surfaces (19.9%) and NRMM (10.3%) – Figure 3.

Figure 1

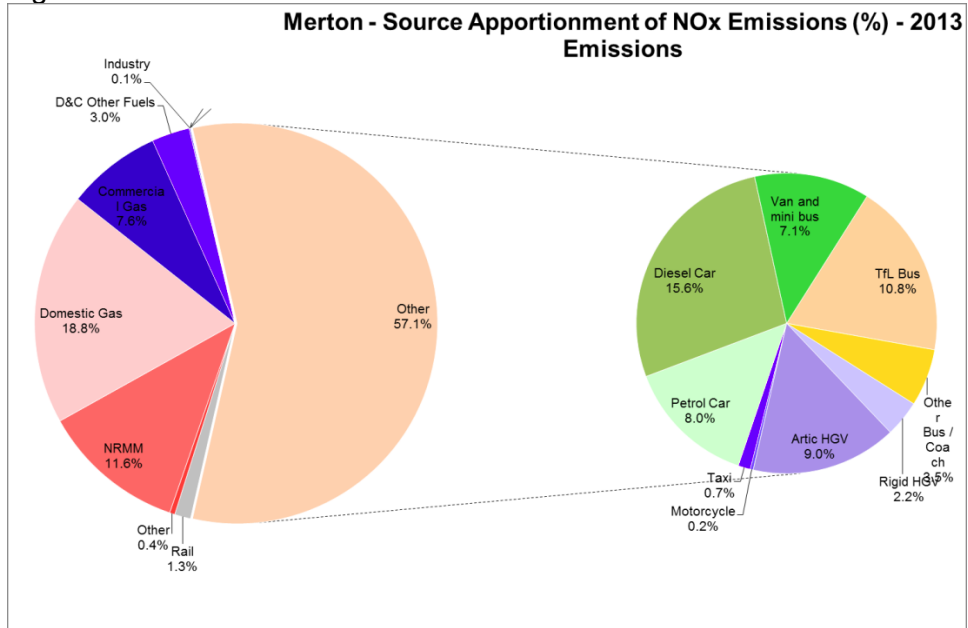


Figure 2.

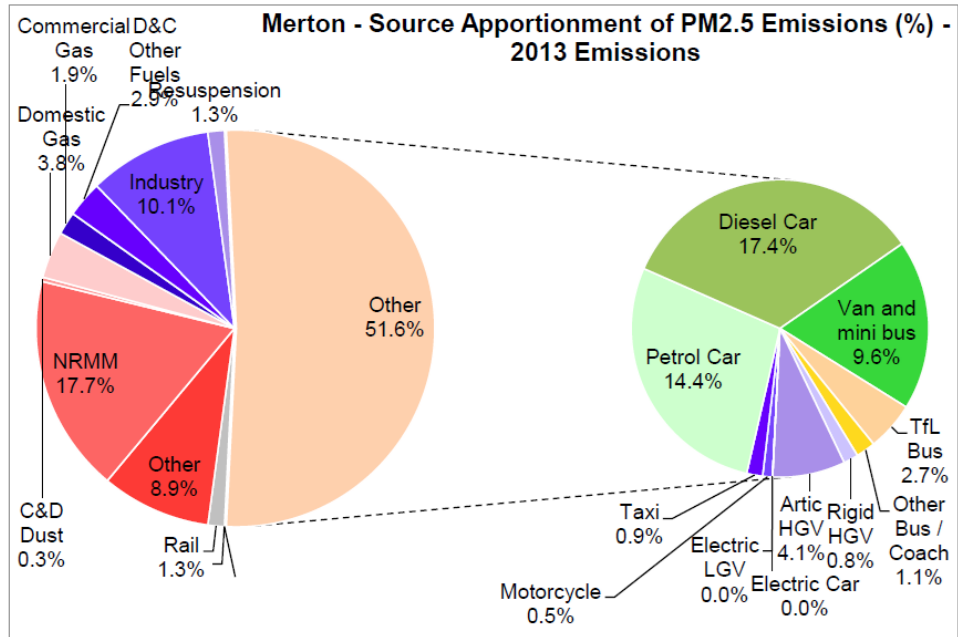
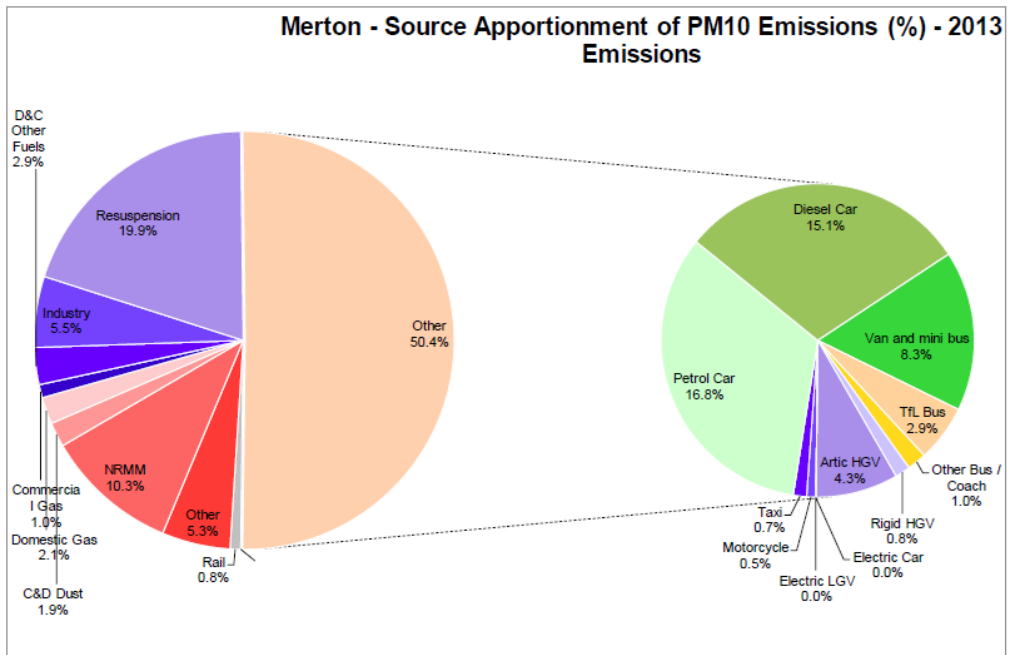


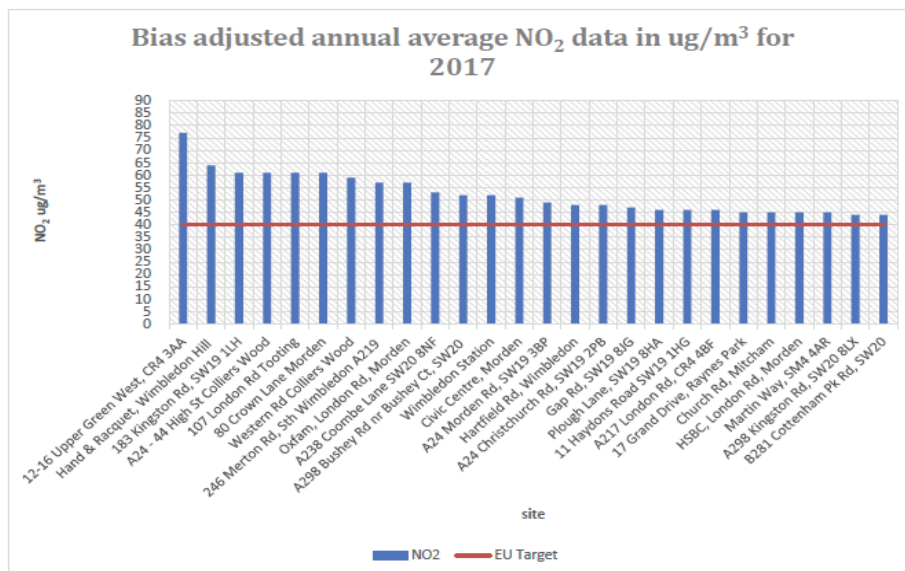
Figure 3

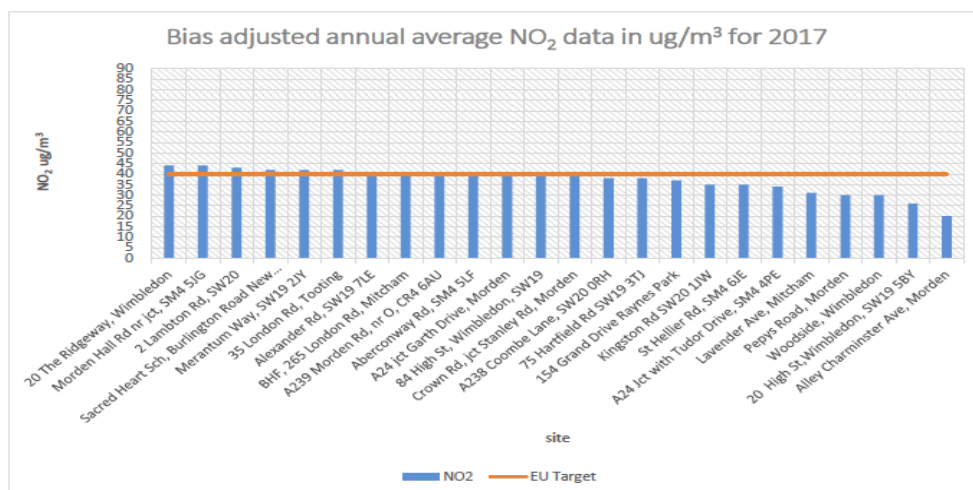


4.2

In respect of **road transport** sources, the London Atmospheric Emissions Inventory (LAEI) source apportionment data for the borough indicates that diesel vehicles contribute to approximately 90% of the NO<sub>x</sub> emissions and 80% of the PM<sub>10</sub> emissions (based on 2013 modelled data). This supports the evidence from the dispersion modelling which indicates that the highest concentrations of both NO<sub>2</sub> and PM<sub>10</sub> are most closely associated with the main traffic routes and road junctions within the borough.

Figure 1: Nitrogen Dioxide Bias Adjusted Annual Average Concentrations for all sites for 2017 (split over 2 graphs)





## 5. Recent background to Air Quality in Merton

- 5.1 In 2017, Merton convened a cross-party group specifically charged to review air quality in the borough, with a view to considering current action and improvements the Council should implement. This Air Quality Task Group heard from a number of experts and worked closely with the Environmental Health Pollution Team Manager.

The final report of the Air Quality Task Group was presented to the Sustainable Communities Overview and Scrutiny Panel in February 2018.

The report recommended that;

- *The Sustainable Communities Overview and Scrutiny Panel to conduct pre-decision scrutiny on the scope of any reviews to parking levies.*
- *An Air Quality Officer to be appointed to help to implement the Air Quality Action Plan and provide expertise across the council. This will be appointed from existing resources, such as the diesel surcharge.*
- *The task group supports the use of Local Implementation Plan funding to deliver the Air Quality Action Plan.*
- *Better use should be made of section 106 monies to support air quality measures.*
- *That the Environmental Health team conduct a review of the impact of emissions from bonfires held in private gardens and on construction sites with a view to tighter restrictions, excluding cultural events.*
- *The task group supports the rollout of electric charging points across the borough, including utilising additional funding where available.*
- *Ensure that air quality measures are embedded in the Local Plan and that Council adopts the Draft Air Quality Supplementary Planning Guidance for Merton.*
- *In recognition for Merton's work to coordinate a South London wide construction emission initiative, Merton should award certificates recognising good practice to developers that comply with the council's standard.*
- *The Environmental Health team to provide training for colleagues in planning team and Councillors on the planning committee on air quality issues, so that informed decisions on planning applications can be made where there is an air quality component.*

- 5.2 In 2018, Merton published its new Air Quality Action Plan 2018 – 2023 (AQAP) this was developed in response to recommendations made by the 2017 Air Quality Task Group.

This new AQAP received a warm welcome from both the air quality industry and the public alike. It was innovative in its design and the way in which it communicated this vital agenda to all levels of the community.

This Action Plan is a living document subject to constant review and evaluation and will continually incorporate best practice and developing technologies in the world of air quality.

The Plan is split into nine separate themes and contains some 70 action points.



## 6. Redefining our priorities

- 6.1 In recognition of the public health priority of the air quality agenda and the need to comply with the national air quality objectives within the Merton, the Council reviewed what actions we can and will take to tackle air pollution in the borough. Merton is not alone in this, many London boroughs have now, or are considering, a complete refresh of their action plans and a move towards many of the measures that Merton have and are continuing to implement.
- 6.2 Although there are limited measures we can take as an authority to directly influence polluting traffic, we have used the powers available to us to tackle this problem. These actions included the introduction of a diesel levy, this was based upon the realisation that diesel vehicles (particularly cars) contribute to a disproportionate amount of NO<sub>2</sub> within the borough. This was also one of the few levers that the Council can use to try to tackle one of the main causes of toxic gases within the borough. We are also currently reviewing parking charges in the borough as an additional measure to influence the move towards active travel, public transport and away from the most polluting vehicles.
- 6.3 The priorities for the new AQAP 2018-2023 are:
- *Establish and maintain an effective air quality group to ensure that the implementation of AQAP measures is coordinated effectively between relevant Council services;*
  - *Encourage the uptake of low emission vehicles and review and consider the introduction of an emissions-based parking levy, and review the effectiveness of such a measure over the next two years;*
  - *To identify the key causes of traffic congestion within our Air Quality Focus Areas and pollution 'hotspots' and to determine effective measures for improving traffic flow through those areas using detailed air quality and traffic management modelling tools;*
  - *To evaluate the air quality benefits and feasibility of introducing 'mini' Ultra-Low Emission Zones in the areas of the borough identified as having the poorest air quality;*
  - *To provide guidance to developers on the impact of development on air quality and ensure that approved schemes include effective mitigation and maximise the opportunity to improve infrastructure for sustainable transport options;*

- *To formalise anti-idling enforcement in order to minimise emission from vehicles around key locations such as schools, taxi-ranks, Air Quality Focus Areas and hotspots;*
- *To continue to work with schools, parents and students to improve awareness of AQ and to optimise parents' and children's desire and opportunity to adopt sustainable travel options;*
- *To review Merton's air quality monitoring network to ensure that it effectively identifies areas of poor air quality, and provides accurate data to enable us to evaluate air quality trends and the impact of AQAP measures.*

## **7. Merton now leading the AQ Agenda**

7.1 Merton is now recognised as one of the leading Local Authorities for its work on air quality, leading on innovative and ground breaking initiatives that extend beyond our borough boundaries.

7.2 We have made brave and sometimes controversial decisions to tackle pollution in our borough, something we will continue to do. We have implemented a diesel levy linked to our parking permit system and are coordinating our air quality work with internal partners and shaping policies that can push behavioural issues such as parking and planning.

7.3 We are delivering industry leading regional and national initiatives such as our work in reducing pollution from the construction industry in London. This project in partnership with the Mayor of London is directly tackling the most polluting equipment on large construction sites throughout South London. The project has been so successful that it will be extended to cover all London boroughs from April 2019 and funded by the Mayor of London in partnership with the London boroughs. This scheme is the world's first Low Emission Zone for the construction industry and can be applied throughout the UK and other major cities across the world.



7.4 We are a key partner in the 'School Neighbourhood Approach Pilot - (SNAP)', formerly 'Schools Superzones'. Colleagues from 3 different directorates; Children, Schools and Families, Environment & Regeneration, and Public Health are collaborating to shape a local 'whole systems' approach to improve the environment in and around a school across broad themes: The food around us; Moving around; Feeling safe; Spaces and places (includes air quality); and Communications and enablers.

7.5 Our new expanded joint Regulatory Services Partnership (RSP) spans three important London boroughs and brings together officer expertise and good practice in the air quality industry. It will provide for air quality initiatives across a wider geographical area, give a greater voice for lobbying and could attract considerable resourcing through grants and other funding.



## 8. Current AQAP update

8.1 The Air Quality Action Plan is split into 9 Themes covering some 70 action measures, an outline update on the themes are listed below. A RAG status rating for each measure is provided in the Air Quality Matrix and is reviewed by Senior Management and the Cabinet Member monthly.

### 8.2 Theme - Monitoring Air Quality (Action Points 1- 9)

All actions are on target as of January 2019. In addition, we have installed a further monitoring device as part of a London wide pilot scheme aimed at gathering real-time pollution levels. We are also working with a major multinational company to test and pilot the use of smart monitors. These could potentially provide cheap real-time data on air quality within the borough.

To facilitate the change to smarter monitoring the refresh of lamppost columns in Merton will include plugin facilities for new devices.

### 8.3 Theme - Reducing Emissions from Building & Developments (Action Points 10 – 22)

All actions measures are on target, AQ will form a stand-alone part of the Local Plan, this is currently undergoing consultation. Initial feedback has been very positive.

We have been awarded our first Section 106 payment specifically relating to Air Quality.

Funding from the diesel levy has enabled us to employ a new Air Quality Officer to help deliver our new Action Plan and build close relationships with partners including planning colleagues, and strengthening links between the planning agenda and air quality.

There have been a number of recent challenges to the planning process on the basis of air quality, officers have noted that there is a lot of misunderstanding about air quality in the borough, a subject we will need to work to clarify over the next year or so.

### 8.4 Theme - Reducing Emissions from Road Transport (Actions 23 -32)

All action measures are on target. The Plan is aligned closely with the review of the parking charges throughout the borough and the AQ team is working closely with Public Health colleagues to ensure that the review of parking is closely aligned to both the health agenda and air quality initiatives.

The Council is in the process of finalising its draft third Local Implementation Plan (LIP), which sets the course as to how we will meet the Mayor's Transport Strategy and incorporates a number of delivery targets, including targets on car ownership and air quality. The LIP funding of £1.5m for 2019/20 will focus on Vision Zero and Healthier Streets and covers 18 individual initiatives. Vision Zero aims to ensure that deaths and serious injuries from all road collisions are eliminated and Healthy Streets/Heathy People sets out to rebalance our streets and environment.

Improving the street environment and promoting healthier lifestyles through more walking and cycling will be essential in delivering these outcomes.

The Council is committed to extending 20MPH speed limit zones throughout the borough, although the direct benefit to reducing air pollution is generally unclear, these zones do assist in creating an environment that is attractive to walking and cycling and improved safety.

In 2019-2020 the Pollution Team will be funding a study into 20MPH zones and air quality as part of its wider work throughout the partnership boroughs.

8.5 Theme - Raising Awareness (Action Point 33-39)

Merton has funded the hosting of the Love Clean Air website for the next five years and subscribed to airTEXT for the next two years. We held a successful Clean Air Day which was also supplemented by additional school's days.

Closer links are being established with our Public Health colleagues and nearly all initiatives are joint actions between the teams. Regular meetings are ongoing at officer level to explore links between Public Health & Air Quality teams.

8.6 Theme – Working Together (Action Point 40-48)

A borough wide steering group has not been established yet. There are current discussions to use the established Environment Sub Group as a foundation for the steering group. Initial discussions are positive and the formal proposal will be put to the group in Jan/Feb 2019.

The Council supports the Mayors Transport Strategy proposals to clean the bus fleet but believes the target of doing this in outer London by 2041 is not ambitious enough. The Council will continue to lobby to see this target brought forward and for more all-electric buses to be placed on outer London Streets sooner. Briefing sessions for Councillors and Planning colleagues will be an action picked up in February.

8.7 Theme – Leading by Example (Action Point 49 – 54)

A new air quality officer paid for through the Diesel Levy has been appointed bringing further experience in delivering air quality initiatives to the borough.

Parking Services is fundamentally reviewing its fleet of vehicles. This project is aimed at reducing the number of vehicles and move towards the use of public transport. The remaining fleet will be all electric and secured through procurement in 2019/20.

8.8 Theme – Innovation & Technology (Action Points 55-58)

We are currently piloting an initiative with a multinational company around the deployment of new real-time air quality monitors.

Officers played an active role in the industry annual conference on new monitoring technologies.

Merton has applied for a number external grants relating to air quality and will be leading on a London wide initiative to reduce emissions from construction sites.

8.9 Theme – Tackling Pollution (Action Point 59-64)

Anti-idling signage was due to be installed by officers of the Air Quality Team, however this was delayed due to public liability issues. A private contractor has now been tasked with installing signage throughout the borough. There are currently 113 signs to be installed in 20 locations throughout the borough. This includes schools, taxi ranks and level crossings.

We are currently considering additional locations in the borough.

Merton has submitted an application to the Mayors Air Quality Fund to be a member of a pan-London anti-idling project, which includes on-street enforcement against idling. If the application is successful, Merton has a commitment to commence enforcement activities later in 2019.

8.10 Theme – Our Schools (Action Point 65 – 70)

The new programme of school audits will start in April 2019; we will aim to cover at least three schools a year.

The Mayors primary school air quality audit programme is now in the completion stage and we are working closely with Merton Abbey Primary school.

There is current joint working with parking colleagues to pilot and implement pedestrian streets outside schools which will restrict traffic at certain times of the day to reduce pollution and increase safety.

The air quality team will be working along with Public Health colleagues leading in a school's project called 'SNAP'. This not only looks at air quality but also includes health and well-being initiatives (see section 7.4). A number of schools are being considered for the project and negotiations are underway.

## **9.0 Additional borough activities improving air quality**

9.1 All departments in the Council can and are taking steps to improve air quality in the borough, this includes creating a local environment which is attractive to cycling, walking and active lifestyles.

9.2 **Car Clubs** – There are currently 3 car club providers in the borough. Each uses a different operating model. The Blue City scheme provides 5 - 6 all electric cars operating between Source London electric vehicle charging points; Enterprise Cars run a traditional car club from dedicated on-street bays with about 200 Merton members and by far the largest is Zip Car Flex with around 60 flex cars operating in the borough on a daily basis plus a small number of dedicated bays. Launched between April and June 2017 the Flex scheme now has over 5000 Merton members. This so called floating car club model is expanding rapidly across London. New operators are expected to come to Merton in 2019 further expanding the car club offer. Each floating car club vehicle can replace up to 13 privately owned vehicles. The Council is expected to generate between £80k and £100k per annum. London has a target of 1,000,000 car club members by 2025. Merton would like to double the number of car club members by 2021/2022. Many car club operators have ambitions to move towards all electric fleets.

9.3 **Vehicle Scrappage** – As a borough we will continue to lobby and support the need for a London-wide and national scrappage scheme to help people move away from the most polluting vehicles, and compliment local actions targeted at reducing the use and ownership of such vehicles.

9.4 **Electric Vehicle Charging Points** - There are currently 70 publically accessible charge points (7kw) spread across the borough, which are able to charge a typical electric vehicle in 3-4 hours. A further 31 charge points are in the process of being commissioned by Source London and should be operational by the end of March 2019.

9.5 **Transport for London** – We are continuing to work in partnership with TFL on a number of joint initiatives aimed tackling traffic and transport with a view to prioritising active transport and creating an environment attractive to walking and cycling. In partnership with TFL we are supporting a network of 20 rapid chargers (50KW) across Merton which will be capable of charging a vehicle in 15- 30 minutes. This includes two chargers on London Road, Morden and a third on Colliers Wood High Street is currently going through the planning process. These rapid chargers are mainly aimed at taxi and other high usage vehicles but can be

used by any motorist. As part of the Go Ultra Low City Scheme (GULCS) Merton proposes to trial a number of lamp column chargers in 2019 aimed at overnight parking. The Council is now ahead of target to deliver 125 publically assessable charge points by 2020/21.

- 9.6 **Road Safety Education & Travel plans** - Future Merton Road Safety Education Team provide a range of programmes and training for school children and the local community. Partnership working with schools, Met Police and Cycling Instructor provides events such as Changing Places for pedal cyclists and motorcyclists, advising on blind spots and road positioning. Other road safety training programmes are Kerbcraft, practical on road child pedestrian training modules for year 2 pupils, and Junior Travel Ambassadors and Youth Travel Ambassador projects which promote sustainable travel and healthier lifestyle choices. These are also part of the TfL Stars School Travel Plan Programme. Currently Merton has 33 schools engaged or achieving Stars Accreditation, of which 10 are Gold Level, 8 Silver Level, 11 Bronze Level and 3 are engaged and working toward accreditation. Air Quality is also of concern as it affects children's health i.e. asthma, lung infections and events have been provided in 2 schools to raise awareness of pollution and emissions on health and how to reduce levels by reducing car engine idling and car usage.
- 9.7 **Bikeability cycle training** is provided to school children and adults at beginner, improver and commuter levels. Balance Bike is valuable training for younger children who cannot cycle and we provide training bikes in socio-economic areas for school children. Scooter training is a popular pre-cursor to cycle training as it develops balance skills as progression to cycle training. Cycle training for adults increased by 6% in 2017 and numbers in the group training sessions at weekends have also increased.
- 9.8 **School Safety** – apart from supporting schools to develop their school travel plans we have an annual rolling programme to introduce road safety and access improvements outside schools. Interventions include localised 20mph speed limit; vertical deflections such as a speed table and buildouts; review of existing parking restrictions including school keep clear zigzag markings; school children alert lights; other school related road markings etc. Last year we made safety improvements outside nine schools. The Council's wider roll out of 20mph speed limits will help create a street environment where people feel safer to walk and cycle thereby supporting improved health outcomes for everyone.
- 9.9 **Accessibility** - As part of our annual accessibility programme we regularly respond to requests made from vulnerable road users. Last year we introduced safe crossing points such as central islands, zebra crossings and pedestrian phase at existing signals in seven locations across the borough. We have also introduced a number of footway widening and pram ramps.
- 9.10 **Cycle schemes** - In partnership with the Mitcham Common Conservators, last year we introduced a much-needed shared space (pedestrians and cyclists) along Croydon Road and in recent months we completed a similar route along Beddington Lane. Through LIP3, the Council is intending to deliver new safer cycling routes.
- 9.11 **Controlled Parking Zones (CPZ)** - During last financial year we introduced 9 CPZs across the borough which included new zones and the extension of zones in Wimbledon Village, Raynes Park, Colliers Wood, Mitcham and Morden. Extending the CPZ's means that the borough can apply actions such as the diesel levy to more vehicles in the borough.
- 9.12 **Morden town centre** - Merton council is working in partnership with TfL to design and deliver public realm improvements with the Mayor's Healthy Streets agenda

being a core priority. As part of our shared public realm with TfL in Morden, we are committed to relocating the bus stands at Morden station to drastically improve air quality and provide new public space.

- 9.13 **Greener Borough** - Merton is fortunate to have abundant green spaces and parks with a rich biodiversity and mix of trees, including along many of our streets. Trees can help to improve air quality and mitigate climate change and through screening helps to support a more appealing walking environment and improve physical and mental health. The Council will continue to seek ways to maintain and enhance our green infrastructure.
- 9.14 **Public Health** - A key theme for the Health and Wellbeing Strategy, which is currently being refreshed to cover 2019-24 (led by the Health and Wellbeing Board), is **Healthy Place**. We want to focus on how we can create an environment that allows all Merton residents to flourish. This will include a vision to make walking and cycling easier and more accessible options in the borough.

## 10. Future steps and priorities

- 10.1 The AQAP is a 'live' document that brings together actions that the Council as a whole can and should be taking to tackle air pollution in the borough. It is subject to changes and challenges facing the boroughs need to tackle this public health concern.
- 10.2 The AQAP will run for the next 4 years and will focus on delivering the actions and reviewing these actions on a regular basis. It will incorporate changes in the air quality agenda and embrace new innovations and technologies.
- 10.3 The plans to introduce a new extended ULEZ in London although welcomed for tackling polluting vehicles needs to be assessed carefully, we need to ensure that the impact on our borough is positive and that action we take compliment or may even help expand the zone and its ambitions.
- 10.4 The governments new Clean Air Strategy 2019 suggests new powers for Local Authorities, whilst we welcome this, there will be a resourcing issue that needs to be considered and active discussions are currently underway throughout Councils to define what these powers will look like and how these could be used to address the air quality agenda.
- 10.5 The possibility of Heathrow expansion will impact upon a significant number of London boroughs. In Merton the direct impact of air pollution and noise is significantly less than other boroughs, however we need to ensure that we fully engage in the consultation process and ensure the best outcome for our borough for both air quality and noise. We will encourage residents to have their say on this important subject.
- 10.6 In 2019 onward we intend to actively take those steps available to us as an authority to tackle this problem rigorously. This will include reviewing and levying polluting activities where we can, reviewing policy and charging mechanisms to incentivise change. We will consider what new regulatory framework is available to us to tackle through traffic in the borough and specifically in our focus areas and locations of poor air quality.

## 11. **ADVICE/RECOMMENDATIONS OF RELEVANT OVERVIEW AND SCRUTINY PANEL**

- 11.1 The Sustainable Communities Overview and Scrutiny Panel has taken an active role in scrutinising air quality issues, contributing to policy development and the inclusion of an air quality performance measurement in the basket of indicators that the Panel considers at each of its meetings.
- 11.2 In January 2018, the Panel received the final report of its scrutiny task group review of air quality. The findings fed into the council's air quality action plan. The Panel is continuing to monitor the implementation of the task group's recommendations – the next update is due at the Panel's meeting on 26 February 2019.
- 11.3 Further scrutiny work to address the link between air quality, vehicle emissions and traffic speed was conducted through pre-decision scrutiny and two call-ins relating to the diesel levy. The Panel plans to monitor the implementation of the levy to assess whether the policy is beginning to have an impact on desired outcomes. The Panel also plan to take an active role in contributing to the terms of reference for a review of the levy in 2019/20.
- 11.4 In November 2018, as part of its discussion of the council's budget and business plan, the Panel passed a recommendation asking Cabinet to consider increasing the capital spend on street trees and other associated landscaping by 10% to help improve the borough's air quality, to be offset by reducing equivalent spend on fleet vehicles.
- 11.5 Most recently, at its meeting in January 2019, the Panel has scrutinised the proposals relating to the development of an approach to car parking charges to be used as a lever to improve public health, air quality and sustainable transport. The Panel's reference to Cabinet on this matter included a recommendation that Cabinet should receive further evidence to demonstrate that increasing parking charges results in a decrease in traffic, and on the link between higher costs for high polluting cars and changing the behaviour of drivers.
- 11.6 The Panel welcomed Cabinet's plan for public consultation on the parking charge proposals and recommended that Cabinet share the results with the Panel so that it could contribute additional thoughts prior to a final decision being made by Cabinet. Similarly, the Panel also requested an opportunity for pre-decision scrutiny of the review planned 6-12 months after implementation of the new charges.

## **12 ALTERNATIVE OPTIONS**

- 12.1. None for the purposes of this report.

## **13 CONSULTATION UNDERTAKEN OR PROPOSED**

- 13.1. None for the purposes of this report. The Air Quality Action Plan was subject to public consultation.

## **14 TIMETABLE**

- 14.1. None for the purposes of this report. The progress of the Air Quality Action Plan is set out in this report

## **15 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 15.1. None for the purposes of this report.

## **16 LEGAL AND STATUTORY IMPLICATIONS**

- 16.1. None for the purposes of this report. Air quality management is a statutory duty for local authorities

## **17 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 17.1. None for the purposes of this report.

## **18 CRIME AND DISORDER IMPLICATIONS**

18.1. None for the purposes of this report.

**19 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

19.1. None for the purposes of this report.

**20 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**  
**AIR QUALITY ACTION MATRIX**

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## Merton AQAP Action Matrix

No.	Action	Implementation Date	Cost	Funding	RAG Status	Comments
<b>Monitoring Air Quality</b>						
1	Make available on the Council website all monitoring data in an accessible form.	Ongoing	Staffing	Revenue		2017/18 Annual Status Report (ASR) approved by GLA/DEFRA
2	Continue to annually review our diffusion tube network and identify additional priority locations.	Ongoing	£3K PA	Revenue Goods and Services		Expanding through Citizen Science Programme
3	Positively encourage and support citizen science activities where these actively contribute to identify and tackling air quality in the borough	Ongoing	£1K PA	Revenue Goods and Services		As above we are funding locations of diffusion tubes.
4	Invest in hand-held monitoring equipment that can be used by citizen science groups and schools.	Ongoing	£3K PA	MAQF		Additional equipment to be confirmed March 2019
5	Seek additional funding for a refresh and update of our monitoring network including grant funding, Section 106 and Community Infrastructure Levy.	Ongoing	£20K	Section 106 CIL		Not required at this time. Pending review under 2018 ASR
6	Produce and update an interactive map of diffusion data that can be contributed to by groups and citizen science activities.	September 2018	Staffing	Revenue		Map complete to be taken to the new AQ focus group
7	Assess and incorporate new technology in the world of air quality.	Ongoing	Staffing	Revenue		Annual monitoring conference meeting held. Piloting new scheme 2018-2019. New Project for 2019

8	We will commission modelling of air quality in the borough up to 2022, by Kings College London, including predicted trends and contributing sources.	April 2019	£7K	TBC		Borough specific data required
9	Map Focus Areas & air quality 'hotspots' on planning GIS mapping to ensure these areas are highlighted	April 2019	Staffing	Revenue		Map currently produced by parking
<b>Reducing Emissions from Building &amp; Developments</b>						
10	Ensure that air quality is a vital part of the Council's New Local Plan.	November 2018	Staffing	Revenue		Response made to consultations AQ now in Local Plan
11	Adoption of New AQ Supplementary Planning Guidance to ensure emissions from new development are minimised and effective mitigation is integrated into the scheme of design.	November 2018	£1K Design	MAQF		Part complete but cannot be used until adoption of Local Plan. Need to serve the RSP remit.
12	Ensure air-quality-neutral development is required, and request where applicable an air quality assessment	Ongoing	Staffing	Revenue		Ongoing
13	Work with key partners in the GLA to explore the feasibility and delivery of air-quality-positive development particularly around our Focus Areas.	April 2019	Staffing	Revenue		
14	Ensure that new development contributes to funding air quality measures in the borough through Section 106 and CIL payments.	January 2019	Staffing	Revenue		First Section 106 £11.5K
15	Ensure that new development have a scheme of mitigation for tackling air quality including traffic reduction and low emissions strategies.	Ongoing	Staffing	Revenue		

16	Produce and promote guidance to homeowners on what they can do to their homes to help reduce pollution in the borough.	April – December 2019	£2K	Unknown		Possible grant funding
17	Consider how we can extend the provision of vehicle charging to smaller residential development to ensure the borough is ready for electric vehicles.	April 2019	Staffing	Revenue		Part of the new SPD
18	Continue to run our NRMM Project across the south of London and extend this to other boroughs.	April 2019	£889K	MAQF		Funded by MAQF and will go London wide in April 2019
19	Seek additional funding from DEFRA/GLA/Construction Industry to promote good practice on construction sites.	April 2019	£5K	MAQF		Funded as part of above
20	Request adoption of new techniques that have proven to be beneficial to air quality, such as Construction Logistics and Delivery and Service Planning.	Ongoing	Staffing	Revenue		All introduced as part of New AQ Post
21	Review the Council's allocation of the Section 106 and CILs budget to see if this can provide funding to benefit air quality measures	Ongoing	Staffing	Revenue		Internal meetings underway
22	Continue to request robust and enforceable measures to minimise the impact of developments during the construction phase	Ongoing	Staffing	Revenue		Now with new AQ officer
<b>Reducing Emissions from Road Transport</b>						
23	Commitment to a cycle Quiet-way between Clapham Common & Wimbledon forming the Merton section of the Wandle trail.	Ongoing				Needs update
24	Review funding available through Section 106 and CILs around transport and travel infrastructure.	November 2018	Staffing	Revenue		Discussions underway

25	Carryout a borough wide cycling network audit to review and update the network.	Ongoing	Staffing	LIP (£1.5m)		£1.5m is currently being spent on 18 initiatives with a focus on Cycling, Walking and Pedestrian safety.
26	Programme of installing bicycle infrastructure	April 2019	Staffing	LIP		As above
27	Feasibility study to consider the use of Clean Air Zones (CAZ's) or a Merton Specific Ultra Low Emission Zone for Focus Areas and beyond.	April 2019	£10K	Parking account		
28	Air Quality Audit traffic and congestion in our three air quality focus areas.	April 2019	£10K	LIP		
29	Support and promote the use of a cleaner vehicle checker to inform the public of cleaner vehicle choice.	November 2018	Staffing	Revenue		Needs press team input
30	Lobby for Cleaner Buses and Taxis	November 2018/Ongoing	Staffing	Revenue		Ongoing through TFL Meetings
31	Introduce Air Quality initiatives, benefits and monitoring in the new South Wimbledon Junction design and build.	March 2020	Staffing	LIP		
32	Review the impact of our diesel levy* and consider a review of parking and charges to help reduce combustion engine vehicle use and the consequent emissions. <i>*Note: The Sustainable Communities and Transport Overview and Scrutiny Panel to conduct pre-decision scrutiny on the scope of any reviews on parking levies.</i>	November 2019	Staffing	Parking Account		Terms of reference to be approved.
<b>Raising Awareness</b>						
33	We will continue to support, fund and promote airText and other health based initiatives in the borough.	Ongoing/2023	£2K PA	Grant underspends		

34	We will continue to support and update information on our Love Clean Air Website.	Ongoing/2023	Staffing	Revenue		
35	We will review and update our own corporate website to include themed initiatives.	Ongoing/2023	Staffing	Revenue		
36	We will play an active and co-ordinating role in national and regional campaigns such as National Clean Air Day.	Ongoing/2023	Staffing	Revenue		
37	Continue to aspire to London's Cleaner Air Borough status award.	June 2018 - 2023	Staffing	Revenue		
38	Ensure that the good work and best practice we are delivering is publicised and disseminated to colleagues in the air quality industry.	Ongoing	Staffing	Revenue		
39	Work closely with our Public Health colleagues around joint health benefits.	Ongoing	Staffing	Revenue		
<b>Working Together</b>						
40	Establish a borough-wide air quality group.	September 2018	Staffing	Revenue		3month slippage due to resourcing. Will propose the use of the Environment Sub Group as a foundation in February
41	Establish an internal steering group within the local authority.	September 2018	Staffing	Revenue		Ongoing but group needs extending.
42	Provide internal training sessions on air quality to internal partners and Cllrs	November 2018 – 6monthly	Staffing	Revenue		New AQ role responsibility
43	Co-ordinate air quality funding and lobby national government to provide further financial and strategic support for local authorities to	Ongoing	Staffing	Revenue		

	improve air quality.					
44	Lobby TFL for action on cleaner buses and taxis in our Air Quality Focus Areas.	Ongoing	Staffing	Revenue		
45	The Director of Public Health (DPH) to be kept fully updated on air quality status and initiatives.	Ongoing	Staffing	Revenue		
46	Public Health teams to support engagement and projects aimed at local stakeholders (businesses, schools, community groups and healthcare providers).	Ongoing	Staffing	Revenue		Joint SNAP project and pedestrian only streets pilot underway
47	All air quality policies to be signed off by the DPH and to form close links to Public Health objectives.	Ongoing	Staffing	Revenue		
48	Make air quality part of The Health & Wellbeing Strategy / Joint Strategic Needs Assessment (JSNA) – the DPH to be retained as a member of the AQ steering group.	Ongoing	Staffing	Revenue		Review for 2019
<b>Working Together</b>						
49	Review our procurement contracts for outsourced transport services and incorporate policies to establish the best and most cost effective fleet possible.	April 2019 - Annually	Staffing	Revenue		Parking commissioning of new fleet underway Move to electric.
50	Review our maintenance and servicing arrangements for our buildings to ensure that these are as energy efficient and cost effective as possible.	April 2019 - Annually	Staffing	Revenue	Needs update from commissioning	
51	Ensure all new build and extensions within the council portfolio are to the highest, most efficient standards possible within the allocated budget.	Ongoing	Staffing	Revenue	Needs update from commissioning	
52	Encourage more walking, cycling and use of public transport for council business and review active travel plan for all staff.	December 2018 - ongoing	Staffing	Revenue		

53	Review staff parking to reduce the use of personal vehicles.	April 2019	Staffing	Revenue		Project currently underway.
54	Recruit an Air Quality Officer, funded by our Diesel Surcharge.	September 2019	£50K PA	Diesel Levy		Miar now in place
<b>Innovation &amp; Technology</b>						
55	We will work closely with our Public Health colleagues to keep up-to-date with the latest research relating to air quality and health.	Quarterly Meetings	Staffing	Revenue		Meeting monthly
56	We will work closely with Kings College, GLA and APRIL (Air Quality Expert Group) to review the latest monitoring techniques	6 Monthly	Staffing	Revenue		
57	Apply for grant schemes and incorporate new technologies and best practice.	December 2018 - Annually	Staffing	Revenue		Applications underway
58	Disseminate and publicise our ground-breaking work around schools, NRMM and wood burning appliances.	Ongoing	Staffing	Revenue		
<b>Tackling Pollution</b>						
59	Anti-idling to be adopted as an enforcement action in the borough with associated signage in problem areas.	June 2018 – Enforcement September	£3K for signage	Revenue		There was slippage due to Public Liability concerns. We have employed Conways to install 115 signs initially in 20 locations.

60	Start partnership working with the GLA and surrounding boroughs on anti-idling campaigns.	April 2019	Staffing	Revenue		Joint project grant applied for and internal discussions underway
61	Work with neighbouring boroughs to consider tighter restrictions on bonfires.	April 2019 - 2020	Staffing	Revenue		
62	Conduct campaigns relating to wood burning appliances and seek additional funding from DEFRA to carry out an impact assessment and explore further controls	April 2019	Staffing	Revenue		
62	Deliver cleaner construction throughout South London through our NRMM project and extend this nationally.	Ongoing	£889K	Revenue		Funded by MAQF/GLA and Match funding from London Boroughs
64	Assess and inspect newly installed CHPs to ensure compliance with planning conditions	September 2018	Staffing	TBC		No staff for this function. Awaiting new structure 2019/2020
<b>Our Schools</b>						
65	Maintain our ongoing commitment to school travel plans and the STARS review.	Ongoing	Staffing	Revenue		
66	Carry out audits of schools in the most polluted areas of the borough and help provide a scheme of mitigation where necessary and possible.	Ongoing and will commit to three per year FROM April 2019	Staffing	Revenue		New structure and staffing arrangements in April 2019
67	Review and assess annually the necessity for audits at schools and nurseries in areas subject to high levels of pollution.	September 2018	Staffing	Revenue		List of schools to audit now complete. New Audits start in April 2019
68	Incorporate schools in areas of poor air quality into our monitoring network and regime.	Ongoing	Staffing	Revenue		Abbey Mills is the first



69	Joint working arrangements with Public Health partners around schools to deliver joint health benefits.	Ongoing	Staffing	Revenue		SNAP Pilot underway
70	Work with and provide specialist advice and support to schools around air quality issues.	Ongoing	Staffing	Revenue		Measure now extended to pedestrian streets with parking

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RAYNES PARK COMMUNITY FORUM  
6 DECEMBER 2018

(7.15 pm - 9.00 pm)

PRESENT Councillors (in the Chair), Councillor Nick McLean

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held in Raynes Park Library Hall, and chaired by Councillor Nick McLean, with Chris Edge from the Raynes Park Association (RPA). More than 30 residents attended, as well as three other Merton Councillors, and officers from the council and its partners.

## 2 OPEN FORUM (Agenda Item 2)

### **Morley Park**

Jane Barnes spoke on behalf of Friends of Morley Park about the continued closure of Morley Park.

“In September 2017 the Council signed a Certificate of Completion for all the works Berkeley Homes were required to do in Morley Park before transferring the freehold to the Council. The works required included the eradication of Japanese Knotweed. We do not understand why the certificate was signed when the works weren't complete. Berkeley Homes were obliged to complete these works before selling homes on their hospital development, so, by signing the Certificate, the Council lost leverage to ensure the park was transferred to them with all works done and in a timely way. 15 months later the park is still closed and owned by Berkeley Homes who are using parts of it to facilitate construction on their Wolfson development site. We have consistently been told that the delay is due to negotiations with Berkeley Homes about the ongoing liability for Japanese Knotweed but clearly Berkeley Homes are finding continued ownership of the park useful.

The planning consent that created Morley Park required the freehold to be transferred to the Council. Friends of Morley Park were thus very surprised by an update on Morley Park that the cabinet member responsible for parks gave at the Wimbledon Community Forum two days ago. He said that

1. Instead of the Council taking the freehold of the park it would take it on a 22-year lease from Berkeley Homes
2. Berkeley Homes would then retain the responsibility for the treatment and liability for the spread of knotweed beyond the park during that period
3. At the end of the 22 years the freehold of the park would transfer to the Council

He also said that the lease might be agreed by the end of this year. This raises lots of questions and concerns.

- What guarantee would there be that the freehold would transfer to the Council after 22 years? What hold would the Council have on Berkeley Homes to make sure it happened?
- Why 22 years? Is it based on the time required to deal with the Japanese Knotweed or to ensure the lease meets the criteria to give the tenants the rights of a long term leaseholder?
- What would the terms of the lease be, for example on the park boundary, the obligation to provide public access, the dowry to be paid to the Council, maintenance etc?
- Would the terms of the lease be consistent in every way, other than ownership, with the requirements in the planning consent that created Morley Park?
- Under what terms will the Council eventually acquire the freehold and in particular will the public access obligations still apply?

To be of use this information is needed before any agreement is signed.”

Cllrs Crowe and Kenny offered to raise these questions with the Cabinet Member, Cllr Draper.

### **Waste Collection**

A number of residents raised issues about the new waste collection service and Chris Larkman said the Raynes Park Association had written to the Council to raise these concerns. Issues with the new service include assisted collections not being transferred over, bins not being returned to resident's properties, the new textile and battery collection not being available, the large Veolia yellow bins being left in the area, new bins not being used by residents on Durham Road and left in the street to attract litter, and the flats above the shops on Kingston Road still leaving rubbish out weekly but it was only being collected fortnightly. Residents had also had problems reporting issues with Amity Grove and other roads in SW20 not being recognised by the Council website. Residents also said the build-up of fallen leaves on Ridgeway and Cottenham Park Road was particularly bad and becoming dangerous.

Residents also raised the re-introduction of charges for bulky waste collection. Cllr Kenny said the evidence from previous changes and elsewhere showed that charges do not lead to any increase in fly-tipping.

Residents also asked about the hoardings next to the former Chinese restaurant on Coombe Lane and the derelict flats on Lambton Road.

### **3 THAMES WATER (Agenda Item 3)**

Carl Leadbeater from Thames Water provided an update on work to address flooding in the Abbott Avenue area. The slideshow can be found in appendix 1 of this report. Extensive CCTV and cleaning of the surface water sewer network had found a blockage in a pipe on Crescent Road which had resulted in water backing up and overwhelming the pumping station in Abbott Avenue. Thames Water has removed 20 tonnes of rubble from the pipe and are confident this should resolve the issue in Abbott Avenue. As they now know this is a problem area it will be added to their list of sites for regular monitoring and cleaning. Carl said it would appear the rubble had built up over a long period of time rather than being from a single incident.

Residents asked if the dumping of rubble was illegal and if it could be reported. Carl explained that Thames Water and the Environment Agency can prosecute depending on the impact of the incident and residents can report incidents via the Thames Water helpline 0800 316 9800. Thames Water do not generally promote this reporting tool but will do in problem areas.

Carl also explained that in London there is a huge mix of connections from properties to the network and for some newer properties the rain water will go to a soakaway rather than the sewer network. Planning rules have been changed to restrict the impact of front gardens being turned into driveways and Thames Water works closely with Councils around highways issues.

#### 4 TOWN CENTRE DEVELOPMENTS & RAILWAY (Agenda Item 4)

Chris Larkman, Raynes Park Association, provided updates Raynes Park station: the RPA is now speaking with the head of communications at Network Rail and they have promised to get rid of the encroaching shrub and damaged fence by platform 1. Still waiting for legal approval from NR to make improvements and transfer land to Merton Council. There is no news on the proposed Kiss and Drop.

Work has started on the New Malden to Raynes Park cycle and walking route alongside the railway.

The parking space outside the former Mans Restaurant is dangerous and the RPA has asked the Council to remove it.

20 minutes free parking is available on the south side of Raynes Park and the RPA has requested this be considered for the north side.

Still pressurising Merton to remove the bins on north side of skew arch.

They are looking to install temporary seating on the Astroturf area for the summer.

A resident asked about improving accessibility in the station but Chris said this was unlikely to happen with uncertainty over Crossrail 2. Another resident said that the train service had continued to deteriorate under the new franchisee and asked if the RPA could raise this issue.

Jerry Cuthbert said that the owner of the site at 265 West Barnes Lane has been working with Red Row Homes to develop plans for building more than 400 flats in seven blocks up to 14 stories high. They have held two exhibitions and had pre-application discussions with Merton Council planners.

## 5 RAYNES PARK PLANNING MATTERS (Agenda Item 5)

Neil Milligan had provided update on planning issues that was shared by Chris Larkman.

557 Kingston Road – Dundonald Church (17/P0763): New church with flats above. After putting pressure on the applicant to finalise the S106, Legal Services have this week confirmed it's been signed. The decision letter should be issued in the next day or two.

559-589 Kingston Road – Manoplastics and land to the west  
16/P1208: S106 signed and planning permission for 99 flats plus B1 floorspace issued.

17/P2529: Appeal against non-determination for 103 flats and B1 now withdrawn.

18/P3927: Pre-app for redevelopment of same site but with more flats. This essentially reverts to the first iteration of the earlier application.

(Tim Lipscomb - case officer).

South side of Wyke Road (17/P0609): Construction of three apartment blocks, two three storey blocks and one four storey block containing 10 x 1 bedroom flats. Issues have arisen regarding kerbside parking, footway access and accuracy of plans. Further amendments have been tabled deleting one of the blocks so as to try and provide more parking.

Rainbow Industrial Estate - Non material amendment applications to add/amend conditions so as to enable phased development – 18/P0258 and 18/P0259. Various conditions partly signed off relating to phase 1 (commercial part of development). Otherwise no news.

Land rear of 2A Amity Grove (18/P4148): Development of open land by erecting 3 x 2 storey dwellings. Application has been subject of a pre-application advice.

40A Lambton Road (17/P2023): Erection of 3 x 1 bedroom dwellings. Refused by Planning Application Committee. Appeal lodged and decision awaited.

27-35 West Barnes Lane (18/P1058): Alterations and extensions to shop units and an extra floor above to create 9 flats in remodelled and extended block. Permission granted 19th October 2018.

80-86 Bushey Road (16/P1317): Major retail/food and drink development. Unoccupied buildings demolished – Pets at Home retained. No obvious building activity. Unclear as to how the approved scheme might progress for the time being. No new pre-application.

32-34 Bushey Road (18/P2619): Scheme amended from 34 to 32 flats. Approved by Planning Committee 15 November - subject to a S106 for affordable housing and permit free units.

6 FEEDBACK, REMINDERS & UPDATES (Agenda Item 6)

A reminder that the Christmas Fair will take place on Friday 7 December in the Waitrose Car Park.

7 DATE OF NEXT MEETING (Agenda Item 7)

Councillor McLean thanked everyone for attending and closed the meeting

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WIMBLEDON COMMUNITY FORUM  
4 DECEMBER 2018

(7.15 pm - 9.15 pm)

PRESENT Councillors Councillor James Holmes (in the Chair),

## 1 WELCOME AND INTRODUCTIONS (Agenda Item 1)

The meeting was held at the Wimbledon Arts Space, and chaired by Councillor James Holmes. More than 30 residents attended, as well as eight other Merton Councillors. The Chair welcomed everyone to the meeting, introducing the councillors present at the meeting.

## 2 OPEN FORUM (Agenda Item 2)

**Free Parking:** A resident said they felt Merton Council was sending out a mixed message by offering free parking in town centres in the run up to Christmas, whilst also encouraging residents to make fewer car journeys. Another resident said they felt the free parking would help retailers.

A resident asked if in the event of a cold snap the closed Virgin Active site on North Road could be used as a cold weather shelter.

**Waste collection and street cleaning:** Residents raised a number of concerns about the performance of Veolia in rubbish collection and street cleaning as well as the Council's management of that contract. Issues raised include cleaning streets, clearing leaf fall, clearing street gullies, over-flowing recycling bins, weed killing, bin collections, not collecting overflow waste, refuse from flats above shops, the complication and scheduling of the new collection system, and inadequacies in how the contract was being managed by Merton Council. A resident also said they felt citizens should take some responsibility by not dropping litter and looking after the land in front of their homes.

Councillor Holmes said these views reflect the experiences of many residents who have contacted councillors. Cllr Holmes said that councillors have been told that new contracts like these take time to bed-in so things should gradually improve. Cllr Brunt, the Cabinet Member for waste, has acknowledged there are problems and is taking these issues seriously. At the last meeting Cllr Alambritis said that payments to Veolia had been withheld. Cllr Kohler said that the Sustainable Communities Overview and Scrutiny Panel would be looking at the contract and understands that

Merton and Veolia are currently in dispute over fines. Cllr Gretton said that the Council should be enforcing fines.

A resident also asked about the trial in Wandle Park to remove bins to see if that would reduce litter. An update will be brought to a future meeting.

A resident said that a number of street lights on Haydons Road Bridge were currently out. Paul McGarry, Head of Future Merton, said he would raise this with colleagues and that any failing lights could be reported online at <https://www.merton.gov.uk/streets-parking-transport/streets-and-pavements/street-lighting-faults>

### 3 FUTURE WIMBLEDON MASTERPLAN (Agenda Item 3)

Paul McGarry gave an update on the draft Wimbledon Master Plan that is out for public consultation until 6 January 2019. The presentation is available in appendix 2 and the full Master Plan document can be found at <https://www.merton.gov.uk/planning-and-buildings/regeneration-urban-design/future-wimbledon>

There have been 270 responses to date, most from local residents. It was clear that local groups spreading the word and the use of social media had had a positive impact on encouraging people to respond. The main issues being raised so far were building heights and traffic.

Residents asked about publicity for the consultation. Paul thanked those that had helped promote the consultation, and explained that it was not possible to use Council Tax contacts due to Data Protection regulations. The team had already attended lots of local meetings and they are still happy to attend further meetings to discuss the document. Contact them via email at [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk)

Residents also asked about a number of issues which are set out below along with the response from Paul:

<b>Issue raised</b>	<b>Response</b>
How would Crossrail 2 not proceeding impact on the plans?	Only a small section of the Masterplan, the area already safeguarded by Crossrail 2, would be dependent on the project going ahead.
What would the new buildings be used for?	Mixed use, offices, retail and commercial, mainly replacing existing buildings
What evidence is there for the demand for growth, especially office space?	The town centre is already close to capacity, with on 2% vacancies, and a number of employers would like to expand but cannot do so within the current buildings available

<b>Issue raised</b>	<b>Response</b>
Proposed building heights are excessive	This has been a common thread in the responses to the consultation so far so will need further consideration
The need for new public space	The plans create a public square outside of the station, four times the size of the current space
What will happen to the 'Fridge on the Bridge'?	Under plans for Crossrail 2 this building would due to come down
How specific are the plans at this stage?	The Masterplan will create a framework for future planning decisions so is not designed to be specific. The plan will set out to developers what would be considered acceptable.
Pollution is aggravated by tall buildings	Other Council policies would still apply including the Air Quality Action Plan, so developers would have to show how they would mitigate these impacts. Crossrail 2 creates an opportunity to create additional crossings over the railway which would reduce congestion and pollution.
Could consultation questions have been more specific?	Responses to the previous consultation said that more open questions should be used so we responded to that.
Wimbledon's sense of community could be lost through overdevelopment	Please use the consultation to tell us what good looks like, and what heights would be acceptable. Design quality will be a key issue, most of the buildings that go are 80s/90s build and not popular so a Wimbledon style will be incorporated into the new standards.
The London Plan requires evidence for new office space	We will share the evidence in our response to the consultation.
Is the Concert Hall included?	Yes, and we have been speaking with the group
Can the consultation be given additional publicity?	We will continue to publicise and encourage people to respond. Thanks to those who have shared the consultation.

Cllr Martin Whelton said that the Masterplan was a chance to plan for the next 20 years. Wimbledon is already a successful town centre with more than 600 companies including 25 national headquarters and whilst the delay to Crossrail 2 is unhelpful it is important to plan for future growth and set out a vision. We are not attempting to copy Croydon with 45 or 50 storey buildings but town centres need to be proactive to maintain their status. We welcome comments and are willing to meet with any groups. The final plan will go to a meeting of the Full Council for approval.

The Local Plan draft, covering the whole borough is also being consulted on and comments are invited on that plan as well.

#### 4 LONDON ASSEMBLY UPDATE (Agenda Item 4)

Leonie Cooper, Assembly Member for Merton and Wandsworth provided an update on her work. The Assembly scrutinises the Mayor of London, Transport for London and the Metropolitan Police. Leonie is Deputy Chair of the Environment Committee and sits on the Housing, Fire Resilience and Emergency Planning, and Budget and Performance committees. As government funding to the Mayor has reduced there needs to be scrutiny of the Mayors decisions including:

- Spending to reduce pollution including getting rid of dirty buses
- Working with boroughs and other providers to increase housing provision
- Looking at fire safety in light of events at Grenfell
- The final examination in public of the new London Plan will take place from mid-January to May, including 95 matters to address by the inspectorate.

Asked about the 93 bus Leonie said these have all been switched to hybrid, low emission buses and as a result of making Putney High Street a low emission bus zone has seen incidents of high pollution have dropped by 95%. The roll out of cleaner buses is not linked to franchises but is based on prioritising where pollution is worst. Leonie agreed to find out if there is a timetable for any areas in Merton.

A resident asked about the delay to Crossrail. Leonie said the Assembly is still investigating and seeking answers but it was clear that money had been taken out of the budget in error and that the problem has been with electrical testing in the central zone. The Transport Committee will be summoning relevant documents and the Mayor to appear before them on 21 December.

#### 5 MORLEY PARK (Agenda Item 5)

Councillor Nick Draper provided an update on Morley Park following the motion submitted to Council on behalf of the Community Forum. The negotiation with Berkeley Homes has been hard and complicated following the development of the Atkinson Morley site. There are two parts to the park, the playing fields designed for use by Ursuline School and the remainder an open space for use by the whole community.

The major problem has been Japanese Knotweed on the site which has been treated but not eradicated and therefore the Council has to protect itself against future liability, including spread to the surrounding gardens. Getting the commitment from Berkeley Homes to eradicate the knotweed has involved lawyers from both sides and the Council prefers to wait of the park to be fit for use before it is handed over. Merton lawyers were concerned that Berkeley Homes would use their complex

corporate structure to wriggle out of any commitments. The recommendation is that Berkeley Homes will retain ownership of the land for twenty years, and leased to Merton for nothing, with the liability for the knotweed left with Berkeley Homes headquarters.

Once this agreement is reached, hopefully by Christmas, then a process of snagging will begin involving Councillors, officers, Ursuline and local community groups. Once Berkeley Homes have resolved any issues that have been highlighted then it can be opened to the community.

Asked about public access Cllr Draper said the Pavilion will be in the hands of Ursuline, and the playing fields will be closed to the public during school hours. The space around the playing fields will be accessible.

Residents asked if the signing of the Certificate of Completion by Merton Council on 2017 had made it more difficult to negotiate with Berkeley Homes. Cllr Draper said he did not know about the signing so would find out. He was not prepared to see the land transferred and opened until the issue of the knotweed had been dealt with. Cllr Draper also said that once the 20 years was up the land would transfer to the Council.

#### 6 DATE OF NEXT MEETING (Agenda Item 6)

Councillor Holmes thanked everyone for attending and closed the meeting.

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## **Committee: Council**

**Date: 6 February 2019**

Wards: All

## **Subject: Council Tax – Care Leavers**

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison and Councillor Kelly Braund

Contact officer: David Keppler, Head of Revenues and Benefits

### **Recommendations:**

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1. Council agrees that the Council Tax Reduction policy is amended to support care leavers up to the age of 25 that do not receive maximum help towards their council tax through council tax support or an exemption with effect from April 2019.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report details the current position within the borough regarding care leavers and the likely impact and cost of implementing a local discount or exemption to council tax for care leavers.
- 1.2. The report details the potential cost of implementing a local discount.

## **2 DETAILS**

### **2.1. Council Tax Localisation**

- 2.2. Under section 13A of the Local Government Finance Act 1992 the council has the discretionary power to reduce liability for council tax in relation to individual cases or class(es) of cases that it may determine where national discounts and exemptions cannot apply.

- 2.3. The Council is responding to a Children's Society campaign that has identified a range of disadvantages care leavers uniquely experience. In particular care leavers are a vulnerable group for council tax debt. The Children's Society details the case for care leavers at least up to the age of 21 to be exempted from paying council tax.

- 2.4. The Council agrees with the campaign's principal sentiments that young people's transition out of care and into adulthood is extremely difficult and that managing money for the first time without support from family leaves care leavers at real risk of falling into debt.

- 2.5. Care leavers who were looked after by a local authority rather than their parents are amongst the most vulnerable groups in our community. Outcomes for this group are generally poor and, as corporate parents, the Council wants to keep them safe, make sure their experiences leaving care

and moving into independent living are positive and improve their ongoing life chances.

- 2.6. An analysis of Merton care leavers (up to 25 years) has been undertaken as at the end of November 2018 and the council currently has 165 care leavers. Of these 85 are living in Merton.
- 2.7. Not all care leavers in Merton are liable to pay council tax as some live in properties where they are not liable for the council tax. Of the 85 living in the borough 49 are not liable to pay council tax as someone else is liable under council tax rules.
- 2.8. The table below shows how the 36 care leavers that are liable for council tax are supported.

Number	Circumstances
17	Full CTS
7	Part CTS
4	Students
1	Discount
7	No assistance

- 2.9. As Merton has continued to adopt the old council tax benefit scheme as its council tax support scheme residents on very low incomes and welfare benefits continue to receive full council tax support and do not have to contribute towards the council tax.
- 2.10. Out of the 36 care leavers 21 do not have to pay any council tax due to existing support.
- 2.11. The easiest option would be to amend the existing Council Tax Reduction Policy so that where a Merton care leaver, who has responsibility to pay council tax, does not receive 100% reduction the council will consider a discretionary reduction based on a case by case basis. See appendix 1.
- 2.12. If the care leaver is not solely liable for council tax the circumstances of the other liable persons would be considered before a reduction was granted.
- 2.13. A care leaver would have to complete a short application to apply for the Council Tax Reduction.
- 2.14. For care leavers between the age of 21 and 25 they do not have to be receiving a full leaving care service to be eligible for this reduction.  
Based on the current number of care leavers in the borough and liable to pay council tax the maximum additional cost to the council would be £12,700 per year.
- 2.15. The GLA currently funds part of the council tax support scheme and they would also fund 20% of the additional extra expenditure.
- 2.16. This approach outlined in 2.11 would prevent the council having to purchase additional software to administer a new class of exemption or discount which



would cost £8,275 to purchase plus £1,655 per year maintenance and support.

- 2.17. The council tax team would monitor the additional cost of assisting care leavers and will report to the Director of Corporate Services on a yearly basis the additional spend and the number of awards. If this spend increases then consideration would be given to introducing a new class of exemption and or discount for care leavers and to purchase the additional software.
- 2.18. An initial desk top exercise would be undertaken to identify which care leavers could apply for this additional reduction and with the assistance of colleagues in Children's Schools and Families they would be supported through the application process.

### **3 ALTERNATIVE OPTIONS**

- 3.1. There are a number of different options available to implement support to care leavers.
- 3.2. Grant an exemption where the property is occupied solely by care leavers or a 25% discount where all but one of the occupiers in the property are care leavers. In the same way as student exemptions/discounts are applied. The council would need to purchase additional software to implement this option.
- 3.3. To continue with the existing arrangements where care leavers can apply for council tax support to assist with paying their council tax. As mentioned above Merton's council tax support scheme is generous and although means tested the majority of existing care leavers living in the borough currently receive council tax support and the majority receive full support and have no council tax to pay.
- 3.4. Award a discount for a set period of time only from when a care leaver becomes liable, so for example a six month 100% discount if they are not entitled to 100% council tax support or a different exemption. The council would need to purchase additional software to implement this option

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

The council does not formally need to undertake consultation with the GLA but they would like to be made aware of any proposals.

### **5 TIMETABLE**

- 5.1. The key milestones for council tax support scheme are detailed below:

Task	Deadline
Agreement of the new reduction by Cabinet	14 January 2019
Agreement of the new reduction by full Council	6 February 2019
Publish the new policy	7 February 2019

Identify qualifying care leavers	7 – 28 February 2019
Award new reduction in billing process	7 March 2019
Implement new reduction	1 April 2019

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. Based on current estimated expenditure for in borough care leavers in receipt of council tax support and exemptions for 2018/19 of £26,600, the implementation of this council tax reduction for care leavers, as described above, cost an additional maximum amount of £12,700 per year.
- 6.2. Currently the GLA fund approximately 20% of our council tax support scheme and would also fund 20% of any new discount or exemption.
- 6.3. An enhancement to the existing system software would be required to administer a new formal local discounts and or exemption scheme. The cost of this is £8,275 plus a yearly maintenance and support charge of £1,655.
- 6.4. If this is introduced for 2019/20 any surplus or deficit as a result will be accounted for within the Collection Fund.
- 6.5. The additional expenditure will be built into the council tax base for 2020/21.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. Under section 13A of the Local Government Finance Act 1992 the council has the discretionary power to reduce liability for council tax in relation to individual cases or class(es) of cases that it may determine where national discounts and exemptions cannot apply.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. A formal consultation exercise is not required with the GLA but they want to be advised of our proposals.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purpose of this report

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. The Council will need to monitor the cost of any scheme and the impact on the council tax base.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix 1 – Council Tax Reduction Policy

## **12 BACKGROUND PAPERS**

None

## **Council Tax Reduction Policy**

Section 13A of the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2012, (the 1992 Act), as substituted by Section 10 of the Local Government Finance Act 2012 (the 2012 Act); empowers the London Borough of Merton, as a billing local authority as follows:

### 13A Reductions by billing authority

(1) The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day

(a) in the case of a dwelling situated in the area of a billing authority in England, is to be reduced to the extent, if any, required by the authority's council tax reduction scheme (see subsection (2));

(b) (omitted as it relates only to dwellings situated in Wales)

(c) in any case, may be reduced to such an extent (or, if the amount has been reduced under paragraph (a), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit.

(6) The power under subsection (1)(c) includes power to reduce an amount to nil.

(7) The power under subsection (1)(c) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.

### **Procedure for Using Powers under Section 13(1)**

The Council will consider using its powers to reduce Council Tax liability for any applicant within the Borough.

Ordinarily, the Council would expect that there would have to be evidence that extreme financial hardship would be caused to justify any reduction and that it will be intended only as short term assistance and should not be considered as a way of reducing Council Tax liability indefinitely.

The cost of any reduction awarded under section 13A(1)(c) falls solely to the billing authority. The Council will have regard to the following guidelines before recommending any reduction:

### **Applications for a discretionary Council Tax Reduction**

The applicant or their appointee or advocate can make an application for a discretionary Council Tax reduction either:

- In writing to the Head of Revenues and Benefits, London Borough of Merton, 2<sup>nd</sup> Floor Civic Centre, London Road, Morden, SM4 5DX

- or
- Using the approved form, which is the Discretionary Council Tax Reduction claim form
  - which can be downloaded and printed from our Council Tax Support webpage [www.merton.gov.uk/cts](http://www.merton.gov.uk/cts) where you will find a link to the form in the section Discretionary Council Tax Reduction or
  - requested by phoning 020 8274 4903.

The applicant must:

- Set out the circumstances on which the application is based and any hardship or personal circumstances relating to the application.
- Include a full income and expenditure breakdown of the applicant together with that of any other household members.
- Satisfy the Council that all reasonable steps have been taken by them to resolve their own situation prior to application.
- Satisfy the Council that they do not have access to other assets that could be used to pay the Council Tax
- Indicate the length of time the assistance is required for. Any reduction will be up to the end of the most recent council tax year for which a demand has been duly served. A fresh application will be required if assistance is required for the following council tax year.

### **Qualifying criteria**

The Council will:

- Give consideration to any entitlement the applicant might have to Council Tax Support, but the liable person may be entitled to a nil award based on those rules.
- Ensure that the applicant has been considered for entitlement to Discretionary Housing Payment if appropriate, which can be claimed using the same approved claim form, if they have rent liability too.
- Ensure that all other discounts/reliefs have been awarded to the applicant that he/she is entitled to.

- Identify and consider applications from Merton care leavers living in the borough up to the age of 25 who do not receive full council tax support or an exemption.
- Take into consideration the financial circumstances of the applicant and other household members.
- Consider if any of the applicants expenditure includes avoidable expenses, which could be reduced to enable the applicant to pay their council tax
- Consider the personal circumstances of the applicant, their partner and other household members.
- Consider if the Council Tax account is in arrears and that non-payment was not due to wilful refusal or culpable neglect.
- Consider if the debt outstanding is due to an error by the Council.
- May request evidence in support of the application.

This list is not exhaustive and all other relevant factors and circumstances will be considered during the decision making process. All applications will be assessed on their individual merits.

### **Decision Making Process**

The Head of Revenues and Benefits will determine all applications.

### **Notification of Decision**

The Council will notify the applicant in writing within 14 days of receiving sufficient information to make a decision.

### **Amount of Discount or Reduction Granted**

Officers do not propose to set percentage discounts or reductions to be applied as each case will have different circumstances. The amount of any discount or reduction will take into account the amount of the debt and the individual circumstances of the applicant.

### **Appeals**

If an applicant is dissatisfied with the decision there is a right of appeal to the Director of Corporate Services

You must write to us first stating the issue(s) you have with our decision, ideally within one month of the date of decision letter, but it can be later. For more information you can ask for our Appeals Leaflet or download it at

[www.merton.gov.uk/cts](http://www.merton.gov.uk/cts). We will then either:

- Carry out an internal review, which confirms in writing that we believe your grievance is unfounded and that our original decision stays the same, within two months of your dispute letter; or
- Carry out an internal review, which confirms in writing that we are taking steps to deal with your grievance and change our original decision, within two months of your dispute letter.

If we have failed to carry out an internal review of your Council Tax Support grievance within two months of you submitting a dispute letter to us, you may appeal directly to the Valuation Tribunal of England (VTE). You must do this no later than four months from the date you submitted your dispute letter to us. Details of the VTE can be found at:

[www.valuationtribunal.gov.uk/CTReduction](http://www.valuationtribunal.gov.uk/CTReduction)

## **Committee: Council**

**Date: 6 February 2019**

Wards: **All**

## **Subject: Approval of Pay Policy Statement and re-adoption of the Members' Allowances Scheme**

Lead officers: Kim Brown, HR Lead; Paul Evans, Assistant Director of Corporate Governance and Monitoring Officer

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officers:

Kim Brown, HR Lead, [kim.brown@merton.gov.uk](mailto:kim.brown@merton.gov.uk);

Julia Regan, Head of Democracy Services, [Julia.regan@merton.gov.uk](mailto:Julia.regan@merton.gov.uk)

### **Recommendations:**

- 
1. That Council approve publication of the Pay Policy Statement for 2019/20
  2. That Council reconfirm the Members' Allowance Scheme for 2019/20 with effect from 1 April 2019.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 The Localism Act 2011 requires the Council to publish a pay policy statement and for the statement to be re-approved by Council each year.
- 1.2 The existing pay policy statement for 2018/19 was approved by Council on 7 February 2018. The only amendments from the last year's version are updates to the pay ratios to reflect the current position.
- 1.3 The report also recommends re-adopting the members' Allowances Scheme with no change for 2019/20.

## **2 DETAILS – PAY POLICY**

- 2.1. The pay policy statement for the year 2018/19, approved by Council, is currently published on the Council's website.
- 2.2. Council is required to re-approve the pay policy statement each year.
- 2.3. There has been no change in the council's pay policy. The outcome of national negotiations was the agreement in June 2018 of a Chief Officers' pay award of 2% for 2018 and 2019. The only amendments from last year's version are to update the pay ratios to reflect the current position.
- 2.4. A draft Pay Policy Statement for 2019/20 is attached at Appendix A, along with the statutory pay gap publication figures for 2017/18 at Appendix B.

### **3 DETAILS – MEMBER ALLOWANCES**

- 3.1. In relation to the Members' Allowances Scheme the Council is required further to the Local Authorities (Members' Allowances) (England) Regulations 2003 to re-adopt its scheme of members allowances for the year 2019/20 and in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London whose latest report was published in 2018.
- 3.2. The Independent Panel found that the workload and responsibilities of councillors continue to increase and that their role has become more complex. The Panel advised that allowances should be set at a level that enables people to undertake the role of councillor, whilst not acting as an incentive to do so. Furthermore, the Panel advised that there should not be a financial disincentive and that service as a councillor should not be confined to those with independent means.
- 3.3. The Independent Panel fully accepted that in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances. It recommended that members' allowances be pegged to the annual local government pay settlement, as is already the case in Merton.
- 3.4. Council is recommended to confirm its existing scheme of Member Allowances for 2019/20 and to retain the same level of allowances for 2019/20, thereby agreeing to not apply the local government pay settlement.

### **4 ALTERNATIVE OPTIONS**

- 4.1. Publication of a Pay Policy Statement and member allowances are statutory requirements.
- 4.2. The Council can seek to adopt any reasonable scheme of Member Allowances or can agree to retain the present scheme for 2019/20. The Regulations allow for amendments to come into effect from the beginning of the year in which the amendment was made.

### **5 CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1. Any changes to the pay policy statement would be considered by the Council's Senior Remuneration Panel prior to submission to Council.

### **6 TIMETABLE**

- 6.1. The Pay Policy Statement must be approved by Council for publication from 1 April 2019 on the Councils website.



## **7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 7.1. There has been no change in the council's pay policy, and the council is currently awaiting the outcome of national negotiation. The outcome of national negotiations was the agreement in June 2018 of a Chief Officers pay award of a 2% award for 2018 and 2019. The only amendments from last year's version are to update the pay ratios to reflect the current position.
- 7.2. There is provision in the draft MTFS for 2019-23 for an increase in the budgeted cost of salaries and Members' Allowances. These provisions will be kept under review each year.

## **8 LEGAL AND STATUTORY IMPLICATIONS**

- 8.1. Publication of the Pay Policy Statement and annual re-approval by a meeting of the full council is a statutory requirement under the Localism Act 2011.
- 8.2. Guidance was issued to authorities in 2011 to accompany the Localism Act, and revised 'final supplementary guidance' was issued by the DCLG in late February 2013. The required changes were addressed in the 2013/14 Pay Policy Statement and in subsequent years.
- 8.3. Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 requires re-adoption of the scheme. Before making or amending its allowances scheme, the Council is required, by Regulation 19, to have regard to the recommendations of an Independent Remuneration Panel.

## **8. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1 The intention of the pay policy measures in the Localism Act is to improve transparency of decision making, particularly in relation to top earners in the organisation.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 None

## **10.0 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1 None

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

Appendix A – draft pay policy statement for 2019/20.

Appendix B – statutory pay gap publication figures for 2017/18

## **12 BACKGROUND PAPERS**

- 12.1 None

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LONDON BOROUGH OF MERTON  
2019/2020  
Pay Policy Statement

## 1. Introduction

- 1.1 The Council is committed to transparency of pay, and best value for money to residents in terms of the pay bill to the workforce and quality of services provided to residents. This statement is required under the provisions of the Localism Act 2011.

We monitor the Council's benchmark position regularly in London utilising data sets from London Councils, and in particular the annual chief officers' salary survey. This information is used when reviewing pay and grading structures, in combination with data on turnover, recruitment and retention.

- 1.2 This pay policy statement sets out: the Council's current position in the labour market and pay benchmarking, pay ratios, the current pay structure and arrangements, dealing with data transparency and senior officer termination payments.

## 2. Pay benchmarking

- 2.1 In terms of the senior pay benchmarks derived from the London Councils database we know the Council is positioned in the bottom quartile for senior pay for the 32 boroughs, and in a number of cases pays the lowest rate in the whole of London. Our overall pay rates below chief officer-level broadly mirror the median for Outer London Local Authorities.
- 2.2 The pay benchmarks are reviewed annually to ensure the Council continues to provide good value for money and that senior managers are not paid in excess of local, regional and national labour markets, as appropriate to the job.

## 3. Pay ratios and Fair Pay in the Public Sector

- 3.1 The Council has a pay ratio of 1:10 between the lowest and highest paid employees, conforming to CIPD research evidence that the average ratio in Local Government in England is 1:10. It should be noted this is well within the ratio level of 1:20 that was established for the Hutton Fair Pay Review (March 2011) to consider.
- 3.2 Merton uses job evaluation to determine an employee's grade and the rates within the grade are determined through national and London-level pay bargaining. The minimum rate of pay for NJC employees, including apprentices, from 1 April 2018 of £19,611 per annum is based on the nationally determined minimum spine point rate. Merton operates a London Living Wage guarantee, which ensures staff receive at least the London Living Wage from 1 April each year. The minimum NJC rate of pay at 1 April 2018

exceeded the London Living Wage. See paragraph 4.1 below for more detail on how we determine grades.

- 3.3 Senior managers are required to demonstrate they are performing to appraisal objectives in order to qualify for incremental pay increases and this pay policy system conforms with the recommendations from the Hutton Fair Pay Review that senior managers' pay includes an element of 'earn back'.
- 3.4 As well as comparing with the lowest paid we also make comparison with the median (recommended in the Government's transparency guidelines). The ratio of the Chief Executive's pay to median employee salary is 1:6. The Hutton report suggested the ratio for the FTSE top 250 private sector companies was 1:38.
- 3.5 The average full-time basic salary for males employed by the Council is £36,584 a year, and the average full-time basic salary for females is £33,993 a year. The basic pay gap between male and female pay is £2,591 i.e. males earn on average more than females. Excluding the South London Legal Partnership and the Regulatory Services Partnership, average full-time basic salary for males is £35,386 and for females £33,161.

A number of factors have caused this gap in basic pay, notably the TUPE transfer of staff both in and out of the organisation has had an impact on the basic gender pay gap. In March 2017, 185 mainly male relatively lower paid staff transferred out with Street Scene and Waste. In February, 62 were transferred from Sustainable Communities. Meanwhile, 65 Regulatory Services employees transferred to Merton from LB Wandsworth in November 2017. These mainly higher paid staff who were employed by Wandsworth include a large number of men.

The statutory pay gap figures for 2016/17 were published, as required by legislation, by 31 March 2018. The pay gap figures for 2017/18 will be published with this Pay Statement and are attached as Appendix A. A second version, excluding the South London Legal Partnership and the Regulatory Services Partnership is attached as Appendix 1A. The figures, which include allowances and bonuses, show a similar gap to that for basic pay with men earning more than women both in terms of mean and of median earnings. Men also receive higher bonuses on average, this being mainly due to a high proportion of pay consisting of bonuses in the small mainly male Bailiffs service.

#### 4. Current pay structures and arrangements

- 4.1 The Council operates:
  - The Joint National Council (JNC) for LA Chief Executives, and the JNC for LA Chief Officers pay agreement arrangements &
  - The National Joint Council (NJC) Greater London Provincial Council (GLPC) Outer London pay agreement for most posts below Management Grade (MG),

and applies the GLPC job evaluation scheme for jobs up to grade ME16. Job evaluation objectively establishes the relative size/value of posts whereas the pay/grade relationship ('price tag') is agreed by the Council with reference to GLPC benchmark guidance. The pay and grading structure below chief officers and Management Grade (see 4.3 below) currently allows for time-served incremental progression on an annual basis up to the grade maxima.

- 4.2 Some other employees are paid on nationally determined pay scales such as: Soulbury, Youth & Community, Teachers, Craft Workers and local conditions.
- 4.3 Senior managers, on grades MGA to chief executive grade are placed on grades with incremental progression on an annual basis. Progression through the grade is dependent upon satisfactory performance. Job evaluation for chief officers and managers above ME16 is conducted using the Hay job evaluation scheme.
- 4.4 Some senior staff who transferred to Merton under TUPE receive performance-related pay or bonuses, but the majority of senior staff do not receive them. They contribute from 8.5% up to 12.5% of their salary to the local government pension scheme and Merton's employer contribution to the pension fund for all contributing members is 15.2%. In some years the Chief Executive also receives election expenses when general, local or European elections occur. Annual cost of living increases are determined nationally.
- 4.5 All matters relating to senior pay, including the chief executive's appraisal setting and assessment is dealt with by the Council's senior remuneration panel comprising of the four party leaders, chaired by the Leader of the Council for the administration at which the salary package is considered and recommended for approval. Salary packages over £100,000 are also reported to full Council for approval.
- 4.6 The Council applies the NJC and Chief Officers pay awards. A two year pay deal from 1 April 2018 saw a bottom-loaded increase in pay for all staff, and will see assimilation of staff onto a new pay spine from 1 April 2019.
- 4.7 Any proposed changes to the pay and grading structure are subject to an Equality Impact Assessment to assess the likely impact of the changes. A full equal pay audit is planned to take place during 2019/2020.

## 5. Transparency arrangements

- 5.1 The Council via its Internet site:
  - publishes all senior employee salaries with: names, title, salary band and information including job descriptions that will cover span of control and managerial responsibilities.
  - publishes on an annual basis via its website a schedule of all council employees earning £50,000, or more, in accordance with the recommended code of practice for data transparency.
  - publishes structure charts on the Council's website as recommended by the government code of practice for data transparency.

- publishes this policy via the Council's website

- 5.1 In the event that there are changes in an employee's salary (including market supplement) which results in a salary increase to £100k during the year; this package needs to be recommended by the remuneration panel and approved by full Council. Once agreed by full Council the details of the individual and post will be published including: name, title, salary band and information including job description that will cover span of control and managerial responsibilities.
- 5.2 The Chief Executive's remuneration, that of the Directors, and any officer earning over £100k, is already the subject of a published statement (Senior Employee's Salaries) on the Council's website. Such levels of remuneration are subject to the Council's senior remuneration panel consisting of the four different political party leaders (see 4.5 above). Other salary and budget information is published in the annual statement of accounts, also available from the Council's website. The Chief Executive's priorities are also published on the website here:  
<http://www.merton.gov.uk/council/departments/chiefexecutive.htm>
- 5.3 For any new appointment where the salary is £100k per annum or more approval should be obtained from full Council prior to the appointment being made (in practical terms the agreement would be sought at the start of the recruitment process).

## 6. Termination payments

- 6.1 For Chief Officers, termination payments are reported to the General Purposes Committee and the rationale for such termination arrangements for these matters is approved by members of the Council. From April 2013 all severance packages over £100,000 are reported to full Council for approval. Pending statutory changes, if introduced, will further limit severance packages and introduce arrangements to recover payments should the person return to work in the public sector.
- 6.2 We will continue to review and publish our policy on the exercise of discretions under local authority regulations covering compensation for early termination of employment, redundancy and pension enhancements.

**MERTON PAY GAP PUBLICATION AS AT 31/03/2018**

**Hourly Rate**

Women's hourly rate is

10.5 % lower (mean)	8.2 % lower (median)
------------------------	-------------------------

**Pay quartiles**

How many men and women are in each quarter of the employer's payroll

Top quartile

36% men	64% women
---------	-----------

Upper quartile

33% men	67% women
---------	-----------

Lower middle quartile

28% men	72% women
---------	-----------

Lower quartile

25% men	75% women
---------	-----------

**Bonus Pay**

Women's bonus pay is

97.2% lower* (mean)	64.1% lower (median)
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*\* Caused in Merton by a few mainly male bailiffs amongst a small data set earning high levels of bonus*

Who received bonus pay

6.5%* of men	6.9%* of women
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*\* Noting bonus includes retention payments, merit pay, and long service awards.*

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MERTON PAY GAP PUBLICATION AS AT 31/03/2018

Excluding SLLP and RSP

**Hourly Rate**

Women's hourly rate is

9.3 % lower	4.7 % lower
(mean)	(median)

**Pay quartiles**

How many men and women are in each quarter of the employer's payroll

Top quartile

31% men	69% women
---------	-----------

Upper quartile

36% men	64% women
---------	-----------

Lower middle quartile

28% men	72% women
---------	-----------

Lower quartile

25% men	75% women
---------	-----------

**Bonus Pay**

Women's bonus pay is

87.9% lower*	68.1% lower
(mean)	(median)

*\* Caused in Merton by a few mainly male bailiffs amongst a small data set earning high levels of bonus*

Who received bonus pay

7.1%*	7.7%*
of men	of women

*\* Noting bonus includes retention payments, merit pay, and long service awards.*

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## **Committee: Council**

**Date: 6 February 2019**

Wards: All

## **Subject: Calendar of meetings 2019/20**

Lead officer: Director of Corporate Services

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Louise Fleming, Senior Democratic Services Officer  
[louise.fleming@merton.gov.uk](mailto:louise.fleming@merton.gov.uk)

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### **Recommendations:**

- A. That the Calendar of meetings for the 2019/20 municipal year at Appendix A is agreed.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. To propose a calendar of meetings for Council bodies for 2019/20.

## **2 DETAILS**

- 2.1. The details are set out in Appendix A.

## **3 ALTERNATIVE OPTIONS**

- 3.1. The Council can make whatever arrangements it sees fit in respect of the calendar within the legal constraints set out below. The Council should also have regard to audit and accounting requirements in respect of submission of the Annual Governance Statement by the end of June in each year and the approval of the Final Accounts by the end of September in each year.

## **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. The executive leader has been consulted in respect of the executive meeting schedule. The chair of the Overview and Scrutiny Commission has been consulted in respect of the scrutiny schedule. Group offices and leaders have been consulted and their comments taken into account where possible.

## **5 TIMETABLE**

- 5.1. The calendar covers the period from immediately after the 2019 Annual meeting up to and including the Annual meeting 2020.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. None for the purposes of this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. In borough election years the Council must hold its annual meeting between 12 and 25 days after the election. In other years the annual meeting must be held in March, April or May

7.2. The Council must hold a meeting to agree its budget by 11 March in each year

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. Publishing a calendar of meetings in advance is important in giving people information about when the Council proposes to do its business and take decisions which affect the community and individuals.

## **9 CRIME AND DISORDER IMPLICATIONS**

9.1. None

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. It is important for the proper discharge of the Council's duties that a proper framework for decision making is established including the scheduling of meetings in advance to allow for business reports to be properly prepared for decision making bodies.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – calendar of meetings 2019/20

## **12 BACKGROUND PAPERS**

12.1. None

2019-20	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20
<b>COUNCIL</b>													
Annual (2)	15												20
Ordinary (5)			10		18		20			5		1	
Council budget (1)											4		
<b>EXECUTIVE (inc LSG)</b>													
Cabinet (11)	15	3	15		19	14	11	9	13	10	23		20
LSG (9)	20		1		2 & 30	28	25	30	27		9		
Merantun Development Ltd Sub-Committee (4)			15			14			13		23		
<b>SCRUTINY</b>													
Overview and Scrutiny Commission (6)			3		11		13		22		18	2	
Healthier Communities and Older People OSP (6)		17			4		5		9	11	10		
Children and Young People OSP (6)		26				7	6		15	12	11		
Sustainable Communities OSP (6)		27			3	30			8	25	17		
Overview and Scrutiny Topic Workshops	20&21												
<b>NON-EXEC &amp; ADVISORY</b>													
Standards and General Purposes Committee (4)			25		5		7				12		
Borough Plan Advisory Committee (4)		6			12		28				5		
Licensing Committee (3)		12				9				6			
Planning Applications Committee (12) Thurs	23	20	18	22	26	17	14	12	16	13	19	30	
<b>OTHER</b>													
Wimbledon Forum (4)		19			25			3			26		
Raynes Park Forum (4)		13			19			5			31		
Morden Forum (2)						16				26			
Mitcham Forum (2)						10				27			
Colliers Wood Forum (1)						3							
Heritage Forum (2)						15					10		
JCC (4)		12			10			4			25		
<b>JOINT COMMITTEES</b>													
Health and Well-Being board (5) (6.15pm) Tues		25				8	26		28		24		
South London Waste Partnership Joint Committee 6.30pm* (4)		18			17			17				21	
North East Surrey Crematorium Board** (10.00am) (4)		11			10			3			tbc		
Merton and Sutton Joint Cemetery Board 2.30pm*** (3)													
Joint Regulatory Services Committee 10am**** (3)			9			15				18			
<b>Final budget round meetings in bold</b>													

\* TBC with joint Boroughs

\*\*TBC with Sutton and LBW

\*\*\* TBC with Sutton

\*\*\*\*TBC with LBR and LBW

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## **Committee: Council**

**Date: 6 February 2019**

## **Subject: Changes to Membership of Committees and related matters**

Lead officer: Ged Curran, Chief Executive

Contact officer: Louise Fleming, Senior Democratic Services Officer

Democratic Services 020 8545 3616 - [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

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### **Recommendations:**

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.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report asks Council to note the changes made to committee membership under delegated authority since the publication of the agenda for the last ordinary Council meeting on 21 November 2018.

## **2 DETAILS**

- 2.1. The following membership changes have been made by the Chief Executive under his delegated authority in accordance with section 1.4 of part 3F of the Constitution:

<b>Committee</b>	<b>Member resigning</b>	<b>Replaced by</b>	<b>Date</b>
Borough Plan Advisory Panel	Caroline Cooper-Marbiah (substitute)	Dave Ward (substitute)	23 November 2018

- 2.2. The appointments to Committees and other bodies, including the appointment of Chairs and Vice-Chairs of those committees and other bodies, were agreed at Council on 23 May 2018.

## **3 CONSULTATION UNDERTAKEN OR PROPOSED**

- 3.1. None for the purposes of this report.

## **4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 4.1. None for the purposes of this report.

## **5 LEGAL AND STATUTORY IMPLICATIONS**

- 5.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

- 5.2. The Housing and Local Government Act 1989 contains provisions relating to the political balance on committees, the duty to allocate seats to political groups and the duty to give effect to allocations.
- 5.3. The Council has a statutory duty to review the representations of different political groups on the Council in order to ensure that a political balance is secured on council committees so as to reflect the overall political composition of the council.
- 5.4. The requirement to allocate seats must be made in accordance with the following statutory principles:
  - a) All of the seats are not to be allocated to the same political group.
  - b) The majority of the seats must be allocated to the political group with a majority on the Council.
  - c) Subject to the two principles listed above, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to that on full Council.

## **6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 6.1. None for the purposes of this report.

## **7 CRIME AND DISORDER IMPLICATIONS**

- 7.1. None for the purposes of this report.

## **8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 8.1. N/A

## **9 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 9.1 None.

## **10 BACKGROUND PAPERS**

Documents from the authorised officer confirming approval of the membership changes agreed under delegated authority.



## **Committee: Council**

**Date: 6 February 2019**

## **Subject: Petitions**

Lead officer: Paul Evans, Assistant Director, Corporate Governance.

Lead member: Leader of the Council, Councillor Stephen Alambritis.

Contact officer: Democratic Services, [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

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### **Recommendation:**

1. That Council receive petitions (if any) in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.
  2. That Council notes the responses provided to the petitions submitted at the meeting held on 6 February 2019.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report invites Council to receive petitions in accordance with Part 4A, paragraph 18.1 of the Council's Constitution.

## **2 DETAILS**

- 2.1. At the meeting held on 21 November 2018, the petitions listed below were submitted and the responses are set out below. Any petitions received by Council are referred to respective departments with responsible officers asked to advise the presenting member in each case of the way in which the petition is to be progressed.

- 2.2. A petition was submitted by Councillor Nick McLean on the application of a blanket injunction banning illegal traveller incursions

### Officer Response

- 2.3 "It is intended to apply for an injunction before Christmas. This is expected to cover parks, open spaces (including Cannon Hill Common) and cemeteries (118), Mitcham Common (Wimbledon Common obtained one directly), Allotments (20), car parks (10 excluding multi storey), Libraries (7), Corporate accommodation (2), Schools (17 plus 5 Voluntary Aided if possible) industrial property and highways. The procedure requires that the initial injunction will be for three months following which an injunction for five years will be sought."

- 2.6 Members are invited to present petitions at this meeting, and a response will be provided to the next ordinary Council meeting in April 2019.

## **3 ALTERNATIVE OPTIONS**

- 3.1. None for the purposes of this report.

## **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. None for the purpose of this report.

## **5 TIMETABLE**

- 5.1. None for the purpose of this report.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1. None for the purpose of this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. None for the purpose of this report.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. None for the purpose of this report.

## **9 CRIME AND DISORDER IMPLICATIONS**

9.1. None for the purpose of this report.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

## **11 APPENDICES**

11.1. None

## **12 BACKGROUND PAPERS**

12.1. None.