

# Merton Council

## Sustainable Communities

### Overview and Scrutiny

#### Panel



Date: 1 November 2018  
Time: 7.15 pm  
Venue: Committee Rooms C, D & E - Merton Civic Centre, London Road, Morden  
SM4 5DX

#### AGENDA

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The meeting room will be open to members of the public from 7.00 p.m.**

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## Sustainable Communities Overview and Scrutiny Panel Membership

### Councillors:

Laxmi Attawar (Chair)  
Daniel Holden (Vice-Chair)  
Stan Anderson  
Ben Butler  
Joan Henry  
Russell Makin  
Nick McLean  
Anthony Fairclough

### Substitute Members:

Nigel Benbow  
Mark Kenny  
Hina Bokhari  
David Dean  
Billy Christie

### 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.

### What is Overview and Scrutiny?

Overview and Scrutiny describes the way Merton's scrutiny councillors hold the Council's Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. Scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people. From May 2008, the Overview & Scrutiny Commission and Panels have been restructured and the Panels renamed to reflect the Local Area Agreement strategic themes.

Scrutiny's work falls into four broad areas:

- ⇒ **Call-in:** If three (non-executive) councillors feel that a decision made by the Cabinet is inappropriate they can 'call the decision in' after it has been made to prevent the decision taking immediate effect. They can then interview the Cabinet Member or Council Officers and make recommendations to the decision-maker suggesting improvements.
- ⇒ **Policy Reviews:** The panels carry out detailed, evidence-based assessments of Council services or issues that affect the lives of local people. At the end of the review the panels issue a report setting out their findings and recommendations for improvement and present it to Cabinet and other partner agencies. During the reviews, panels will gather information, evidence and opinions from Council officers, external bodies and organisations and members of the public to help them understand the key issues relating to the review topic.
- ⇒ **One-Off Reviews:** Panels often want to have a quick, one-off review of a topic and will ask Council officers to come and speak to them about a particular service or issue before making recommendations to the Cabinet.
- ⇒ **Scrutiny of Council Documents:** Panels also examine key Council documents, such as the budget, the Business Plan and the Best Value Performance Plan.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at, or have views on current reviews being carried out by scrutiny, let us know.

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# Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL

4 SEPTEMBER 2018

(7.15 pm - 9.20 pm)

PRESENT: Councillors Laxmi Attawar (in the Chair), Daniel Holden, Ben Butler, Joan Henry, Russell Makin, Nick McLean, Hina Bokhari and Billy Christie

Co-opted Members

ALSO PRESENT: Councillor Mike Brunt, Edward Gretton, Martin Whelton (Cabinet Member for Regeneration, Housing and Transport), Charles Baker (Waste Strategy and Commissioning Manager), Anita Cacchioli, Cathryn James (Interim Assistant Director, Public Protection), Chris Lee (Director of Environment and Regeneration), Paul McGarry (FutureMerton Manager), Jim Rogers (Business and Customer Services Manager) and Annette Wiles (Scrutiny Officer)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Cllr Fairclough and Cllr Anderson (with Cllr Bokhari and Cllr Christie respectively substituting).

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

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

### Matters arising

It was agreed all matters arising had been addressed:

- Examples of the new waste service rollout communications were shared with Cllrs;
- Cllrs have been supplied with a bank of frequently asked questions regarding the new waste service; and
- Clarification was provided to members by email regarding the number of people accessing libraries and library visitor figures.

### 4 HIGHWAYS CONTRACT (Agenda Item 4)

Paul McGarry, Head of futureMerton, introduced the item highlighting that the report provides a summary of the re-procurement process for the highways contract from now until the commencement of the new contract in October 2019. A draft scope is

also included. This will be developed into a more detailed specification and therefore members' views on the scope are sought.

The contract is currently held by FM Conway – it is in the last year of a two year contract extension. Soft market testing activity has already taken place from which it has concluded that the contract renewal will be determined through a full procurement process with full exposure to the market to test best value. The length of the contract will be for seven years initially with the option to extend by a further three years.

As part of the early stages of the procurement process there has been liaison with neighbouring boroughs to explore the option of joint commissioning. Richmond and Wandsworth already have a shared contract as do Sutton and Kingston. As these contracts have already commenced and their timing is fixed, there isn't an option for Merton to join either of them at this stage.

In response to member questions, the following clarification was provided:

- (Paul McGarry) The proposed length of the contract has been determined by what is typical in the market. Also, to allow the timing of the contract to come in-line with those jointly commissioned contracts already commenced by neighbouring boroughs;
- (Paul McGarry) Merton's highways are all subject to an ongoing programme of inspections with frequency determined by use – the busiest are inspected monthly with the least busy inspected annually. These inspections inform the programme of planned capital works. The material with which potholes are filled is robust. However, further derogation of the road surface will typically happen around this infill. Reported potholes are assessed. This will determine if the hole will be filled or the whole road resurfaced through the capital programme;
- (Chris Lee, Director Environment & Regeneration) Highways maintenance is funded from both revenue and capital budgets. Typically, there is a £660K revenue spend on potholes. This is for day-to-day repairs that cannot be capitalised due to accountancy rules. The capital spend is £2.5m a year on road and footway surface renewal with additional funding for road junctions and changes to road layouts. Contractors are making their own capital investments in equipment to deliver these highway contracts. This is also a key factor in determining the length of the contract as time is needed to defray the capital investment;
- (Paul McGarry) Consideration is being given to introducing a risk based approach to highways maintenance. However, this will be influenced by London Councils given a change of approach by DfT and will only be effective if adopted across all London boroughs;
- (Paul McGarry) Merton's highways are the council's largest physical asset; if all our roads, footpaths and cycle paths were laid end-to-end they stretch from Merton to Barcelona. Whilst potholes result in damage on the top surface of the borough's highways, this is only the cosmetic, the key part of the road structure that determines its integrity is the subsurface which is surveyed annually with radar. Many factors affect the quality of Merton's highways but ice has done a lot of damage recently with the severe winter in 2017/18;

- (Paul McGarry) The decision not to pursue a competitive dialogue but instead to go through a full procurement process is based on the current contract having been held over the longterm and a market perception that the current contractor could have advantage. A full procurement process will allow all interested parties to have the same information and discussions with the council;
- (Paul McGarry) Quarterly meetings are held with utility companies to plan and permit their works. However, given the age of the infrastructure, emergency works are often required that cannot be planned. These also have to be permitted. The Council does issue fines to utility companies where works go over their permitted time or where the utility company hasn't obtained a permit to carry out work;
- (Paul McGarry) The 28 day requirement to rectify a defect to the highways surface commences as soon as this is known/reported;
- (Chris Lee) In comparison with other London Boroughs, the condition of highways in Merton is good. The percentage of highways that fall below the standard required is measured annually. A sharper decline in the quality of Merton's highways was seen before winter 2017/18. As a result the Capital Programme has been adjusted;
- (Chris Lee) Technology used to make repairs is continuing to improve and there is a constant focus on how to reduce costs;
- (Paul McGarry) The estimated £2m reduction in TfL funding between 2017/18 and 2018/19 for Highways Service and Works is a result of the budget having been previously increased by major schemes and special projects such as Mitcham town centre where the funding was received from Transport for London; and
- (Paul McGarry) Private landowners are responsible for maintaining surfaces on private forecourts even where these abut the public highway. The Council can issue enforcement notices to ensure works are undertaken if there is a credible danger to public safety.

**RESOLVED:** that the more detailed specification and outcome of the full procurement process return to scrutiny at its February meeting for pre-decision scrutiny (before this progresses to Cabinet for its decision).

## 5 PARKING UPDATE REPORT (Agenda Item 5)

Jim Rogers, interim Head of Parking, provided an introduction to the item. The report summarises current project work which will be delivered over the next 12 – 24 months. ANPR is operating well and will shortly be rolled out to enforce parking restrictions outside schools. It is thought the necessary funding has been secured to realise this development. Use of Ringo, the cashless parking system, has increased with close to a 50/50 split between cash and online payment being made for parking.

The procurement of the new back office system is progressing with a draft specification now available. It is in plan that a new virtual permits system will be procured before the end of the financial year. This aims to improve the accessibility of services to customers. Currently in its second year of operation, the diesel levy will be reviewed during its third year. It is hoped this will have changed behaviours away from diesel cars to less polluting forms of transport. Free Christmas parking is currently being evaluated with the practicalities for offering this for a fixed period of

time being explored. Lastly, it is now possible to report illegal parking outside of business hours. During the first month of operation offering this addition to the service, 344 calls were received leading to site visits.

In response to member questions, officers clarified:

- (Jim Rogers) The ANPR locations are subject to rolling review. Where compliance improves, other locations are explored for relocation;
- (Chris Lee) The objective of the diesel levy is to improve air quality. It has been accepted that the Panel will agree the terms of reference for the review of the levy that will happen during the next municipal year. It is anticipated that this will consider the number of permits requested in year 1 compared to year 2 of operation and compare any reflected change in diesel car ownership against the degree of change during the same period nationally. It will need to be determined if a perceived or actual large drop in diesel car ownership would mean the levy is considered successful and/or if lower drop would deem it ineffective;
- (Jim Rogers) The amount of revenue raised through the diesel levy will be shared with Panel members subsequent to the meeting. All funds raised through the levy have to be used for highways related spending;
- (Jim Rogers) All notifications of vehicle changes made to the Council for parking permits are verified to check if the vehicle is diesel. Initially, this verification is done with the owner and subsequently this is verified against the DVLA database;
- (Jim Rogers) Virtual parking permits will mean that residents may not be able to tell whether or not a vehicle is parked legally as there won't be anything on the car to denote this status. However, enforcement officers will be able to check the legality of the parking;
- (Jim Rogers) Residents can now report illegal parking out of usual office hours by calling the usual number and selecting a designated option to take them through to the team leader's mobile phone or the team answerphone;
- (Jim Rogers) Unaware of any complaints regarding street electric charging points taking up parking spaces;
- (Jim Rogers) Using the ANPR system, officers will be able to view in real time in the office contraventions of parking restrictions outside schools. Regulations require that a second officer views and agrees these contraventions before a penalty charge notice can be issued. Merton's two camera cars are still in use. However, they aren't used to enforce parking restrictions outside schools because they too struggle to find an appropriate place to park. Rather they are now being used to successfully enforce bus stops;
- (Jim Rogers) The large number of calls received by the parking team in relation to parking permits reflects that the period covered included the implementation of the diesel levy and the introduction of a number of control parking zones;
- (Jim Rogers) Working in partnership with organisations such as LoveWimbledon, it has been established that the free Christmas parking initiative hasn't generated an increase in footfall/income for local businesses. Given the cost to the Council (in lost revenue from parking fees) it needs to be demonstrated that free Christmas parking is having a positive benefit for the local economy;
- (Jim Rogers) The level of saving anticipated from going to all payments for parking being cashless will be supplied after the meeting. A phased approach will



be taken to going to all cashless payment. This is likely to happen as the number of controlled parking zones increases;

- (Chris Lee) Cashless parking operators have alliances with newsagents to allow payment for parking where the driver is unable to use the cashless parking system;
- (Jim Rogers) Less than 1% of the Penalty Charge Notices issued proceed to London Tribunals for adjudication. There has been an increase in the total number of cases going to Tribunal now compared to 2018 but this reflects the increase in PCNs issued following the implementation of the ANPR system and an increase in traffic contraventions being captured;
- (Jim Rogers) Adjudications are tracked and assessed and if it were ever to be deemed appropriate, Merton would alter its practice accordingly. However, some variability in adjudications has been noticed;
- (Jim Rogers) How new requirements on anti-idling will be enforced in the borough is still being considered. In part this will be determined by requirements. If this is viewed as a parking contravention, it will require enforcement by an officer.

**RESOLVED:** To consider the options for free Christmas parking as part of the wider budget scrutiny at the November 2018 meeting.

## 6 WASTE COLLECTION SERVICE - PROGRESS UPDATE (Agenda Item 6)

The Panel received a representation from Terry Langford, a Merton resident. Ms Langford highlighted that she already receives an assisted collection. Having contacted the call centre to request the same following the rollout of the new waste service, she noted that no response has yet been received.

In response, Anita Cacchioli, Interim Assistance Director Public Space, thanked Ms Langford for her comments and noted that any resident already receiving an assisted collection under current arrangements would continue to do so and that there is no need for anyone already receiving an assisted collection to do anything further. These arrangements will simply continue. It is only those that wish to begin receiving assisted collections that have been asked to provide notification.

Cllr Brunt, Cabinet Member for Environment and Street Cleanliness, provided an introduction to the item. The new service, commencing from 1 October 2018, is the most significant change to waste services that the borough has ever experienced. Delivery of wheeled bins has commenced. Rollout of the new service is also happening in Croydon but is one month ahead of Merton and therefore collections under the new arrangements have now started. There has been a significant number of public engagement events that have happened across the borough to promote and explain the new service. These have provided residents with the opportunity to talk to both officers and Veolia staff about the service. It's estimated that these have engaged around 2,000 residents and allowed discussion of some residents sharing bins, difficulties regarding some properties not having sufficient space to store bins and requests for larger and additional bins.

It was highlighted that the wheeled bin service caters to 64,000 households across the borough and therefore the service change is an enormous task. Noted that some residents don't trust Veolia to correctly return bins to their property. The Cllr asked that residents, officers and Veolia work together to get the new service working correctly including that residents make reports where the service isn't happening as required. Resident reports are needed in order to achieve enforcement of the contract.

Noted the enhancements that are being achieved through the new service with clothing and battery collections happening from the kerbside (batteries are especially causing difficulties in landfill). Also highlighted the need for Merton to improve its recycling of food waste to increase take up and volume so that this is no longer included in residual waste to go to landfill. On average Sutton households are recycling twice as much food waste as those in Merton demonstrating that there is room for improvement. The general deterioration in street cleanliness was also noted and that there are those that are welcoming the service change in order to address these issues in addition to lowering the costs of the service. Finally, it was noted that the new service was a key part of the administration's manifesto at the election in May 2018.

Charles Baker, Commissioning Manager for Waste and Fleet Services, added that the largest number of calls to the contact centre has been to request bigger and more bins. There have been 4,000 request for food waste caddies. However, with only an estimated 30 – 35% of households in Merton currently using these, further take-up is needed in order to get the coverage needed. There has been an 8% increase in requests for assisted collections and eight wards have received their wheeled bins with deliveries ongoing throughout September.

In response to member questions, the following clarification was provided:

- (Cllr Brunt) The information provided to residents on the new service rollout has been clear, concise and comprehensive. A postcard will be delivered to all households with their last collection under current arrangements to highlight that their next collection will be under the new arrangements;
- (Chris Lee) As with any contract, there is a need to achieve some clarification once it is underway. This would be the case with any contract. These discussions are commercially sensitive and therefore cannot be shared at the current time. However, it is hoped they will be concluded as soon as possible;
- (Cllr Brunt) Aware of a small number of complaints regarding the delivery of the wheeled bins which are currently being addressed. Discussions are ongoing regarding the collection of old bins that will no longer be used. It is hoped it will be possible to put something in place within two months of the service going live. However, the priority currently is to get the new service up and running;
- (Cllr Brunt) Changes to the phasing of street collections have been made to ensure that collections from high density areas across the borough happen on Tuesdays, Wednesdays and Thursdays. This has been specified by the contractor as it is the contractor's role to specify how the contract is best achieved;

- (Charles Baker) There are currently no plans to collect oil at the kerbside. This is because large collections of oil result in this being classed as a hazardous material for which a specialist contractor/service is required. However, if this is taken by residents to the Garth Road facility, there are designated containers in which oil can be disposed of safely. Arrangements for the collection of Christmas trees remains unchanged and will occur from the kerbside in the two weeks following Twelfth Night;
- (Charles Baker) The bulky waste service is very popular which is why there is a two to four week lead time for collections which mirror the schedule for other waste collections. Work is happening to try and reduce this lead time as much as possible;
- (Charles Baker) Ideally existing bins will be reused or recycled. An arrangement has been put in place for any old bins taken to the Garth Road facility to be recycled;
- (Charles Baker) Aware that there are some maisonettes that incorrectly received information on the new service intended for houses. These have subsequently received the correct information. If there are any other households that have received incorrect information, please notify officers so this can be rectified by the contractor;
- (Cllr Brunt) The existing team of three Neighbourhood Services Officers is increasing to five in order to provide more resource to enforce the contract. Highlighted that the contract takes time to bed in. Examples of Veolia taking action to improve the service includes letting some staff go who weren't working to the required standard. The Council needs to allow the contractor to take this action. It's the Council's role to manage the contract which means notifying the contractor of deficiencies so that it can make the necessary rectifications. Tight management of the contract is required to improve performance;
- (Chris Lee) An increase in calls to the contact centre is anticipated with the start of the new service. There has been an increase in call centre staff made since the beginning of August. However, there hasn't been a spike in calls to date. This is seen to demonstrate that resident questions have been addressed by the leaflets and other communications. Noted that the service is now live in Croydon and delivering satisfactorily although hiccups both in Croydon and Merton are anticipated;
- (Charles Baker) Timing for the evaluation of the rollout is yet to be determined. However, this does have an allocated budget and the involvement of the Sustainable Communities Overview and Scrutiny Panel in this process would be welcomed.

**RESOLVED:** To involve residents and seek their feedback on the rollout of the new service as part of the planning for the Veolia item that will come to the Panel in February 2019.

## 7 CROSSOVERS TASK GROUP RECOMMENDATIONS - ACTION PLAN (Agenda Item 7)

The following clarification was provided in response to member questions on the action plan:

- (Chris Lee) It is common practice for a limit of 2.5 annual permits to be issued per bay in controlled parking zone areas and for no further crossovers to be allowed where this limit is met. This is to prevent parking stress in the area. These details appear in the consultation that takes place for each controlled parking zone; and
- (Paul McGarry) There is a separate fee levied for building crossovers. This is in addition to the application fee. This reflects that some applications are not approved but that the Council still needs to cover its costs in considering the application. The Council undertakes the construction of all approved crossovers as they remain a Council asset.

## 8 PERFORMANCE MONITORING (Agenda Item 8)

Chris Lee provided an introduction to the performance monitoring data set for the Environment & Regeneration Department, highlighting the following items:

- The figures on page 51 of the agenda pack demonstrate that Merton is winning more parking tribunal cases than expected with a very small proportion of all cases ending up at tribunal;
- SP 494 – air quality monitoring: this is a target that will not be met. This is the same for the rest London as it is for Merton; and
- SP 020 – new homes: the figure for 2017/18 is now available with 648 new homes having been built against a target of 435. This is therefore a significant achievement but the London Plan is likely to include an annual target for new homes in Merton that is twice this figure. This will be a significant stretch; and
- CRP 051/052/052 – determination of planning applications (major, minor and other): all are ahead of target.

Cllr McLean, the performance monitoring lead for the Panel, had held a pre-meet with officers to look at the data set in more detail. As a result of this he made the following comments:

### Community & Housing:

- Housing Needs stats: as anticipated the service is seeing an increase in clients as a result of the new Housing Reduction Act but currently this isn't having an impact on service performance. It is still very much early days in terms of the Homelessness Reduction Act with officers continuing to monitor;
- SP280/no of active volunteers in libraries: whilst this is achieving above target, there is still a focus on increasing the breadth of volunteers and addressing the east/west divide. A targeted campaign will take place during the autumn; and
- SP480/visitor figures: this figure is incorrect and is currently around 15,000 visitors below the year to date target. This is something for the Panel to potentially keep an eye on throughout the year.

### Environment & Regeneration:

- SP494/monitoring sites exceeding national levels: these figures are for the new way of measuring air quality. We look forward to understanding these new figures better and monitoring as we move forward. Obviously, this is an important

measure given the known impact of poor air quality on health outcomes for residents;

- LER OS 01 Park Quality Management Score: this is a new measure that it is good to see being included in the performance monitoring as it gives the Panel another way of scrutinising the Idverde contract; and
- CRP 051/052/053 processing of planning applications: performance on these seems to be improving. This is welcome and assumed to be as a result of additional resource being provided through Capita.

In response to member questions, the following clarification was provided:

- (Chris Lee) It is the Council's role to enforce the contract with Veolia. This allows for deductions to be made where the service delivered isn't as specified. Deductions for 2017/18 and this year are currently. This information will be shared with the Panel once the deductions are agreed;
- (Cathryn James) There has been an increase in longer term sickness amongst parking staff due to two genuine cases with a return to work in both cases anticipated shortly. There has been a decrease in short term sickness amongst parking staff;
- (Cathryn James) The perceived shortfall in the income from the Regulatory Services Partnership is a phasing issue. Income is received in large tranches rather than being uniformly phased throughout the year. This position will be recovered during the year;
- (Charles Baker) The increase in weeds has been caused by Veolia spraying too early (with snow falling subsequently limiting effectiveness). The Neighbourhood Client Officers are monitoring the situation and reporting. Veolia is then manually weeding with a hoe. This takes longer and isn't as effective;
- (Charles Baker) Litter being above target every month since the contract with Veolia commenced in April 2017 is a concern. The introduction of wheeled bins will address some of the issue as these will better contain litter. However, litter is also caused by this being dropped by residents and visitors to the borough. Fines need to be used to generate behaviour changes and enforcement; and
- (Chris Lee) It is assumed that the drop in leisure centre users may reflect that the facilities are now aged and because of the hotter weather. The Council is working with GLL, the operator, to encourage greater use.

A question was received from a resident in advance of the meeting to which the chair gave her permission for this to be asked at the meeting: Is the Panel aware that Waste Services have been failing to address errors in the processing and reporting of CRM data for waste services collections, that impact the reporting of KPIs (RE complaints ER18S1070 and ER18S2025 unanswered)? What action will the Panel take to enforce scrutiny and corrective actions?

Charles Baker gave the following response:

All reports of missed collection are captured in our Customer Relationship Management (CRM) system. This is reliant on resident reports made on-line or by phone to LBM's contact centre. The system integrates with Veolia's ECHO system and tasks are created for the collection crews to complete.

It is important to note that when reporting on the level of performance for waste collection we use the raw data extracted from the CRM. This is different to our data set when measuring Veolia's efficiency and the time taken in rectifying areas of missed collection.

We are aware that the quality of the CRM data relies on the collection crews updating the system accurately and only closing tasks once completed. In order to monitor the accuracy of this data our Neighbourhood Client Officers (NCO's) undertake spot checks and monitor the level of compliance. Any area of discrepancy that is identified is investigated and the data amended or a new task created.

Note - The time allocated to these spot checks has been limited. In order to address this additional resource has been secured and the level of inspections will increase once the relevant induction/training has been completed.

## 9 WORK PROGRAMME (Agenda Item 9)

Cllr Butler requested to join the single use plastics task group.

**RESOLVED:** That Cllr Makin will provide a written update by email regarding the climate change task group.

## **Committee: Sustainable Communities Overview and Scrutiny Panel**

1 November 2018

## **Healthier Communities & Older People Overview and Scrutiny Panel**

6 November 2018

## **Children and Young People Overview and Scrutiny Panel**

7 November 2018

## **Overview and Scrutiny Commission**

14 November 2018

**Agenda item:**

**Wards:**

**Subject:** Business Plan Update 2019-2023

**Lead officer:** Caroline Holland

**Lead member:** Councillor Mark Allison

**Contact officer:** Roger Kershaw

**Forward Plan reference number:**

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### **Recommendations:**

1. That the Panel considers the proposed amendments to savings, new savings for 2019-23 set out in Appendix 2 and Appendix 3 of the attached report on the Business Plan 2019-2023 and associated equalities analysis where applicable, which it is proposed are incorporated into the draft MTFS 2018-22.
2. That the Panel considers the draft capital programme 2019-23 and indicative programme for 2023-28 set out in Appendix 3 of the attached report on the Business Plan
3. That the Overview and Scrutiny Commission considers the comments of the Panels on the Business Plan 2019-2023 and provides a response to Cabinet when it meets on the 10 December 2018.

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### **1. Purpose of report and executive summary**

- 1.1 This report requests Scrutiny Panels to consider the latest information in respect of the Business Plan and Budget 2019-23, including proposed amendments to

savings previously agreed by Council, and new savings for 2019-23. This report also includes associated equalities assessments for proposed savings where applicable. The panel are also asked to consider the draft capital programme 2019-23. Panels are requested to feedback any comments to the Overview and Scrutiny Commission.

- 1.2 The Overview and Scrutiny Commission will consider the comments of the Panels and provide a response on the Business Plan 2019-23 to Cabinet when it meets on the 10 December 2018.

## 2. **Details - Revenue**

- 2.1 The Cabinet of 15 October 2018 received a report on the business plan for 2019-23.

- 2.2 At the meeting Cabinet

RESOLVED:

1. That Cabinet considered and noted the draft savings/income proposals (Appendix 3) put forward by officers and referred them to Overview and Scrutiny panels and Commission in November 2018 for consideration and comment.
2. That Cabinet noted the proposed amendments to savings set out in Appendix 2 and incorporated the financial implications into the draft MTFS 2019-23.
3. That Cabinet noted the latest draft Capital Programme 2019-23 detailed In Appendix 4 for consideration by Scrutiny in November and noted the indicative programme for 2023-28.

## 3. **Alternative Options**

- 3.1 It is a requirement that the Council sets a balanced budget. The Cabinet report on 15 October 2018 sets out the progress made towards setting a balanced budget. This identified the current budget position that needs to be addressed between now and the report to Cabinet on 10 December 2018, with further reports to Cabinet on 14 January 2019 and 18 February 2019, prior to Council on 6 March 2019, agreeing the Budget and Council Tax for 2019/20 and the Business Plan 2019-23, including the MTFS and Capital Programme 2019-23.

## 4. **Capital Programme 2019-23**

- 4.1 Details of the draft Capital Programme 2019-23 were noted by Cabinet on 15 October 2018 in the attached report for consideration by Overview and Scrutiny panels and Commission.

## 5. **Consultation undertaken or proposed**

- 5.1 Further work will be undertaken as the process develops.



## 6. **Timetable**

- 6.1 The timetable for the Business Plan 2019-23 including the revenue budget 2019/20, the MTF5 2018-22 and the Capital Programme for 2019-23 was agreed by Cabinet on 17 September 2018.

## 7. **Financial, resource and property implications**

- 7.1 These are set out in the Cabinet report for 15 October 2018. (Appendix 1)

## 8. **Legal and statutory implications**

- 8.1 All relevant implications have been addressed in the Cabinet reports. Further work will be carried out as the budget and planning proceeds and will be included in the budget report to Cabinet on the 10 December 2018.
- 8.2 Detailed legal advice will be provided throughout the budget setting process further to any proposals identified and prior to any final decisions.

## 9. **Human Rights, Equalities and Community Cohesion Implications**

- 9.1 All relevant implications will be addressed in Cabinet reports on the business planning process.
- 9.2 A draft equalities assessment has been carried out with respect to the proposed replacement savings and new saving where applicable and is included as Appendix 4 to the Business Plan report (Appendix1).

## 10. **Crime and Disorder implications**

- 10.1 All relevant implications will be addressed in Cabinet reports on the business planning process.

## 11. **Risk Management and Health and Safety Implications**

- 11.1 All relevant implications will be addressed in Cabinet reports on the business planning process.

### **Appendices – the following documents are to be published with this report and form part of the report**

Appendix 1: Cabinet report 15 October 2018: Draft Business Plan 2019-23

## **BACKGROUND PAPERS**

- 12.1 The following documents have been relied on in drawing up this report but do not form part of the report:

Budget files held in the Corporate Services department.

2018/19 Budgetary Control and 2017/18 Final Accounts Working Papers in the Corporate Services Department.

Budget Monitoring working papers

MTFS working papers

13. **REPORT AUTHOR**

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# **CABINET**

**Date: 15 October 2018**

**Subject: Draft Business Plan 2019-23**

**Lead officer:** Caroline Holland – Director of Corporate Services

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

**Contact Officer:** Roger Kershaw

## **Urgent report:**

Reason for urgency: The chairman has approved the submission of this report as a matter of urgency as it provides the latest available information on the Business Plan and Budget 2019/20 and requires consideration of issues relating to the Budget process and Medium Term Financial Strategy 2019-2023. It is important that this consideration is not delayed in order that the Council can work towards a balanced budget at its meeting on 6 March 2019 and set a Council Tax as appropriate for 2019/20.

## **Recommendations:**

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1. That Cabinet considers and agrees the draft savings/income proposals (Appendix 3) and associated draft equalities analyses (Appendix 5 – TO FOLLOW) put forward by officers and refers them to the Overview and Scrutiny panels and Commission in November 2018 for consideration and comment.
  2. That Cabinet agree the proposed amendments to savings set out in Appendix 2 and incorporate the financial implications into the draft MTFS 2019-23.
  3. That Cabinet agrees the latest draft Capital Programme 2019-23 detailed in Appendix 4 for consideration by scrutiny in November and notes the indicative programme for 2023-28.
- 

## **1. Purpose of report and executive summary**

- 1.1 This report provides an update on progress towards preparing the Business Plan 2019-23 and requests Cabinet to consider and agree new savings proposals for 2019-23. Cabinet are also asked to consider and agree some proposed amendments to savings, including replacement savings, which have been approved previously and are incorporated into the current MTFS.
- 1.3 The report also provides details of the latest capital programme, including new bids for 2022/23 and an indicative programme for 2023- 2028.

## Details

### 2. Medium Term Financial Strategy 2019-23

2.1 At its meeting on 17 September 2018 Cabinet considered a report which updated the Business Plan 2019-23. At the meeting it was resolved by Cabinet:-

#### RESOLVED:

1. That the rolled forward MTFs for 2019 – 23 be noted.
  2. That the latest position with regards to savings already in the MTFs be confirmed.
  3. That the approach to setting a balanced budget using the unmet balance of last year's savings targets as the basis for the setting of targets for 2019-23 be agreed.
  4. That the proposed savings targets be agreed.
  5. That the timetable for the Business Plan 2019-23 including the revenue budget 2019/20, the MTFs 2019-23 and the Capital Programme for 2019-23 be agreed.
  6. That the process for the Service Plan 2019-23 and the progress made so far be noted.
  7. That the information regarding the London Business Rates Pool - Strategic Investment Pot set out in Appendix 3 be noted and authority be delegated for future action regarding the London Business Rates Pool to the Director of Corporate Services in collaboration with the Deputy Leader and Cabinet Member for Finance.
- 2.2 In the September Cabinet report, the following budget gap in the MTFs was identified before identifying any new savings and income proposals:-

	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>
Budget Gap	791	13,731	2,433	1,774
Budget Gap (Cumulative)	791	14,522	16,955	18,729

These figures assume that there is no loss of Adult Social Care grant funding, net of Adult Social Care Council Tax hypothecation of 2% in 2019/20. If this is not the case, the budget gap is estimated to rise to £20.204m by 2022/23.

	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>
Budget Gap	791	15,207	2,433	1,773
Budget Gap (Cumulative)	791	15,998	18,431	20,204

2.3 Assuming the worst case scenario to include a potential shortfall in Adult Social Care funding , the targets to balance the MTFs at this stage for each department are as follows:-

<b>Savings Targets</b>	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>	<b>Total £000</b>
Corporate Services	138	2,650	426	379	3,593
Children, Schools & Families	143	2,740	438	299	3,620
Environment & Regeneration	263	5,066	807	495	6,631
Community & Housing	247	4,751	762	600	6,360
<b>Total</b>	<b>791</b>	<b>15,207</b>	<b>2,433</b>	<b>1,773</b>	<b>20,204</b>
Net Cumulative total	791	15,998	18,431	20,204	

2.4 In accordance with the Business Planning timetable agreed by Cabinet on 17 September 2018, service departments have been reviewing their budgets and formulating proposals to address their targets. The progress made to date is set out in this report.

2.5 The proposals submitted to this meeting by each department are summarised in the following table and set out in detail in Appendix 3. E&R will be bringing forward savings proposals to December Cabinet and January Scrutiny . Work is underway on these and in particular sustainable transport plans that will inevitably have revenue consequences . It is preferable for all of these E&R proposals to be considered together and since they are not complete yet they will be brought to the next round of the budget consideration process.

<b>SUMMARY (cumulative)</b>	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>	<b>Total £000</b>
Corporate Services	75	15	0	0	90
Children, Schools & Families	0	550	0	0	550
Environment & Regeneration	0	0	0	0	0
Community & Housing	0	100	0	0	100
<b>Total</b>	<b>75</b>	<b>665</b>	<b>0</b>	<b>0</b>	<b>740</b>
Net Cumulative total	75	740	740	740	

2.6 Draft Equalities Assessments where applicable are included in Appendix 5 (To follow).

### 3. Proposed Amendments to Previously Agreed Savings

- 3.1 In recent years, the introduction of multi-year financial planning has resulted in savings agreed in a particular financial year having an impact on future years. These have been incorporated into the Council's Medium Term Financial Strategy. The full year effect of savings in the current MTFs from 2019/20 onwards is shown in the following table:-

	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>	<b>Total £000</b>
Corporate Services	1,418	261	40	0	1,719
Children, Schools & Families	429	150	0	0	579
Environment & Regeneration	1,230	95	75	0	1,400
Community & Housing	1,387	1,100	0	0	2,487
<b>Total</b>	<b>4,464</b>	<b>1,606</b>	<b>115</b>	<b>0</b>	<b>6,185</b>
<b>Cumulative total</b>	<b>4,464</b>	<b>6,070</b>	<b>6,185</b>	<b>6,185</b>	

- 3.2 Monitoring of the delivery of savings is important and it is essential to recognise as quickly as possible where circumstances change and savings previously agreed are either not achievable in full or in part or are delayed. Progress on delivering savings that have been agreed by Council as part of the budget is reported to Cabinet as part of monthly monitoring. In some cases the circumstances change in relation to specific savings which mean that it is no longer possible to deliver the saving either in full or in part. In order to ensure that a balanced budget is still achieved and that it is not necessary to undertake unplanned use of reserves which puts pressure on future budget planning, departments are required to identify alternative savings proposals (replacement savings) to substitute for savings which are deemed to be unachievable. Budget management such as this is an important part of the Business Planning process.

The following changes to agreed savings are proposed in this report:-

#### 3.2.1 Children, Schools and Families

Savings totalling £0.429m which are in the MTFs are not going to be achieved. Replacement savings totalling £0.329m are proposed, leaving a net shortfall of £0.100m for which replacement savings will be identified in a future report.

Draft Equalities Assessments will be included in the report to Cabinet where applicable.

- 3.2.2 Further details of the proposed amendments to previously agreed savings are provided in Appendix 2.

### 3.3 Summary

The overall effect of the proposed amendments is set out in the following table:-

	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Total £000
Corporate Services	0	0	0	0	0
Children, Schools & Families	(100)	0	0	0	(100)
Environment & Regeneration	0	0	0	0	0
Community & Housing	0	0	0	0	0
<b>Total</b>	<b>(100)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(100)</b>
<b>Cumulative total</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	<b>(100)</b>	

## 4. Treasury Management: Capital Financing Costs and Investment income

4.1 The report to Cabinet in September 2018 provided information on the capital financing costs of the Capital Programme based on the June monitoring position.

### 4.2 Investment Income

There are two key factors that impact on the level of investment income that the Council can generate:-

- The amount invested
- The interest rate that is achieved

Based on latest information, the projected levels of investment income over the period of the MTFs have been revised. The following table show the latest projections compared with the amounts included in the MTFs approved by Cabinet in September 2018:-

Investment Income	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
MTFS (Cabinet September 2018)	(584)	(449)	(395)	*(1,386)
Latest projections	(619)	(463)	(395)	*(1,383)
Change	(35)	(14)	0	3

\* Includes interest on Property Company loan which is subject to review.

### 4.3 **Capital Programme for 2019-23**

This report includes the latest information on the draft Capital Programme 2019-23 based on August monitoring information including the addition of new schemes commencing in 2022/23. An indicative programme for 2023-28 is also provided. The draft programme is set out in Appendix 4.

- 4.4 The bidding process for 2022/23 was launched on 25 June 2018.
- 4.5 The current capital provision and associated revenue implications in the currently approved capital programme, based on August 2018 monitoring information, are as follows:-

	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000
Capital Programme	38,134	24,640	19,800	13,677
Revenue Implications (net of investment income)	10,125	11,438	12,814	12,933

- 4.6 The change in the capital programme since that reported to Cabinet on 17 September 2018, which was based on June 2017 monitoring information, is summarised in the following table:-

	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Capital Programme:				
- Cabinet 17 September 2018	37,247	24,378	19,808	11,743
- Revised Position with Slippage revisions and new schemes commencing in 2022/23	38,134	24,640	19,800	13,677
Change	887	262	8	1,934
<u>Borrowing Costs</u>				
Cabinet 17 September 2018	10,872	11,900	13,062	14,118
Revised	10,745	11,894	13,193	14,300
Change	(127)	(6)	131	182

- 4.6 The programme has been rigorously reviewed and reduced where appropriate. The changes made to the programme are detailed within Appendix 4, along with movements when compared to the current programme. This review is continuing and it is envisaged that further information will be presented to December 2018 Cabinet.

## 5. Update to MTFS 2019-23

- 5.1 If the changes outlined in this report are agreed the forecast budget gap over the MTFS period, assuming loss of Adult Social Care Funding is:-

	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Budget Gap	653	14,692	2,593	1,828
Budget Gap (Cumulative)	653	15,345	17,938	19,766

- 5.2 A more detailed MTFS is included as Appendix 1.



5.3 It is anticipated that new revenue savings/income proposals and revisions to the capital programme will continue to be identified during the business planning process and these will be included in future reports to Cabinet in accordance with the agreed timetable and these will go onto Overview and Scrutiny Panels and the Commission in January 2018.

## 6. Business Rates Retention in 2019/20

6.1 In 2018/19, along with all other London boroughs, Merton was part of the London Business Rates Pilot Pool which was trialling 100% Business Rates Retention. In return for a greater share of the Business Rates generated, Revenue Support Grant was foregone.

6.2 In the MTFs 2018-22 agreed by Council in February 2018, it was assumed that the pilot would only operate in 2018/19 and Merton would revert back to its previous funding basis whereby Revenue Support Grant would be received in accordance with the four-year funding guarantee set out in the Local Government Funding settlement 2016-17. On this basis the draft MTFs 2019-23 includes the following:-

<b>DRAFT MTS 2019-23</b>	<b>2019/20 £000</b>	<b>2020/21 £000</b>	<b>2021/22 £000</b>	<b>2022/23 £000</b>
Revenue Support Grant	(5,076)	0	0	0
Business Rates (inc. Section 31 grant)	(35,360)	(37,726)	(38,286)	(38,501)
PFI Grant	(4,797)	(4,797)	(4,797)	(4,797)
New Homes Bonus	(2,028)	(1,304)	(1,008)	(800)
Corporate Government Grant in the MTFs	(47,261)	(43,827)	(44,091)	(44,098)

6.3 In December 2017, the government announced the aim of increasing the level of business rates retained by local government from the current 50% to the equivalent of 75% in April 2020. This is less than the 100% currently being piloted by some authorities, including the London pool.

6.4 On 18 September 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published its latest guidance on Business Rates Retention pilots. In respect of the ten 100% business rates retention pilots (excluding London) that were agreed for 2018/19, the guidance states that:-

“Whilst these pilots are set to end on 31 March 2019, we are inviting the areas involved to apply to become 75% business rates retention pilots in 2019/20.”

However, in respect of the London pilot the guidance states:-

“The government will continue to have separate discussions with London about their pilot programme.”

6.5 As part of the 2018/19 pilot, London agreed a “no detriment” clause. A “no detriment” guarantee ensured that the pool, as a whole, could not be worse off than the participating authorities would have been collectively if they had not entered the pilot pool. In the unlikely event of this arising, Government would intervene to provide additional resources and as a result, London would be able to guarantee that no authority could lose out as a result of participating.

6.6 However, in the latest guidance it is stated that:-  
“As the pilots are testing the pooled authorities’ approach to risk, the government has agreed that a ‘no detriment’ clause will not be applied to the 2019/20 pilots. Instead, selected areas will test a 95% safety net to reflect increased risk in the proposed increased business rates retention system. Applying a ‘no detriment’ clause to the pilots would not be reflective of the reformed business rates retention system that the government aims to introduce in 2020/21.”

6.7 The deadline for any proposals for new pilots is 25 September 2018 and within the conditions for agreeing these the Government state that:-

“The 2019/20 pilot programme will last for one year only in preparation for the full implementation of a reformed business rates retention system that the government aims to introduce on 1 April 2020 and does not prejudice the discussion the department will be continuing to have with Local Government on the future of the business rates retention system as a whole.”

6.8 Given the uncertainty currently surrounding the future of the London pool, it is not proposed to change the funding currently included in the MTFs at this stage. Details will be included in future reports as more information becomes available and a decision over the continuation of the pool has been determined.

## **7. Local Government Finance Settlement 2019-20**

7.1 The Government has indicated its proposed approach to the 2019/20 Local Government Finance Settlement but final decisions will not be known until the Provisional Local Government Settlement is announced, usually mid-December.

- barring exceptional circumstances and subject to the normal statutory consultation process for the Local Government Finance settlement, the Government intends to use the four year offer allocations set in 2016-17 in the 2019-20 Provisional Local Government Finance Settlement following the Autumn Budget. If the London Business Rates Pilot Pool continues to 2019/20 this will not apply.
- New Homes Bonus 2019/20 - New Homes Bonus calculations are based on additional housing stock reported through the council tax base and decisions

on the baseline for 2019- 20 will be made following a review of the data when it is published in November. Any changes intended for the baseline in 2019-20 will be detailed at the time of the provisional settlement. In 2018-19 the baseline remained at 0.4%. Due to the continued upward trend for house building, the Government expects to increase the baseline in 2019- 20.

- New Homes Bonus 2020 Onward: 2019-20 represents the final year of funding agreed through the Spending Review 2015. In light of this, it is the Government's intention to explore how to incentivise housing growth most effectively, for example by using the Housing Delivery Test results to reward delivery or incentivising plans that meet or exceed local housing need. Government will consult widely on any changes prior to implementation.
- Council Tax Referendum Principles: The Government remains minded to maintain the existing core principles in 2019-20. This would mean:
  - a core principle of up to 3%.
  - a continuation of the Adult Social Care precept, with an additional 2% flexibility available for shire county councils, unitary authorities, London borough councils, the Common Council of the City of London and the Council of the Isles of Scilly. This is subject to total increases for the Adult Social Care precept not exceeding 6% between 2017-18 and 2019-20, and consideration of authorities' use of the Adult Social Care precept in the previous years.
  - the Government intends to provide an update on its proposals for council tax referendum principles including the Adult Social Care precept, alongside the provisional Local Government Finance Settlement 2019-20 which is usually announced mid-December.
- Negative Revenue Support Grant in 2019/20 – This is the name given to a downward adjustment of a local authority's business rates top-up or tariff. This occurs as a consequence of changes to the distribution methodology adopted at the 2016-17 settlement, which formed the basis of the multi-year settlement. In 2019-20 Negative RSG totals £152.9m and affects 168 authorities. Merton is not one of the authorities affected. The Government considers direct elimination of Negative RSG via forgone business rates receipts the preferred approach to resolve Negative RSG, meeting the key criteria of being both fair and affordable. This funding would be met from the Government's share of business rates.

## **8. Alternative Options**

- 8.1 The range of options available to the Council relating to the Business Plan 2019-23 and for setting a balanced revenue budget and fully financed capital programme will be presented in reports to Cabinet and Council in accordance with the agreed timetable.

## **9. Consultation Undertaken or Proposed**

- 9.1 All relevant bodies have been consulted.

- 9.2 The details in this report will be considered by the Overview and Scrutiny Panels and Commission on the following dates:-

Sustainable Communities	1 November 2018
Healthier Communities and Older People	6 November 2018
Children and Younger People	7 November 2018
Overview and Scrutiny Commission	14 November 2018

- 9.3 As for 2018/19, it is proposed that a savings proposals consultation pack will be prepared and distributed to all councillors at the end of December 2018 that can be brought to all Scrutiny and Cabinet meetings from 9 January 2019 onwards and to Budget Council. This makes the information more manageable for councillors and ensures that only one version of those documents is available so referring to page numbers at meetings is easier. It considerably reduces printing costs and reduces the amount of printing that needs to take place immediately prior to Budget Council.

- 9.4 The pack will include:

- Savings proposals
- Equality impact assessment for each saving proposal
- Service plans (these will also be printed in A3 to lay round at scrutiny meetings)

## **10. Timetable**

- 10.1 In accordance with current financial reporting timetables.
- 10.2 The proposed timetable for developing the business plan and service plans was approved by Cabinet on 17 September 2018.

## **11. Financial, resource and property implications**

- 11.1 As contained in the body of the report.
- 11.2 The Autumn Budget sets out the government's plans for the economy based on the latest forecasts from the Office for Budget Responsibility (OBR). Overall funding allocations for local government will be notified in the review but details of provisional funding allocations for each local authority will not be known until the provisional Local Government Finance Settlement is published in mid/late December 2018. The date of the Autumn Budget 2018 has been announced as 29 October 2018. The date will fall the week after a Brexit summit in Brussels and before another key Brussels Brexit summit mid November. It means there will likely be no Brussels deal available at the time of the budget for the Office for Budget Responsibility to assess in its economic and fiscal risks report (which is published alongside the Treasury's plans for the years ahead).
- 11.3 The working group being established to look at Brexit implications will feed into future iterations of the Business Plan reports.

## **12. Legal and statutory implications**

12.1 As outlined in the report.

## **13. Human rights, equalities and community cohesion implications**

13.1 None for the purposes of this report. These will be dealt with as the budget is developed for 2019 – 2023.

13.2 Equalities Assessments for replacement savings are provided in Appendix 5. (To follow)

## **14. Crime and Disorder Implications**

14.1 Not applicable.

## **15. Risk Management and health and safety implications**

15.1 There is a specific key strategic risk for the Business Plan, which is monitored in line with the corporate risk monitoring timetable.

## **16. Appendices – The following documents are to be published with this Report and form part of the Report.**

Appendix 1 – Latest draft MTFS 2019-23

Appendix 2 – Proposed Amendments to previously agreed savings

Appendix 3 - New savings/income proposals 2019-23

Appendix 4 – Draft Capital Programme 2019-23

Appendix 5 - Equalities analyses for new and replacement savings **(TO FOLLOW)**

## **17. Background Papers**

17.1 The following documents have been relied on in drawing up this report but do not form part of the report:

Budgetary Control and Final Accounts Working Papers in the Corporate Services Department.

Budget Monitoring working papers

MTFS working papers

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<b>DRAFT MTFS 2019-23:</b>				
	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Departmental Base Budget 2018/19</b>	<b>149,808</b>	<b>149,808</b>	<b>149,808</b>	<b>149,808</b>
Inflation (Pay, Prices)	4,436	7,479	10,522	13,565
Autoenrolment/Nat. ins changes	0	0	0	0
FYE – Previous Years Savings	(4,464)	(6,070)	(6,185)	(6,185)
FYE – Previous Years Growth	(2,506)	(2,006)	(2,006)	(2,006)
Amendments to previously agreed savings/growth	100	100	100	100
Change in Net Appropriations to/(from) Reserves	99	242	398	335
Taxi card/Concessionary Fares	450	900	1,350	1,800
Adult Social Care - Additional Spend	1,054	0	0	0
Growth	0	0	0	0
Other	2,468	4,555	4,835	4,911
<b>Re-Priced Departmental Budget</b>	<b>151,445</b>	<b>155,008</b>	<b>158,822</b>	<b>162,328</b>
Treasury/Capital financing	10,125	11,438	12,814	12,933
Pensions	3,552	3,635	3,718	3,801
Other Corporate items	(16,781)	(16,705)	(16,654)	(16,229)
Levies	607	607	607	607
<b>Sub-total: Corporate provisions</b>	<b>(2,497)</b>	<b>(1,025)</b>	<b>485</b>	<b>1,112</b>
<b>Sub-total: Repriced Departmental Budget + Corporate Provisions</b>	<b>148,948</b>	<b>153,983</b>	<b>159,307</b>	<b>163,440</b>
Savings/Income Proposals 2018/19	(75)	(740)	(740)	(740)
<b>Sub-total</b>	<b>148,873</b>	<b>153,243</b>	<b>158,567</b>	<b>162,700</b>
Appropriation to/from departmental reserves	(1,350)	(1,493)	(1,649)	(1,586)
Appropriation to/from Balancing the Budget Reserve	(6,024)	0	0	0
<b>BUDGET REQUIREMENT</b>	<b>141,499</b>	<b>151,750</b>	<b>156,918</b>	<b>161,114</b>
<b>Funded by:</b>				
Revenue Support Grant	(5,076)	0	0	0
Business Rates (inc. Section 31 grant)	(35,360)	(37,726)	(38,286)	(38,501)
Adult Social Care - Improved Better Care Fund	(1,054)	0	0	0
PFI Grant	(4,797)	(4,797)	(4,797)	(4,797)
New Homes Bonus	(2,028)	(1,304)	(1,008)	(800)
Council Tax inc. WPC	(91,789)	(94,053)	(96,365)	(98,726)
Collection Fund – (Surplus)/Deficit	(742)	0	0	0
<b>TOTAL FUNDING</b>	<b>(140,846)</b>	<b>(137,880)</b>	<b>(140,456)</b>	<b>(142,824)</b>
<b>GAP including Use of Reserves (Cumulative)</b>	<b>653</b>	<b>13,869</b>	<b>16,462</b>	<b>18,290</b>
Potential Unfunded ASC commitments due to Loss of Better Care Funding	0	3,218	3,218	3,218
<b>GAP assuming no new ASC Government Grant (Cumulative)</b>	<b>653</b>	<b>17,087</b>	<b>19,680</b>	<b>21,508</b>
Possible Offset if 2019/20 ASC CT hypothecation can be used to replace Better Care Funding	0	(1,742)	(1,742)	(1,742)
<b>GAP assuming no new ASC Government Grant but 2019/20 CT hypothecation can be used(Cumulative)</b>	<b>653</b>	<b>15,345</b>	<b>17,938</b>	<b>19,766</b>

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - SAVINGS TO BE REPLACED

Panel	Ref	Description of Saving	Baseline Budget £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)	
C&YP	CSF2015-09	<p><u>Service</u></p> <p><b>Description</b></p> <p><b>Service Implication</b></p> <p><b>Staffing Implications</b></p> <p><b>Business Plan implications</b></p> <p><b>Impact on other departments</b></p> <p><b>Equalities Implications</b></p> <p><b>TOM Implications</b></p>	<p><u>Cross Cutting</u></p> <p><b>Review of CSF staffing structure beneath management</b></p> <p>Deliver for September 2018 so estimated full year effect of £390k split over two years. With changes to the structure of the department, the implementation of SCIS and a focus on minimal education and social care core functions we will redesign our workforce across the smaller department. We have reviewed our workforce following our strategy to reduce agency cost and changes to team management positions. Due to less experienced staff and increased inspection burdens, we revised the risk score for this saving.</p> <p>Expect a reduction of 7 posts from a total of 65FTE.</p> <p>We will prioritise our core statutory education and social care functions.</p> <p>A smaller workforce will reduce our ability to work on cross cutting issues and new developments.</p> <p>We will use the Council's agreed HR policies and procedures for restructuring. An EA will be developed for the service change staffing proposals.</p> <p>The TOM refresh includes an increased focus on delivering the restructure as well as flexible working and the introduction of the SCIS. The CSF workforce needs to be more highly skilled and flexible. Delivery of a functioning MOSAIC product is key to delivering this saving.</p>	1,049	201				High	Medium	SS2

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - SAVINGS TO BE REPLACED

Panel	Ref	Description of Saving	Baseline Budget £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)	
C&YP	CSF2016-02	<p><b>Service</b></p> <p><b>Description</b></p> <p><b>Service Implication</b></p> <p><b>Staffing Implications</b></p> <p><b>Business Plan implications</b></p> <p><b>Impact on other departments</b></p> <p><b>Equalities Implications</b></p> <p><b>TOM Implications</b></p>	<p><b>Children Social Care &amp; Youth Inclusion</b></p> <p><b>Reduced costs/offer through the national centralised adoption initiative</b></p> <p>It is anticipated that the regional centralisation of adoption services will deliver savings through a larger commissioning base and the benefit of economies of scale.</p> <p>Some staff may TUPE into the regional arrangements but this will not be known until later in the project</p> <p>Will be implications with pressures on other CSF services</p> <p>We will need to ensure the new arrangements maintain the improvement of the adoption process and post adoption support to maintain and improve outcomes for this group of vulnerable children and young people. We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs.</p> <p>In line with CSF TOM</p>	509	78				High	High	SP1
C&YP	CSF2016-03	<p><b>Service</b></p> <p><b>Description</b></p> <p><b>Service Implication</b></p> <p><b>Staffing Implications</b></p> <p><b>Business Plan implications</b></p> <p><b>Impact on other departments</b></p> <p><b>Equalities Implications</b></p> <p><b>TOM Implications</b></p>	<p><b>Cross Cutting</b></p> <p><b>Further staff savings to be identified across the department.</b></p> <p>This is likely to impact on managing safe service and failing to meet regulatory requirements</p> <p>3-6 staff - we will follow our usual HR processes</p> <p>These reductions will place additional burdens on universal targeted and specialist services</p> <p>The majority of CSF's General Fund staff are delivering services for highly vulnerable children and young people. We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs.</p> <p>The TOM sets out an approach to prioritisation but this level of saving will impact on those already most at risk and vulnerable young people at the top end of our Well Being Model</p>	811	150				High	High	SS2
<b>Total Children, Schools and Families Savings</b>				<b>429</b>	<b>0</b>	<b>0</b>	<b>0</b>				



## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - REPLACEMENT SAVINGS

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-01	<b>Service</b>	<b>Children Social Care &amp; Youth Inclusion</b>								
		<b>Description</b>	<b>Reduced costs/offer through the national centralised adoption initiative</b>	509	30				Medium	High	SP1
		<b>Service Implication</b>	It is anticipated that the regional centralisation of adoption services will deliver savings through a larger commissioning base and the benefit of economies of scale.								
		<b>Staffing Implications</b>	Some staff may TUPE into the regional arrangements but this will not be known until later in the project								
		<b>Business Plan implications</b>	Certain services will cease to be provided by Merton as they will be outsourced to a Regional Adoption Agency.								
		<b>Impact on other departments</b>	Will be implications with pressures on other CSF services								
		<b>Equalities Implications</b>	We will need to ensure the new arrangements maintain the improvement of the adoption process and post adoption support to maintain and improve outcomes for this group of vulnerable children and young people. We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs.								
		<b>TOM Implications</b>	In line with CSF TOM								

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - REPLACEMENT SAVINGS

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-02	<b>Service Description</b>	<b>Children Social Care &amp; Youth Inclusion</b> Reorganisation of the Children with Disability (CWD), Fostering and Access to Resources (ART) teams and a review of the Common and Shared Assessment (CASA) service.		130				Low/Medium	Medium/High	SS1
		<b>Service Implication</b>	Potential loss of management oversight and increased pressures on the team managers. Potential loss of focus and input into recruitment of foster carers and/or placements as the capacity to do both roles well will be limited. Less resource available for CASA and Early Help assessments and MSCB training budget will need to be used for training around these assessments.								
		<b>Staffing Implications</b>	Risk of redundancy and costs of redundancy for experienced staff. Affecting three to four posts. No specific Implications								
		<b>Business Plan implications</b>	Will be implications with pressures on other CSF services								
		<b>Impact on other departments</b>	We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs.								
		<b>Equalities Implications</b>	This is in line with the CSF TOM and our Child and Young Person well-being model approach.								
		<b>TOM Implications</b>									

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - REPLACEMENT SAVINGS

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-03	<u>Service</u> Description	<u>Education</u> Review Early Years : raise income or cease some services in preparation for 2020 where we'd consider withdrawing from direct provision of a childcare offer.		49				Low	Medium	SNS2
		<b>Service Implication</b>	We could consider a combination of both raising income and reducing some services. We will review and consider the impact of ceasing services on the service as well as service users.								
		<b>Staffing Implications</b>	If services are ceased this would impact on staffing. Would								
		<b>Business Plan implications</b>	No specific Implications								
		<b>Impact on other departments</b>	None								
		<b>Equalities Implications</b>	This will reduce support to vulnerable children and families increasing pressure on our parents/carers and universal service's capacity to manage these needs.								
		<b>TOM Implications</b>	The TOM sets out an approach to prioritisation but this level of saving will impact on those already most at risk and vulnerable young people at the top end of our Well Being Model.								

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - REPLACEMENT SAVINGS

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-04	<u>Service Description</u>	<u>Education</u> <b>Review schools trade offer, raise charges or consider ceasing services from 2020.</b>		30				Low/Medium	Low	SI1
		<b>Service Implication</b>	All CSF SLAs as well as de-delegated services with schools will be reviewed to ensure i) full cost recovery; ii) LBM charges are in line with other providers. We will also examine further opportunities to trade with schools.								
		<b>Staffing Implications</b>	If schools are unwilling/unable to pay for core and enhanced services this will result in approximately 2 posts deleted.								
		<b>Business Plan implications</b>	Should funding not be secured there will be implications for service volumes and outcomes.								
		<b>Impact on other departments</b>	Possible impact on child protection services if service reductions result in escalations from schools and others.								
		<b>Equalities Implications</b>	We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs.								
		<b>TOM Implications</b>	Education and Social Care services for C&YP will be reduced with higher thresholds for access. The department will continue to be reorganised to reflect downsizing. This saving is in line with TOM direction of travel to focus delivery on the council's statutory duties.								

## DEPARTMENT: CHILDREN, SCHOOLS AND FAMILIES - REPLACEMENT SAVINGS

Panel	Ref	Description of Saving	Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)	
C&YP	CSF2018-05	<p><b>Service Description</b></p> <p><b>Service Implication</b></p> <p><b>Staffing Implications</b></p> <p><b>Business Plan implications</b></p> <p><b>Impact on other departments</b></p> <p><b>Equalities Implications</b></p> <p><b>TOM Implications</b></p>	<p><b>Children Social Care</b></p> <p><b>Delivery of preventative services through the Social Impact Bond</b></p> <p>The LA will buy into the Pan-London Care Impact Partnership for the provision of a Social Impact Bond (SIB) to deliver services designed to work with families to keep young people out of care using the well established Multi-Systemic (MST) and Functional Family Therapy (FFT) methodologies. This work takes place in the context of a rising population with increasing complex needs.</p> <p>None</p> <p>No specific Implications</p> <p>None</p> <p>This is a service for some of our most vulnerable children and young people.</p> <p>This is in line with the CSF TOM and our Child and Young Person well-being model approach.</p>		45				Low	Low	SP1
C&YP	CSF2018-06	<p><b>Service Description</b></p> <p><b>Service Implication</b></p> <p><b>Staffing Implications</b></p> <p><b>Business Plan implications</b></p> <p><b>Impact on other departments</b></p> <p><b>Equalities Implications</b></p> <p><b>TOM Implications</b></p>	<p><b>Children Social Care</b></p> <p><b>South London Family Drug and Alcohol Court commissioning</b></p> <p>Enable children to return home safely, thereby reducing cost of care placements. This work takes place in the context of a rising population with increasing complex needs.</p> <p>None</p> <p>No specific Implications</p> <p>Potential impact on legal department.</p> <p>This is a service for some of our most vulnerable children and young people.</p> <p>This is in line with the CSF TOM and our Child and Young Person well-being model approach.</p>		45				Low	Low	SP1
<b>Total Children, Schools and Families Savings</b>				<b>329</b>	<b>0</b>	<b>0</b>	<b>0</b>				
<b>Replacements still to be submitted</b>				<b>(100)</b>	<b>0</b>	<b>0</b>	<b>0</b>				

## NEW SAVINGS PROPOSALS 2019-23

SUMMARY (cumulative)	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Total £000
Corporate Services	75	15	0	0	90
Children, Schools & Families	0	550	0	0	550
Environment & Regeneration	0	0	0	0	0
Community & Housing	0	100	0	0	100
Total	75	665	0	0	740
Cumulative Total	75	740	740	740	

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**Savings Type**

- SS1** Staffing: reduction in costs due to efficiency
- SS2** Staffing: reduction in costs due to deletion/reduction in service
- SNS1** Non - Staffing: reduction in costs due to efficiency
- SNS2** Non - Staffing: reduction in costs due to deletion/reduction in service
- SP1** Procurement / Third Party arrangements - efficiency
- SG1** Grants: Existing service funded by new grant
- SG2** Grants: Improved Efficiency of existing service currently funded by unringfenced grant
- SPROP** Reduction in Property related costs
  - SI1** Income - increase in current level of charges
  - SI2** Income - increase arising from expansion of existing service/new service

## NEW SAVINGS 2019-23

## DEPARTMENT: CORPORATE SERVICES SAVINGS - BUDGET PROCESS 2019/20

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
	2019-20 CS01	<b>Service/Section</b>	<b>Revenues and Benefits</b>								
		<b>Description</b>	<b>Amend discretionary rate relief policy</b>	524	75				L	H	SNS2
		<b>Service Implication</b>	None								
		<b>Staffing Implications</b>	None								
		<b>Business Plan implications</b>	None								
		<b>Impact on other departments</b>	None								
		<b>Equalities Implications</b>	Some charities, sports clubs, education establishments and non profit making organisations will have a reduction in rate relief								
		<b>TOM Implications</b>									

NEW SAVINGS 2019-23

DEPARTMENT: CORPORATE SERVICES SAVINGS - BUDGET PROCESS 2019/20

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
	2019-20 CS02	<b>Service/Section Description</b>	<b>Concessionary Travel</b> Charge for Blue Badges			15	0		M	H	SI2
		<b>Service Implication</b>	None								
		<b>Staffing Implications</b>	None								
		<b>Business Plan implications</b>	None								
		<b>Impact on other departments</b>	None								
		<b>Equalities Implications</b>	All surrounding LA's currently charge. Maximum of £10.00 per badge. Alrerady stated on-line but charge not enforced.								
		<b>TOM Implications</b>	None								
		<b>Corporate Services: New Savings Total</b>			75	15	0	0	90		



Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-08	<b>Service Description</b>	<b>Education</b> Review Early Years service: radically reduce some services and/or consider withdrawing the Early Years offer.	2,071		150			Medium	High	SS2
		<b>Service Implication</b>	This will mean reduced support for vulnerable children and families accessing targeted services as well as the universal offer. This reduced offer could result in increased numbers needing high cost statutory intervention.								
		<b>Staffing Implications</b>	Majority of costs associated with direct services are staffing costs as part of this proposal. This will equate to approximately 5 members of staff.								
		<b>Business Plan implications</b>	No specific Implications								
		<b>Impact on other departments</b>	These reductions will place additional burdens on universal, targeted and specialist services.								
		<b>Equalities Implications</b>	This will reduce support to vulnerable children and families increasing pressure on our parents/carers and universal service's capacity to manage these needs.								
		<b>TOM Implications</b>	The TOM sets out an approach to prioritisation but this level of saving is likely to impact most on those already most at risk.								

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-09	<b>Service Description</b>	<b>Education</b> Radically reduce some statutory education functions	8,137		200			High	High	SS2
		<b>Service Implication</b>	We will agree with schools priorities for the use of the retained DSG to support delivery of a reduced statutory service function.								
		<b>Staffing Implications</b>	Majority of costs associated with direct services are staffing costs as part of this proposal. This will equate to approximately 7 members of staff								
		<b>Business Plan implications</b>	No specific Implications								
		<b>Impact on other departments</b>	No specific Implications expected although we could see some legal challenge.								
		<b>Equalities Implications</b>	We will use the Council's agreed HR policies and procedures for restructuring and will complete EAs. This will reduce support to vulnerable and at risk children, increasing pressure on our universal service's capacity to manage these needs.								
		<b>TOM Implications</b>	Statutory Education and Social Care services for C&YP will be further reduced. The department will be reorganised to reflect downsizing. This saving is in line with TOM direction of travel to focus delivery on the council's statutory duties. Detailed work will need to ensure that risk and vulnerability is prioritised and careful consideration of the ability to deliver the statutory minimum required.								

Panel	Ref	Description of Saving		Baseline Budget 18/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
C&YP	CSF2018-10	<b>Service Description</b>	<b>Children Social Care</b> <b>Radically reduce support for LAC/CSE/respite</b> During 2019/20 we will review our eligibility criteria and service offer for some of our most vulnerable clients. This is likely to mean reduced therapeutic support to highly vulnerable children including looked after children and care leavers	10,545		200			High	High	SNS2
		<b>Service Implication</b>									
		<b>Staffing Implications</b>	These services are mainly commissioned or spot purchased. There may be staffing implications as the current contract means that some of our own staff are employed and could be eligible for redundancy.								
		<b>Business Plan implications</b>	No specific Implications								
		<b>Impact on other departments</b>	These reductions may place additional burdens on universal, targeted and specialist services.								
		<b>Equalities Implications</b>	This will reduce support to vulnerable and at risk children including C&YP In Need, on a Child Protection Plan, on the edge of care, Looked After C&YP, care leavers or young people with complex disabilities, young people in the youth justice system, increasing pressure on our parents/carers and universal service's capacity to manage these needs.								
		<b>TOM Implications</b>	The TOM sets out an approach to prioritisation but this level of saving is likely to impact on those already most at risk and vulnerable young people at the top end of our Well Being Model								
<b>Total</b>					<b>0</b>	<b>550</b>	<b>0</b>	<b>0</b>			

Panel	Ref	Notes	Description of Saving	Baseline Budget 18/19	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	Risk Analysis Deliverability	Risk Analysis Reputational Impact	Type of Saving (see key)
<b>Adult Social Care</b>											
18/19		Mascot Telecare provides support for individuals to live at home by a combination of alarms and sensors. The service increasingly underpins packages of care provided via social work and reablement teams and can enable practitioners to be more precise with the amount of care visits required. Mascot also provides this service to a large number of self funders, as well as having contracts with Housing Associations to monitor extra care and supported living sites. A new Telecare hub is due to be installed at Mascot in late 2018 which will enable to staff to have more time and opportunity to widen the support offered and seek new commercial opportunities.	<p><b>Service Description</b></p> <p><b>Mascot Service( Direct Provision)</b> We are planning to maximise income generation from Telecare in a number of ways;</p> <p>Increase individual paying customers Review and renegotiate existing commercial contracts with Housing Associations, and seek more similar business.</p> <p><b>Service Implication</b></p> <p>Compete for Telecare contracts in other boroughs. Explore commercial contracts for out of hours and concierge call handling services. Keep abreast of developments in all areas of Assistive Technology, including monitors and sensors, Telehealth, GPS, Robotics and similar. Explore benefits for ASC customers, self funders and as part of a more commercial offer to partner organisations.</p> <p><b>Staffing Implications</b></p> <p>There are no staffing implications.</p> <p><b>Business Plan implications</b> <b>Impact on other departments</b> <b>Equalities</b> <b>Implications</b> <b>TOM Implications</b></p> <p>This proposal fits in with the Adult Social Care plan, and Merton's Corporate Business Plan and MTFS Continued support from IT services, increased liaison with Communications Team None identified This is in line with the C&amp;H TOM</p>	£470k		£100			Medium	Medium	SNS2
<b>Total Community &amp; Housing 2020/21</b>							<b>100</b>				
							<b>100</b>				

Annex 1 Annex 4

**Capital Investment Programme - Schemes for Approval 19-23**

Merton - By Department	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Movement from Indicative 2022/23
	£000	£000	£000	£000	£000
Corporate Services	26,252	3,945	12,084	2,995	345
Community and Housing	480	630	280	842	462
Children Schools & Families	16,045	3,202	650	1,900	1,250
Environment and Regeneration	8,060	7,517	7,264	4,007	(10)
<b>Capital</b>	<b>50,837</b>	<b>15,294</b>	<b>20,277</b>	<b>9,744</b>	<b>2,047</b>

Merton - By Service	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Movement from Indicative 2022/23
	£000	£000	£000	£000	£000
Customers, Policy & Improvement	250	0	1,900	0	0
Facilities Management	1,250	950	950	950	0
Infrastructure & Transactions	2,027	1,060	1,012	1,345	345
Resources	0	125	0	700	0
Corporate Items	22,725	1,810	8,222	0	0
<b>Corporate Services</b>	<b>26,252</b>	<b>3,945</b>	<b>12,084</b>	<b>2,995</b>	<b>345</b>
Adult Social Care	0	0	0	0	0
Housing (1)	280	280	280	742	462
Libraries	200	350	0	100	0
<b>Community and Housing</b>	<b>480</b>	<b>630</b>	<b>280</b>	<b>842</b>	<b>462</b>
Primary Schools	650	650	650	1,900	1,250
Secondary School	8,740	2,552	0	0	0
SEN	6,550	0	0	0	0
CSF Schemes	105	0	0	0	0
<b>Children Schools &amp; Families (2)</b>	<b>16,045</b>	<b>3,202</b>	<b>650</b>	<b>1,900</b>	<b>1,250</b>
Public Protection and Developm	60	0	35	0	0
Street Scene & Waste	340	340	340	330	(10)
Sustainable Communities	7,660	7,177	6,889	3,677	0
<b>Environment and Regeneration (3)</b>	<b>8,060</b>	<b>7,517</b>	<b>7,264</b>	<b>4,007</b>	<b>(10)</b>
<b>Capital</b>	<b>50,837</b>	<b>15,294</b>	<b>20,277</b>	<b>9,744</b>	<b>2,047</b>

(1) Excludes any grant funding from the Better Care Fund

(2) Assumed level of School Condition Grant £1.9 Million from 2019-20

(3) Excludes any grant funding from Transport for London

## Detailed Capital Programme 2019-23

	Scrutiny	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Movement from Indicative 2022/23
		£000	£000	£000	£000	£000
<b>Corporate Services</b>						
Customer Contact Programme	OSC	250	0	1,900	0	0
<b>Customers, Policy &amp; Improvement</b>		<b>250</b>	<b>0</b>	<b>1,900</b>	<b>0</b>	<b>0</b>
Works to other buildings	OSC	650	650	650	650	0
Civic Centre	OSC	300	0	0	0	0
Invest to Save schemes	OSC	300	300	300	300	0
Water Safety Works	OSC	0	0	0	0	0
<b>Facilities Management Total</b>		<b>1,250</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>0</b>
IT Systems Projects	OSC	747	0	42	340	240
Social Care IT System	OSC	400	0	0	0	0
Planned Replacement Programme	OSC	880	1,060	970	1,005	105
<b>Infrastructure &amp; Transactions</b>		<b>2,027</b>	<b>1,060</b>	<b>1,012</b>	<b>1,345</b>	<b>345</b>
Financial System	OSC	0	0	0	700	0
ePayments System	OSC	0	125	0	0	0
<b>Resources</b>		<b>0</b>	<b>125</b>	<b>0</b>	<b>700</b>	<b>0</b>
Acquisitions Budget	OSC	0	0	7,035	0	0
Capital Bidding Fund	OSC	0	0	1,186	0	0
Multi Functioning Device (MFD)	OSC	600	0	0	0	0
Housing Company	OSC	22,125	1,810	0	0	0
<b>Corporate Items</b>		<b>22,725</b>	<b>1,810</b>	<b>8,222</b>	<b>0</b>	<b>0</b>
<b>Corporate Services</b>		<b>26,252</b>	<b>3,945</b>	<b>12,084</b>	<b>2,995</b>	<b>345</b>
<b>Community and Housing</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Disabled Facilities Grant (1)	SC	280	280	280	280	0
LD Supported Living	SC	0	0	0	462	462
<b>Housing</b>		<b>280</b>	<b>280</b>	<b>280</b>	<b>742</b>	<b>462</b>
West Barnes Library Re-Fit	SC	200	0	0	0	0
Library Self Service	SC	0	350	0	0	0
Library Management System	SC	0	0	0	100	0
<b>Libraries</b>		<b>200</b>	<b>350</b>	<b>0</b>	<b>100</b>	<b>0</b>
<b>Community and Housing</b>		<b>480</b>	<b>630</b>	<b>280</b>	<b>842</b>	<b>462</b>

(1) Excludes any grant funding from the Better Care Fund

(2) Assumed level of School Condition Grant £1.9 Million from 2019-20

(3) Excludes any grant funding from Transport for London

## Detailed Capital Programme 2019-23 Continued.....

	Scrutiny	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Movement from Indicative 2022/23
<b>Children Schools &amp; Families</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Schs Cap Maint & Accessibility	CYP	650	650	650	1,900	1,250
<b>Primary Schools</b>		<b>650</b>	<b>650</b>	<b>650</b>	<b>1,900</b>	<b>1,250</b>
Harris Academy Morden	CYP	3,044	0	0	0	0
St Mark's Academy	CYP	2,752	2,552	0	0	0
Harris Academy Wimbledon	CYP	2,944	0	0	0	0
<b>Secondary School</b>		<b>8,740</b>	<b>2,552</b>	<b>0</b>	<b>0</b>	<b>0</b>
Perseid	CYP	0	0	0	0	0
Cricket Green	CYP	4,002	0	0	0	0
Secondary School Autism Unit	CYP	1,360	0	0	0	0
Further SEN Provision	CYP	1,188	0	0	0	0
Melrose primary SEMH annex - 16 places	CYP	0	0	0	0	0
Primary ASD base 1 - 20 places	CYP	0	0	0	0	0
Primary ASD base 2 - 20 places	CYP	0	0	0	0	0
Secondary SEMH/medical PRU - 20 places	CYP	0	0	0	0	0
New ASD school (Haydons Road) -40 places	CYP	0	0	0	0	0
<b>SEN</b>		<b>6,550</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Admissions IT System	CYP	105	0	0	0	0
<b>CSF Schemes</b>		<b>105</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Children Schools &amp; Families (2)</b>		<b>16,045</b>	<b>3,202</b>	<b>650</b>	<b>1,900</b>	<b>1,250</b>

(1) Excludes any grant funding from the Better Care Fund

(2) Assumed level of School Condition Grant

(3) Excludes any grant funding from Transport for London

## Detailed Capital Programme 2019-23 Continued.....

	Scrutiny	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Movement from Indicative 2022/23
<b>Environment &amp; Regeneration</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Parking Improvements	SC	60	0	0	0	0
Public Protection and Developm	SC	0	0	35	0	0
<b>Public Protection and Developm</b>		<b>60</b>	<b>0</b>	<b>35</b>	<b>0</b>	<b>0</b>
Fleet Vehicles	SC	300	300	300	300	0
Alley Gating Scheme	SC	40	40	40	30	(10)
Smart Bin Leases - Street Scen	SC	0	0	0	0	0
Waste SLWP	SC	0	0	0	0	0
<b>Street Scene &amp; Waste</b>		<b>340</b>	<b>340</b>	<b>340</b>	<b>330</b>	<b>(10)</b>
Street Trees	SC	60	60	60	60	0
Highways & Footways	SC	3,067	3,067	3,067	3,067	0
Mitcham Area Regeneration	SC	1,301	1,000	533	0	0
Wimbledon Area Regeneration	SC	0	0	0	0	0
Morden Area Regeneration	SC	500	2,000	2,500	0	0
Borough Regeneration	SC	0	0	0	0	0
Morden Leisure Centre	SC	242	0	0	0	0
Sports Facilities	SC	1,500	250	250	250	0
Parks	SC	991	800	479	300	0
<b>Sustainable Communities</b>		<b>7,660</b>	<b>7,177</b>	<b>6,889</b>	<b>3,677</b>	<b>0</b>
<b>Environment and Regeneration (3)</b>		<b>8,060</b>	<b>7,517</b>	<b>7,264</b>	<b>4,007</b>	<b>(10)</b>
<b>Capital</b>		<b>50,837</b>	<b>15,294</b>	<b>20,277</b>	<b>9,744</b>	<b>2,047</b>

(1) Excludes any grant funding from the Better Care Fund

(2) Assumed level of School Condition Grant

(3) Excludes any grant funding from Transport for London



## Annex 5

## Indicative Capital Programme 2023-28

	Scrutiny	Proposed Indicative 2023/24	Proposed Indicative 2024/25	Proposed Indicative 2025/26	Proposed Indicative 2026/27	Proposed Indicative 2027/28
<b>Corporate Services</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Customer Contact Programme	OSC	0	0	1,000	1,000	1,000
<b>Customer, Policy &amp; Improvement</b>		<b>0</b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>
Works to other buildings	OSC	650	650	650	650	650
Invest to Save schemes	OSC	300	300	300	300	300
<b>Facilities Management Total</b>		<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>
Planned Replacement Programme	OSC	720	905	1,060	970	1,005
IT Systems Projects	OSC	625	500	325	50	425
Social Care IT System	OSC	2,100	0	0	0	0
<b>Infrastructure &amp; Transactions</b>		<b>3,445</b>	<b>1,405</b>	<b>1,385</b>	<b>1,020</b>	<b>1,430</b>
Multi Functioning Device (MFD)		0	600	0	0	0
<b>Corporate Items</b>	OSC	<b>0</b>	<b>600</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Corporate Services</b>		<b>4,395</b>	<b>2,955</b>	<b>3,335</b>	<b>2,970</b>	<b>3,380</b>
<b>Community and Housing</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Disabled Facilities Grant (1)	SC	280	280	280	280	280
LD Supported Living	SC	145	0	0	0	0
<b>Housing</b>		<b>425</b>	<b>280</b>	<b>280</b>	<b>280</b>	<b>280</b>
Library Enhancement Works	SC	0	0	350	0	0
Library Management System	SC	0	0	0	0	100
<b>Libraries</b>		<b>0</b>	<b>0</b>	<b>350</b>	<b>0</b>	<b>100</b>
<b>Community and Housing</b>		<b>425</b>	<b>280</b>	<b>630</b>	<b>280</b>	<b>380</b>
<b>Children Schools &amp; Families</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Schs Cap Maint & Accessibility (2)	CYP	1,900	1,900	1,900	1,900	1,900
<b>Primary Schools</b>		<b>1,900</b>	<b>1,900</b>	<b>1,900</b>	<b>1,900</b>	<b>1,900</b>
<b>Children Schools &amp; Families</b>		<b>1,900</b>	<b>1,900</b>	<b>1,900</b>	<b>1,900</b>	<b>1,900</b>
<b>Environment and Regeneration (3)</b>		<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Parking Improvements	SC	0	60	0	0	0
Public Protection and Developm	SC	0	0	0	35	0
<b>Street Scene &amp; Waste</b>		<b>0</b>	<b>60</b>	<b>0</b>	<b>35</b>	<b>0</b>
Fleet Vehicles	SC	300	300	300	300	300
Alley Gating Scheme	SC	30	30	30	30	30
Waste SLWP	SC	0	0	3,998	0	0
<b>Street Scene &amp; Waste</b>		<b>330</b>	<b>330</b>	<b>4,328</b>	<b>330</b>	<b>330</b>
Street Trees	SC	60	60	60	60	60
Highways & Footways	SC	3,067	3,067	3,067	3,067	3,067
Sports Facilities	SC	250	250	250	250	250
Parks	SC	300	300	300	300	300
<b>Sustainable Communities</b>		<b>3,677</b>	<b>3,677</b>	<b>3,677</b>	<b>3,677</b>	<b>3,677</b>
<b>Environment and Regeneration</b>		<b>4,007</b>	<b>4,067</b>	<b>8,005</b>	<b>4,042</b>	<b>4,007</b>
<b>Capital</b>		<b>10,727</b>	<b>9,202</b>	<b>13,870</b>	<b>9,192</b>	<b>9,667</b>

(1) Excludes any grant funding from the Better Care Fund

(2) Assumed level of School Condition Grant

(3) Excludes any grant funding from Transport for London

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## **Committee:**

**Date: October 2018**

Wards: ALL

## **Subject: The work of the Environmental Enforcement Team**

Lead officer: Pat Dejesus Communication and Enforcement Manager

Lead member: Councillor Mike Brunt, Cabinet Member for Environment and Street Cleanliness

Contact officer: Pat Dejesus

## **Recommendations:**

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### **1 Purpose of report and executive summary**

- 1.1. This report aims to provide the panel with an update on the work undertaken by our Environmental Enforcement Service and the partnership working arrangement's with Kingdom Security and the councils Neighbourhood Client Officers
- 1.2. The report outlines the efforts that are being taken to prevent and investigate fly tips; the likely cause of the increase of abandoned vehicles, along with how the team deals with abandoned vehicle processes.
- 1.3. Litter is now the number one concern of our residents; we have invested in anti-litter campaigns over a number of years and invested in litter bins with ash trays and many gum and butt bins across our town centres. We are hopeful that through on-going provision of suitable bins, continued education and enforcement, the number of FPNs issued will reduce. Our intention is to prevent litter in the first place and satisfy the demands of our residents.

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### **2 DETAILS**

- 2.1 The Environmental Enforcement Team comprises of four enforcement officer lead by the Community Engagement and Enforcement Manager.
- 2.2 The primary function of the Enforcement team is to achieve regulatory compliance in order to protect the public, legitimate business, and the environment. However, we reserve the right to take enforcement action in some cases after compliance has been achieved if it is in the public interest to do so.
- 2.3 We recognise that prevention is better than cure, but where it becomes necessary to take formal enforcement action against a business, or member of the public, we will do so. There are a wide range of tools available to us, the actions we may take include: The use of legislation such as Environment Protection Act 1990, Anti-Social behaviour Act 2014 and Clean Neighbourhood Act, 2005. The team can use powers to enforce against, litter, Fly tipping, duty of care (waste control for businesses) we have adopted the following process in relation to our work. (Please see attached spreadsheet showing recent stats).
- 2.4 It is important to note that a FPN is an invitation to effectively discharge liability to prosecution. This means that while this is not an admission of guilt, you

agree that an offence has been committed and that by paying the sum of money specified no further action will be undertaken by the council. This method of dealing with offences not only saves the time involved in prosecuting cases at court, but the cost associated with a Fixed Penalty Notice is likely to be substantially lower than any fine that can be imposed by the courts.

- (a) No action
- (b) Informal action and advice
- (c) Fixed Penalty Notices
- (d) Seizure of vehicles (linked with fly tipping)
- (e) Prosecution

The Enforcement Team carry out covert camera operations where we have had a reasonable amount of waste being fly tipped and where we have exhausted other options to deter fly tips from happening. Covert cameras are normally used where we have evidence of vehicles being involved in fly tipping waste as it's from the vehicle registration details that we are able to trace the culprit.

All captures are recorded and an interview is conducted where the offending person can give their account of their actions. Pending this enquiry most cases are passed to our legal team. We will go for prosecution or we may issue a fixed penalty notice of £400 normally this is for smaller fly tips.

- 2.1. Partnership Working (Kingdom Security)
- 2.2. Kingdom Security work alongside the in-house Enforcement Team, Kingdom issue fix penalty notices to people who deposit litter onto our public highway.
- 2.3. The Kingdom Security Supervisor reports direct to the Community Engagement and Waste Enforcement Manager. Officers are tasked to cover all town centres and known hot spot areas where litter is a problem.
- 2.4. Kingdom has issued a number of Fixed Penalty tickets, and non-payment of a ticket is followed up by case paper work being collated to present to our legal team for prosecution. A fixed penalty notice is £80, and for non-payment via the court process can lead to a fine of up to £2,500. In most recent prosecution cases a fine of £220 is being imposed in the magistrates court.
- 2.5. Kingdom has been working alongside Merton's Police Teams issuing fixed penalty notices to people street drinking. A number of tickets have been issued, along with warning and information about street drinking in Merton.
- 2.6. As well as issuing tickets the team are proactive in engaging with people regarding the consequence of throwing litter

The Community Engagement Officer is responsible for raising awareness of litter and fly-tipping issues.

There are a number of ways in which we address these issues.

- a) Arranging for leaflets/letters to be sent to an individual address, or to more than one resident re any presentation of waste concerns.
  
- b) Place signage re fly tipping and littering

c) Handing out Stubbi Pouches which are small disposable ash trays which can be used on a number of occasions.

d) Arranging and supporting community clean ups.

e) Facilitating litter awareness in all our primary schools and addressing litter issues with a theatre production show called “Your Choice” and “Joey V Vandal Graff” (dealing with graffiti issues with pupils).

f) As a last resort where suitable and with RIPA authority we may undertake covert operations (Hidden Camera). Such operations are normally progressed over a few weeks, capturing information off vehicles pulling up and fly- tipping waste. All evidence is viewed with the intent to bring culprits in for an interview following data collected on the owner/registered keeper of the vehicle. Depending on the circumstances and volume of waste involved we can deal with the case by either a £400 fixed penalty notice or by preparing a case for prosecution.

We also receive information from residents who witness fly tipping, and for those that are happy to provide a witness statement we will investigate. Unfortunately where waste has been fly tipped on private land it is the land owner that will be responsible for removing and disposing of the waste.

Enforcement Officers work along with the Metropolitan Police where ANPR's (Automated Number Plate Recognition) exercises take place. This involves a planned event where vehicles are stopped by the Police where there is a strong possibility that the vehicle is carrying or has carried waste. The main aim is to check driver details to see if he/she has a waste carrier licence. Failing to do so and the failing to provide information on where waste is being taken for disposal can lead to a fixed penalty notice being issued for £300.

2.9 Merton's in-house Enforcement team, work in partnership with the Neighbourhood Client Officers. All officers liaise with each other regarding any operational concerns with our waste contractor which may affect the team's ability to enforce. This could be to do with fly tips, litter issues along with on-going issues of waste being presented.

### Abandoned Vehicles

2.10 The in-house Enforcement Team are responsible for dealing with complaints of alleged abandoned vehicles on Council highway or Council owned land. We do take requests from private land owners there is a charge for this service to deal with an abandoned vehicle on their land. This includes social housing private land lords etc. Since April 2018 to date the team have dealt with 251 reports of abandoned vehicles each vehicle being inspected and dealt with accordingly.

2.11 The process for dealing with an abandoned vehicle is assessed by the Enforcement officer and depending on its condition we can process the vehicle in a number of ways.

- a) No action, taken as it's not deemed abandoned because it has current Tax, MOT and is secure.
- b) An instant removal notice is applied as the vehicle is considered dangerous and could be a potential car fire due to either/or doors unlocked, smashed windows and left in a dangerous way. We will often remove these vehicles straight away unless it's known that it's been involved in an incident which the Police are dealing with.
- c) 7 Day notice is issued requesting the vehicle be removed, failing to do so will result in the vehicle being removed by the councils abandoned vehicle contractor.
- d) 15 day notice is issued for vehicles on private land, where permission from the land owner has requested our assistance. We do charge for our services. The charge is to investigate and to remove the vehicle if the owner fails to do so.
- e) All vehicles are checked on a HPI system (Hirer Purchase Investigation) to see if they have been reported stolen as this can be often the case. We also check to see if the vehicle is under finance as they may have a valid interest in the vehicle.
- f) We do operate a FREE surrendered vehicle scheme where all residents living in the borough can request their no longer required vehicle to be collected by our contractor. We have seen an increase in abandoned vehicles, nationally; each year over 2 million vehicles reach the end of their useful life. Whilst the majority of these vehicles are disposed of in a legal manner at authorised facilities a minority are abandoned on our streets or in public spaces. During the last 10 years there has been a dramatic increase in vehicle abandonment. The reasons behind this are numerous but include, more complex and costly vehicle maintenance, tighter MOT standards including emissions testing causing a higher failure rate and periodic falls in the price of scrap metal often resulting in vehicle breakers or scrap metal operators charging to take unwanted vehicles away.

### **3 ALTERNATIVE OPTIONS**

This report provides information concerning the Council's enforcement service, the powers available to it and the actions it takes to address issues of concern, therefore there are no decisions required or recommended as part of this report

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

- 4.1. No specific consultation has contributed to the complication of this report.

### **5 TIMETABLE**

None for the purposes of this report

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

In 2018/19 the annual budget for the enforcement team was £305k. As part of the services medium to long term savings this cost will be reduced by £200k. This will be delivered by an increase in the level of FPN issued by the team ensuring that the enforcement team is cost neutral.

Kingdom Security. The business model has been designed to be effectively cost neutral for the council. The model works on the basis that the full operation cost of the service is covered by the contractor. All money received from the issuing of FPN is collected on our behalf by the contractor and transferred to the council, however within the model Kingdom Security are paid a fix percentage for the issuing of FPN.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The Environmental Protection Act 1990 provides the Council with the power to take enforcement action regarding fly-tipping and littering. Fly tipping is the illegal dumping of liquid or solid waste on land or in water. The waste is usually dumped to avoid disposal costs. There is no comprehensive definition of litter and it included cigarette ends and chewing gum. It will also include small miscellaneous items of waste that does not constitute fly-tipping. There is no clear distinction between fly-tipping and littering and each case will be judged on its own merits and appropriate enforcement action can then be taken.
- 7.2. Enforcement options include the power to offer fixed penalty notices an alternative to prosecution, or to prosecute for offences under the Environmental Protection Act 1990. The matters set out in this report are in accordance with the statutory provisions that apply.
- 7.3. The council has a duty under the provisions of the Refuse Disposal Amenity Act 1978 to remove abandoned motor vehicles from any land in the open air or on any other land forming part of the highway. Where removal is made the Council is entitled to recover from any person who is responsible charges for the removal, storage and disposal of vehicles.
- 7.4. The enforcement options set out in this report are in accordance with the statutory provisions that apply.

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

- 8.1. There are no specific human rights, equalities or community cohesion implications arising from this report.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1 There are no crime and disorder implications arising specifically from this report.

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

- 10.1 There are no specific risk management or health and safety implications arising from this report

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

Spread sheet of stats for Fixed Penalties issued from 1<sup>st</sup> April 2018

**12 BACKGROUND PAPERS**

None for the purposes of this report



<b>Enforcement Stats From 1<sup>st</sup> April 2017, 31<sup>st</sup> March 2018</b>			
<b>Fixed Penalty Notices issued</b>		<b>Amount</b>	
Litter Offences Section 87		5671	£80
Fly tipping Section 33		29	£400
Duty of Care waste carrier, Section 34		21	£300
<b>Prosecution Cases</b>			
Litter Offences non payment		483	Mainly issued a fine including cost £400
Fly Tipping		2	
<b>Payment Rate for Fixed Penalty Notices is 74%</b>			

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<b>Enforcement Stats From April 2018 to date</b>	-		
<b>Fixed Penalty Notices issued</b>	-	<b>Amount</b>	
Litter Offences Section 87		3788	£80
Fly tipping Section 33		21	£400
Duty of Care waste carrier, Section 34		25	£300
<b>Prosecution Cases</b>	-		
Litter Offences non payment		207	Mainly issued a fine including cost £400
Fly Tipping		10	Various fines but mainly over £1,000 a time
<b>Payment Rate for Fixed Penalty Notices is 74%</b>	-		

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## **Committee: Sustainable Communities Overview and Scrutiny Panel**

**Date: 1 November 2018**

Wards: All

### **Subject: Performance Monitoring: Grounds Maintenance**

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Nick Draper, Cabinet Member for Community and Culture

Contact officer: Doug Napier, Greenspaces Manager. Tel. 020 8545 3657;  
doug.napier@merton.gov.uk

#### **Recommendations:**

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1. Members are requested to note the contents of this report and provide officers with any comments or observations regarding their experiences or any reports that they have received from Merton residents relating to the delivery of the grounds maintenance services by *idverde*.
  2. Members are also requested to note the details and current position in relation to Merton's parks in general terms and on the watering and associated maintenance of the borough's tree stock.
- 

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

- 1.1. At their meeting of 21 June 2018, Members of the Sustainable Communities Over view and Scrutiny Panel requested that they receive a report on performance in relation to the delivery of Lot 2, the grounds maintenance aspects of the South London Waste Partnership (SLWP) Phase C contract having spent a considerable time focusing upon the performance of Veolia Environmental Services and the Lot 1 services during the previous year.

#### **2 DETAILS**

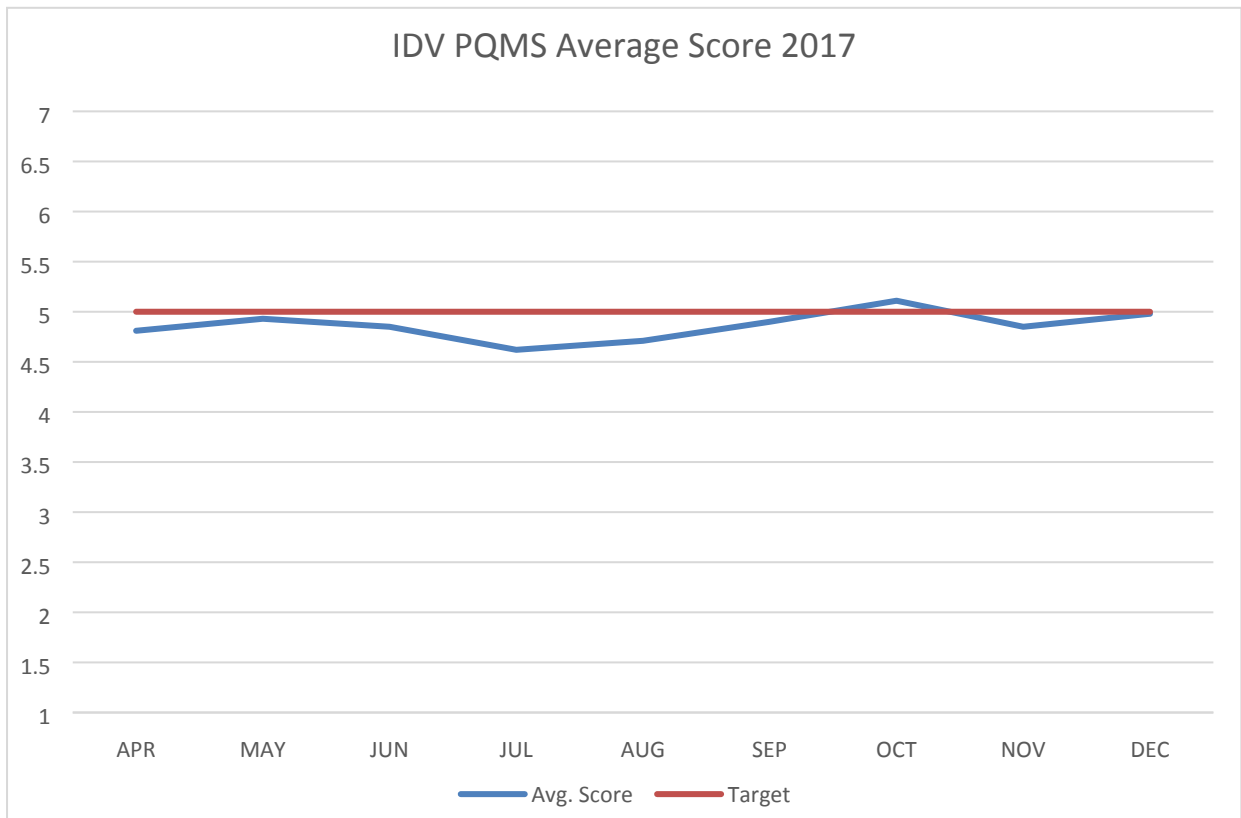
- 2.1 The Lot 2 element of the SLWP contract commenced on 1<sup>st</sup> February 2017, following a two-year procurement exercise which included the London Borough of Sutton jointly as a delivery partner. The successful bidder was *idverde* Limited, who began the procurement process under a previous company trading name, The Landscape Group Limited. The range and scope of the Lot 2 contract was developed during the course of the procurement that was conducted as a "competitive dialogue" exercise. The final form of the contract, initially for a period of 8 years, but with the possibility to extend to up to 24 years, included the following services:
  - Horticultural services - including grass cutting and the management of hedges, herbaceous borders, highway verges, annual bedding & floral displays, rose and shrub beds, flowering meadows, green roof & green walls, allotments (including administration functions), war memorials & memorial gardens.

- Sports pitch services - including tennis courts, rugby, football & cricket pitches and bowling greens.
  - Play & leisure services - including children’s playgrounds, water play facilities, outdoor gyms, ball courts, wheel parks, etc.
  - Cleansing & general maintenance services - including litter, graffiti & leaf clearance, sweeping of paths & other hard surfaces, cleaning of pavilions & toilets, water features, gullies & drains, etc.
  - Events services - providing support & infrastructure (e.g. vehicles, plant & equipment) to support events as required.
  - Arboricultural services - comprising works in relation to highways trees, and trees within schools, parks & open spaces. (Tree inspections and works commissioning remains with the Greenspaces client team).
  - Cemeteries services - an integrated service that includes grave digging & interments, grounds & memorial management, waste & litter management and service administration.
  - Nature conservation services - works that form part of the routine maintenance of parks and open spaces and *ad hoc* works on nature reserves.
  - Ad hoc asset and project services - site and asset development works as requested.
- 2.2 The current basic annual budget for the delivery of the *idverde* elements of the overall service is £858,980 net of income.
- 2.3 This report provides performance details and data from the commencement of the contract on the 1<sup>st</sup> February 2017, insofar as possible, recognising that there was, not unreasonably, a “honeymoon” period during the early stages during which the *idverde* management team familiarised itself with the borough and its various assets, and the 60 service staff that transferred to the company under TUPE from Merton Council. Existing service systems and processes were, furthermore, reviewed and transferred, as appropriate, and new operational systems were developed and bedded in, the most significant of which provided some empirical over-arching and randomised service performance data for the very first time (see para. 2.4.1 below).
- 2.4 **Contract Management and Monitoring**
- 2.4.1 *Performance Quality Management System*
- 2.4.1.1 A telephone app-based Performance Quality Management System (PQMS) developed by *idverde* as part of its wider portfolio of grounds maintenance contracts, and tailored to suit the needs of the two Lot 2 boroughs during the

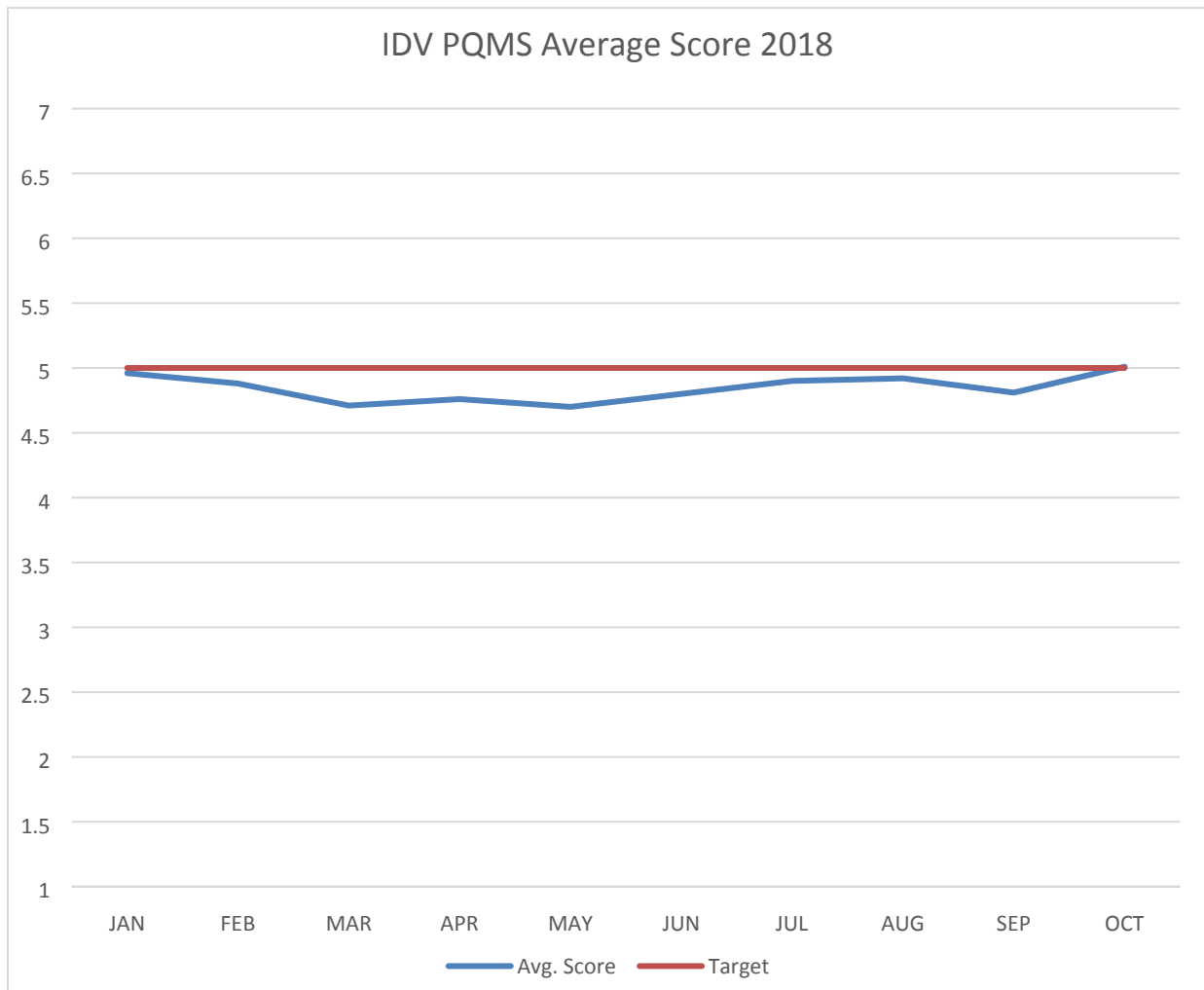
contract mobilization phase, was implemented in Merton from April 2017 and represents the primary tool by which *idverde*'s performance is assessed.

2.4.1.2 This convenient tool provides client-side officers with the opportunity to assess and score the condition of parks and other open space assets and features in the field on a scale of 1 to 7 where 5 represents the contract standard and 6+ exceeds it (see grading details in Appendix 2). The Management System generates sites for formal inspection on a random basis, drawing upon the entire list of open space assets, including cemeteries and highways verges, in order to enable an impartial and better balanced perspective on the condition of the contractor's performance overall. Merton's three Neighbourhood Client Officers are central to the quality assessment process and collectively have conducted some 800 individual site quality inspections since the commencement of the contract.

2.4.1.3 Details of the scores achieved by *idverde* since the adoption of the PQMS are detailed below.



2.4.1.4 The graphic for calendar year 2017 above demonstrates that performance, overall, was commonly a little below the service specification target of 5. Weather conditions during the peak season for grass growth during the springtime were generally favourable for grass cutting operations during this year.



2.4.1.4 The graphic for calendar year 2018 above reflects the problems encountered by the contractor during the spring period where inclement weather and excessively wet ground conditions delayed progress with the grass cutting programmes during the March to May period and consequently depressed the contractor's performance out-turns.

2.4.1.5 A score of less than 4 has been achieved by the contractor on 117 separate occasions to date: 33 of these relating to issues with grass; 23 to shrubs and hedges and 20 to litter bins.

2.4.1.6 A score of 6 (above specification) has been achieved on 189 separate occasions to date, covering a range of locations from the west to the east of the borough and a variety of site features and assets, including litter bins, grass areas and playgrounds.

#### 2.4.2 *Friends & stakeholder monitoring*

2.4.2.1 As a direct consequence of its community development commitments, idverde has, in conjunction with the borough's friends groups (via Merton's Independent Friends Forum), developed a Greenspaces Assessment Form



to enable friends and key stakeholder groups to score a range of key site attributes using an overall layperson's perception to rank the condition of grass, litter, paths, playgrounds, etc, on scale of 1 to 4; 4 being excellent and 1 representing very poor.

2.4.2.2 This project was first implemented in January 2018 and a sample copy of the assessment form is provided as Appendix 1 to this report.

2.4.2.3 A total of 33 forms have been completed and submitted to date and the clear and consistent message emerging from this assessment tool is that *idverde* needs to improve its performance in relation to litter in parks, both litter in and around bins and litter more generally - litter being scored as poor or very poor in 72% of the returns submitted.

2.4.2.4 Those parks attributes that typically scored more highly within this assessment regime, achieving scores of 3 to 4, included horticultural features such as floral bedding and shrub beds.

### 2.4.3 *Customer complaints*

2.4.3.1 Residents of the borough are able to submit reports, including service requests and complaints, about grounds maintenance services either by telephone to the Council's Customer Contact Centre or via the Council's on-line reporting options, albeit not yet via the Council's CRM system as outlined in para. 2.5 of this report.

2.4.3.1 All formal complaints to the Council are channelled through the corporate Customer Complaints team and forwarded to the client-side team or the contractor to consider and respond, as appropriate. (The client-side team principally handles matters of recreational policy and service development, whereas the contractor deals mainly with operational issues such as grass cutting and overflowing bins).

2.4.3.2 The Council's three Neighbourhood Client Officers are proactive in investigating formal complaints submitted by residents and have monitored known hot-spot locations on a regular basis, over and above the PQMS requirements: weekly in the case of Three Kings Pond, Mitcham, a location where littering has been particularly severe due to localised anti-social behaviour and street drinking issues.

2.4.3.3 Customer feedback data provided by *idverde* for the period February 2017 to January 2018 identifies the following complaints:

	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan
Complaint Authorised Officer	-						4					2
Complaint Friends Group	-					1	1					
Complaint Public	-						2	1	1	1		

Rectifications												
Defaults												
Compliments						1						
<b>Totals</b>						<b>1</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>2</b>

2.4.3.4 Customer complaints about Greenspaces services recorded by the Council's Customer Complaints team:

	2015/16*	2016/17*	2017/18	2018/19 (to date)
Total number of formal complaints received	16	15	9	22

\* Pre-*idverde* years

All years exclude arboricultural complaints

2018/19 data excludes Eastern Electrics complaints as these do not relate to *idverde*'s service provision

2.4.4 *Litter & Detritus Monitoring*

2.4.4.1 The Council's Principal Performance Officer has, since the summer of 2018, undertaken inspections of parks randomly across the borough as part of the assessment litter and detritus within the borough using the methodology of the former DEFRA National Indicator 195 for street cleanliness as a yardstick.

2.4.4.2 The results of this field assessment work during Quarter 2 of 2018 revealed the following:

Issue	Sites below standard
Litter	8.4%
	<b>Bins found to be full</b>
Bins	15.3%

2.4.5 *Service Performance Indicators (SPIs)*

- 2.4.5.1 The Lot 2 contract provides a range of 21 separate Service Performance Indicators (SPIs) against which the contractor's performance is measured.
- 2.4.5.2 The SPIs range from the outcomes of the boroughs' Residents' Satisfaction Survey score; its performance in relation to health and safety matters; site security and staff training arrangements, amongst others.
- 2.4.5.3 Financial deductions can be applied in the event of a service failure in relation to any SPI, subject to any rectification period that may apply.
- 2.4.5.4 A summary table of the recorded service failures in relation to the contractual SPIs is provided in Appendix 3.
- 2.4.5.5 In 2017/18 deductions amounting to £38.5k were identified in relation to formal reporting failures and the non-availability of some of the borough's water play facilities during the course of the summer.
- 2.4.5.6 Deductions for the 2018/19 contract period will be reported at the end of the current financial year.

#### 2.4.6 *Green Flag Awards*

2.4.6.1 *idverde* supported and contributed to the successful retention of the borough's five existing Green Flag Awards during 2017 and played a significant role in securing the very first award in 2018 for Abbey Recreation Ground. The total number of parks achieving this national quality standard now stands at an all-time high of six parks. Merton's six Green Flag Award parks are:

- John Innes Park
- Sir Joseph Hood Memorial Playing Fields
- Colliers Wood Recreation Ground
- South Park Gardens
- Dundonald Recreation Ground
- Abbey Recreation Ground

#### 2.4.7 *Health & safety*

2.4.7.1 Procedural concerns in relation to the inspection of children's playgrounds and Legionella-focused water testing have been raised with *idverde* and are being addressed.

#### 2.4.8 *Allotments, Sport and Cemeteries*

2.4.8.1 There are no significant issues to report in these service areas. Income generation is a key indicator of performance and, save for some teething issues around data sharing, has generally been satisfactory overall, particularly once matters with the re-letting of vacant and uncultivated

allotment plots were addressed by *idverde* at the commencement of the 2018 growing season.

2.4.8.2 The maintenance of quality standards in respect of these services forms part of the PQMS assessment process outlined above.

#### 2.4.9 *Arboriculture*

2.4.9.1 *idverde* has not, so far, been able to deliver the full contractual expectations in relation to arboriculture but did meet the majority of the borough's needs in relation to basal and epicormic growth during the summer of 2018. Progress with this programme has been somewhat slower than the Council's expectations, but it has now been completed and generally to a good standard.

2.4.9.2 The contractor has been tasked with confirming an acceptable solution to the two borough's arboricultural needs before 1<sup>st</sup> April 2019.

#### 2.4.10 *Events*

2.4.10.1 *idverde* staff contributed to the successful delivery of some of the borough's major outdoor events during both the summers of 2017 and 2018, including the Mitcham Carnival, the Wimbledon Championships and the borough's annual public fireworks events, providing both support staff and event equipment and infrastructure.

2.4.10.2 In addition, *idverde*'s grounds staff undertook the site remediation works, both in 2017 and 2018, following the Eastern Electrics Festival in Morden Park and hosted and facilitated a number of larger-scale sports-focused activities at various locations, the majority during the summer months.

#### 2.4.11 *Community development, friends & stakeholder engagement*

2.4.11.1 During the first 12 months of the contract and in the two month period immediately in advance of the contract commencement date, *idverde* staff invested some 115 hours in community development work and in meetings with parks friends groups and key service stakeholders. 56 separate meetings were attended, including meetings with the Merton Independent Friends Forum and with representatives of the various Little League groups in Merton, amongst others.

2.4.11.2 As outlined within para. 2.4.6.1 of this report, *idverde*'s development team were key participants in a successful project to improve Abbey Recreation Ground to Green Flag Award standards, working with Council officers and the Wilmore End Residents Association on the development of a

management plan for the site and ensuring that the presentation of the site met with the award's quality standards.

2.4.11.3 Some considerable time was also invested by *idverde* supporting a relatively a new friends group, the Friends of Nelson Gardens, to complete some comprehensive site improvements at Nelson Gardens, South Wimbledon.

2.4.11.4 A total of 30 volunteering days were delivered by *idverde* under the Community Payback Project scheme during the course of the first year of the contract, combining practical works undertaken at Abbey Recreation Ground and Nelson Gardens.

#### 2.4.12 *Management liaison meetings*

2.4.12.1 A hierarchy of regular liaison meetings has been established with the contractor in order to monitor progress and performance and to facilitate dialogue on any current or ongoing contract delivery issues. These are:

- Operational meetings with the *idverde* Contract Manager (Merton) - weekly. Attended by the Council's client-side Contract Lead and Neighbourhood Client Officers.
- Contract progress and development meetings with the Contract Director (Merton & Sutton) - monthly. Attended by the Council's client-side Contract Leads from both Merton and Sutton.
- Strategic & Commercial meetings with *idverde*'s Directors - Six-weekly. Attended by the relevant Assistant Directors and the Contract Leads from both Merton and Sutton.

## 2.5 **ICT INTEGRATION**

2.5.1 The integration of the Council's customer relationship management (CRM) system and *idverde*'s operational management system has not progressed as originally envisaged, in part related to wider project delivery and contractual issues with the corporate provider, GDIT. Integration of the Lot 1, waste, recycling and street cleansing services, has, not unreasonably, been prioritised by the authority, but as the progressive integration of Veolia's ECHO system with the Council's CRM system draws to a close, the opportunity to focus on the ICT needs in relation to Lot 2 matters will present itself.

2.5.2 The Lot 1 systems integration process and issues will serve as a useful rehearsal for Lot 2 and the lessons learned should ensure that the exercise is completed more efficiently than might otherwise have occurred.

2.5.3 Dialogue with *idverde* has already commenced on this topic and in the fullness of time, it is envisaged that residents will be able to report such

issues as overflowing bins, long grass, graffiti and fly-tips in parks and open spaces on-line, just as they already can do for Lot 1 concerns.

## **2.6 PERFORMANCE SUMMARY AND AREAS FOR IMPROVEMENT**

2.6.1 Overall, *idverde's* performance has been consistently a little under the expectations of the contract specification in relation to the quality and presentation of the borough's park and open spaces. The PQMS assessments reflect this position, the average score being 4.84 for the first 20 months of the contract (an average of 4.87 during the first 12 months of the contract; an average of 4.83 for Year 2 of the contract to date). Grass cutting and litter have issues have generally been the factors that have depressed their achievements most of all. The contractor clearly recognises the financial implications of under-performance, including deductions for any failures to deliver upon the Lot 2 SPIs and is being actively encouraged to reconsider how it recruits and deploys staff, most especially during the spring and early summer period and at times of exceptional seasonal demand, warm weekends, for example, when the grounds maintenance challenges are typically at their peak.

2.6.2 Some of the early operational contract teething issues, in relation to playground inspections and the operation of the borough's water play facilities, for example, have been addressed and after a period during which there was significant staff churn in *idverde's* Merton operations during Year 1, the local operational team is now more bedded-in and more familiar with the Lot 2 contractual requirements and with the communities of Merton and their hopes and expectations for what is a highly-regarded and much-enjoyed service.

## **2.7 GENERAL PARKS ISSUES**

### *2.7.1 General*

2.7.1.1 Parks and open spaces are, of course, predominantly an outdoor experience, and consequently weather events naturally affect their maintenance and enjoyment. The very remarkable weather events unquestionably impacted upon the service overall this year. Issues with grass cutting due to a combination of inclement weather and saturated ground during the early spring period have been pinpointed above. Conversely, the borough's water play facilities attracted above-the-norm attendances during July and August due to more favourable weather conditions for outdoor recreational activities.

2.7.1.2 In addition to securing six Green Flag Awards, as outlined above, a number of clubs and commercial enterprises, such as Butterfly Patch Nursery, have been supported to secure new or improved premises within Merton's parks,

securing additional income for the service and the authority for the longer term.

## 2.7.2 *Outdoor Events*

2.7.2.1 The borough's outdoor events service has continued to diversify and expand during 2018. An improved experiential marketing offer in Wimbledon Park during the Wimbledon Championships included some new "blue chip" brands in 2018 and the Eastern Electrics Festival, first held in Morden Park in 2017, increased to a two-day event, attracting an audience of some 27,000 over the course of the relevant August weekend. Seven outdoor cinema events were held in five different parks across the borough during the course of the summer and Wimbledon Park hosted its very first country fair during September.

## 2.7.3 *Special Projects*

2.7.3.1 Working with *idverde* and the Keep Britain Tidy Group (KBTG), the Council embarked upon a national pilot project during the recent summer months that examined the relative importance of bins in resolving, or otherwise, problems of littering in parks. Litter bins were entirely removed from Wandle Park in Colliers Wood, during the early summer period and the impacts of this in terms of volumes of litter (by weight) collected within the park were measured. The data from this pilot exercise is currently in the process of being analysed and considered by KBTG, who will produce a report on the findings from this park and parks elsewhere that volunteered for the pilot. The early-stage observations are both interesting and encouraging, suggesting that the borough's informal policy of encouraging residents to take their litter home for disposal might be encouraged by removing waste bins from its parks.

2.7.3.2 Other significant parks projects and improvements completed in recent months include:

- Landscape and access improvements at Ravensbury Park
- Access/footpath improvements at Wandle Park
- New floodlights installed at Wimbledon Park Stadium
- Three tennis courts refurbished at Joseph Hood Recreation Ground

## 2.7.4 *Pay and Display Car Parking*

2.7.4.1 Pay and display car parking regimes became operational for the first time during April of this year at four open space locations: Wimbledon Park, Haydons Road Recreation, Abbey Recreation Ground and Tamworth Recreation Ground. The scheme has generally proven to be very effective

in deterring commuters and other non-park users from occupying parking spaces at these venues.

#### 2.7.4 *Barbeques*

2.7.4.1 The excellent weather naturally encouraged summer barbeques, most especially in Wimbledon Park, and whilst opinions amongst park users continue to be spilt on the appropriateness of BBQs in public parks, the authority did support the temporary ban on barbequing that was encouraged across the capital by the London Fire Brigade at the height of the high-summer drought.

#### 2.7.5 *Dog Controls*

2.7.5.1 The Council has continued to develop and clarify its policy on dog controls during the course of the year as outlined in a separate report to this meeting of the Sustainable Communities Overview and Scrutiny Panel.

### **2.8 TREE WATERING PROVISIONS**

2.8.1 A total of 220 new street trees were planted across the borough during the 2017/18 winter planting season. In keeping with recent custom and practice, a standard regime that specified watering of all newly planted trees with 30-50 litres of water on a programme of 10 watering episodes between the months of May and September was undertaken by arboricultural contractor commissioned by Greenspaces.

2.8.2 This programme commenced in advance of the somewhat atypical hot, dry weather that prevailed throughout the June to early August period, but end-of-season analysis has, reassuringly, revealed that only 11% of the total stock planted during last winter was lost. Of these, 12 succumbed to suspected environmental causes, whereas 14 were lost for reasons of vandalism or accidental damage by vehicles. Therefore, the very worst prognosis is that 5% only were lost to drought issues.

2.8.3 Greenspaces' tree operation is supported by the borough's 30 or so Tree Wardens, local volunteers who typically assist and support with the maintenance and management of the borough's tree stock. During the summer of 2018 their support proved to be particularly invaluable in relation to young trees that showing signs of drought distress that were planted in the years immediately prior to the 2017/18 planting season and therefore outside of the Greenspaces-commissioned 2018 summer watering programme.

2.8.4 Dead trees on the highway are generally removed and replaced as a matter of policy where resources and underground services permit such.



### **3 ALTERNATIVE OPTIONS**

- 3.1. This report is an update on the performance of the Council's current grounds maintenance service provider, *idverde*, and therefore there are no decisions required or recommended as part of this report.

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

- 4.1. No specific consultation has contributed to the complication of this report.

### **5 TIMETABLE**

- 5.1. This report is an update on the performance of the Council's current grounds maintenance service provider, *idverde*, which primarily examines the first 18 months of their long-term contact with the authority.

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

- 6.1. Key financial issues are included within the body of the report, including reference to the application of financial deductions where the contractor has under-performed or otherwise failed to deliver upon existing contractual targets and requirements.
- 6.2. In 2017/18 deductions amounting to £38.5k were identified and are awaiting settlement.

### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. It appears that the Council are properly monitoring performance under the contract and as such there are no specific legal or statutory implications arising from this report.

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

- 8.1. There are no specific human rights, equalities or community cohesion implications arising from this report.

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

- 9.1. There are no crime and disorder implications arising from this report.

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

- 10.1. There are no specific risk management or health and safety implications arising from this report.

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

- Appendix 1 - Greenspaces Assessment Form
- Appendix 2 - PQMS Grading
- Appendix 3 - Recorded SPI Failures

## **12 BACKGROUND PAPERS**

- 12.1. Minutes of Cabinet, Monday 6 June 2016.
- 12.2. Minutes of the Sustainable Communities Overview and Scrutiny Panel, Thursday 9 June 2016.
- 12.3. Minutes of Overview and Scrutiny Commission, Tuesday 2 August 2016.
- 12.4. Minutes of Council, Wednesday 14 September 2016.
- 12.5. Minutes of Sustainable Communities Overview and Scrutiny Panel, Wednesday 15 March 2017.
- 12.6. Minutes of Sustainable Communities Overview and Scrutiny Panel, Thursday 2 November 2017.
- 12.7. Minutes of the Sustainable Communities Overview and Scrutiny Panel meeting, Thursday 21 June 2018.

## **APPENDIX 1 - GREENSPACES ASSESSMENT FORM**

# Greenspace Assessment Report

(developed in conjunction with Independent Merton Green Spaces Forum)

Site		Assessed by (name & group)				
Contact No.		Date of assessment				
<b>Site Assessment scoring:</b>						
<p>4 = The service/standard is excellent</p> <p>3 = The service/standard is generally acceptable</p> <p>2 = The service/standard is poor and I am sometimes dissatisfied</p> <p>1 = The service/standard is very poor and I am not at all satisfied</p> <p>n/a = The feature is not present</p>						
<p><b>Assess site against 'overall lay person's perception' criteria</b> Please provide an assessment of the condition of the site using the below elements as a guide. Continue on a separate sheet if necessary.</p>						
Items Assessed	Score 4	Score 3	Score 2	Score 1	n/a	Notes
Grass						
Trees						
Litter bins						
Litter on ground						
Litter in woodland						
Seats & other furniture						
Shrubs/ Herbaceous						
Hedges						

Floral bedding						
Roses						
Playgrounds						
Sports facilities						
Nature conservation						
Gates, fences & railings						
Paths						
Water features						
Woodland/ Copses						
Other feature						

**APPENDIX 2 - PQMS GRADING**

# PQMS Grading

**Aim:**

The use of a performance management system which provides the council and the contractor with an overall assessment of the contractor's performance. It will be assessed across the full range of features within the contract specification.

**Classification of Standards:**

For the council to achieve a standard overall, all of the criteria within that standard must have been met or exceeded.

<b>A</b>	<b>7</b>	<p><b>GM:</b> Feature is maintained above contract standard in all aspects (<b>Grade A will not be achieved in most circumstances</b>)</p> <p><b>SC:</b> Absence of all litter, detritus, excreta, leaf fall, weeds etc.</p> <p><b>FM:</b> Absence of all dirt, waste, cobwebs, dead insects/vermin and the facility or area is fully stocked</p> <p><b>CE:</b> All clear no litter/debris in channel or against grille, no overhanging vegetation.</p>
<b>A-</b>	<b>6</b>	<p><b>GM:</b> Feature is maintained above contract standard in most aspects. (<b>Grade A- will not be achieved in most circumstances</b>)</p> <p><b>SC:</b> Absence of almost all litter, detritus, excreta, leaf fall etc. Substantially weed free</p> <p><b>FM:</b> Absence of almost all dirt, waste, cobwebs, dead insects/vermin and the facility or area is fully stocked</p> <p><b>CE:</b> Minor debris, recent deposits with no compromise in efficiency.</p>
<b>B</b>	<b>5</b>	<p><b>GM:</b> Feature is maintained to contract standard in all aspects</p> <p><b>SC:</b> Predominately free of litter, detritus, excreta, leaf fall etc. Predominantly weed free</p> <p><b>FM:</b> Predominately free of all dirt, waste, cobwebs, dead insects or vermin and the facility or area is fully stocked</p> <p><b>CE:</b> Minor debris, slight effect on efficiency.</p>
<b>B-</b>	<b>4</b>	<p><b>GM:</b> The feature is maintained to contract standard in the majority of aspects</p> <p><b>SC:</b> Some distribution of litter, detritus, excreta, leaf fall, etc. Some weed growth</p> <p><b>FM:</b> Some distribution of dirt, waste, cobwebs, dead insects or vermin and the facility or area is adequately stocked.</p> <p><b>CE:</b> Moderate debris, still working effectively</p>
<b>C</b>	<b>3</b>	<p><b>GM:</b> The feature is maintained slightly below contract standard in some aspects</p> <p><b>SC:</b> Widespread distribution of litter, detritus, excreta, leaf fall etc. Significant weed growth</p> <p><b>FM:</b> Widespread distribution of dirt, waste, cobwebs, dead insects /vermin and the facility or area is inadequately stocked</p> <p><b>CE:</b> Moderate debris, efficiency compromised.</p>
<b>C-</b>	<b>2</b>	<p><b>GM:</b> The feature is maintained but below contract standard in most aspects</p> <p><b>SC:</b> Widespread distribution and accumulation of litter, detritus, excreta, leaf fall etc. Considerable weed growth</p> <p><b>FM:</b> Widespread distribution and accumulation of dirt,waste,cobwebs,dead insects or vermin and the facility or area is inadequately stocked</p> <p><b>CE:</b> Chocked and ineffective</p>
<b>D</b>	<b>1</b>	<p><b>GM:</b> The feature is unmaintained and considerably below contract standard in all aspect</p> <p><b>SC:</b> Heavy distribution of litter, detritus, excreta, leaf fall etc. Heavy, widespread weed growth.</p> <p><b>FM:</b> Heavy distribution of dirt, waste, cobwebs, dead insects or vermin and the facility or area is inadequately stocked</p> <p><b>CE:</b> Channel/grille in filled and unidentifiable</p>

**APPENDIX 3 - RECORDED SPI FAILURES**

SPI	Feb 2017	Mar 2017	Apr 2017	May 2017	June 2017	July 2017	Aug 2017	Sept 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018	Apr 2018	May 2018	June 2018	July 2018	Aug 2018
1a - Customer satisfaction survey (Merton)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1c - average PQMS score of 5 or above	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
1d- target score in Perpetual customer survey	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1e - respond to service request, complaint, enquiry, etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	4	1	0	7
2a - emergency redeployment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2b - risk assessment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2c - apply risk assessment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2d - health & safety audit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3a - fertilisers, products & materials	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4a - gate opening	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4b - gate locking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4c - pitch or facility available	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5a - equipment/play feature item available	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1	1	0	0	0
5b - entire facility available	0	0	0	0	1	4	0	0	0	0	0	0	0	0	0	0	0	0	0
6a - records & reporting (general)	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6b - weekly report	4	4	4	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6c - monthly report	1	1	1	1	1	1	1	0	0	0	1	0	0	1	0	1	1	0	0
6d - annual report	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7a - burial plot prepared	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8a - annual staff	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

appraisal																			
9a - working with organised groups & stakeholders	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



## Performance Monitoring Report ~ Sustainable Communities ~ September & Quarter 2 2018

Dept.	PI Code & Description	Polarity	September 2018					YTD Result	Annual YTD Target	YTD Status
			Value	Target	Status	Short Trend	Long Trend			
Libraries	CRP 059 / SP 008 No. of people accessing the library by borrowing an item or using a peoples network terminal at least once in the previous 12 months	High	69,985	56,000				69,985	56,000	
Libraries	CRP 060 / SP 009 No. of visitors accessing the library service on line	High	116,063	112,081				116,063	112,081	
Housing Needs & Enabling	CRP 061 / SP 036 No. of households in temporary accommodation	Low	174	230				173.67	230	
Housing Needs & Enabling	CRP 062 / SP 035 No. of homelessness preventions	High	243	225				243	225	
Housing Needs & Enabling	SP 037 Highest No. of families in Bed and Breakfast accommodation during the year	Low	1	10				1.33	10	
Housing Needs & Enabling	SP 038 Highest No. of adults in Bed and Breakfast accommodation	Low	8	10				8.33	10	
Libraries	SP 279 % Self-service usage for stock transactions (libraries)	High	98%	97%				98%	97%	
Libraries	SP 280 No. of active volunteers in libraries (Rolling 12 Month)	High	282	230				282	230	
Libraries	SP 287 Maintain Library Income	High	£197,674	£187,015				£197,674	£187,015	
Libraries	SP 480 Visitor figures - physical visits to Libraries (Monthly)	High	565,499	600,000				565,499	600,000	

Dept.	PI Code & Description	Polarity	Quarter 2 2018/19					YTD Result	Annual YTD Target	YTD Status
			Value	Target	Status	Short Trend	Long Trend			
Housing Needs & Enabling	SP 277 Social Housing Lets (Quarterly)	High	132	125				132	125	
Housing Needs & Enabling	SP 360 No. of enforcement / improvement notices issued (Quarterly)	High	38	29				38	29	
Housing Needs & Enabling	SP 361 No. of Disabled Facilities Grants (DFG) approved (Quarterly)	High	31	26				31	26	

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## E&R Public Protection performance report

PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
<b>Parking</b>											
CRP 044 Parking services estimated revenue (Monthly)	1,472,504	1,434,807				9,187,603	7,652,039				
LER PARK 01 % of cases won at London tribunal	74	55				65.83	55				
SP 127 % Parking permits issued within 5 working days (Monthly)	95%	95%				95.5%	95%				
SP 258 Sickness- No of days per FTE from snapshot report (parking)	1.06	0.66				6.44	4				
493 Number of cases won at London tribunals (Monthly)	39	45				244	266				
<b>Regulatory Services</b>											
SP 041 % Service requests replied to in 5 working days (Regulatory Services) (Monthly)	91.32%	97%				94.15%	97%				
SP 042 Income generation by Regulatory Services (Monthly)	£22,124	£25,000				£212,828	£245,000				
SP 111 No. of underage sales test purchases (Quarterly)	Measure quarterly					43	47				
SP 255 % licensing apps. determined within 28 days (Quarterly)	Measure quarterly					94.8%	97%				
SP 316 % Inspection category A,B & C food premises (annual)	Annual measure						99				
SP 418 Annual average amount of Nitrogen Dioxide per m3 (Annual)	Annual measure						40				
SP 420 Annual average amount of Particulates per m3 (Annual)	Annual measure						40				
SP 422 % Food premises rated 2* or below (Quarterly)	Measure quarterly					5.55%	10%				
SP 494 Nitrgen Dioxide Diffusion Tube Monitoring Sites in the Borough exceeding National Levels (Quarterly)	Measure quarterly					19	0				

## E&R Public Spaces

PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
<b>Street Cleaning</b>											
CRP 048 / SP 455 % of sites surveyed on local street inspections for litter that are below standard (Monthly)	16.43%	8%				14.97%	8%				
LER 058 % Sites surveyed on street inspections for litter (using NI195 system) that are below standard (KBT) (Quarterly)	Measure quarterly					15.22%	8%				
SP 062 % Sites surveyed below standard for graffiti (Quarterly)	Measure quarterly					8.47%	5%				
SP 063 % Sites surveyed below standard for flyposting (Quarterly)	Measure quarterly					1.53%	1%				
Page 8 of 8 SP 139 % Sites surveyed below standard for weeds (Quarterly)	Measure quarterly					16.05%	11%				
SP 140 % Sites surveyed below standard for Detritus (Quarterly)	Measure quarterly					23.31%	10%				
SP 269 % Residents satisfied with street cleanliness (annual)	Annual measure						57%				
<b>Waste Services</b>											
CRP 093 / SP 478 No. of refuse collections including recycling and kitchen waste missed per 100,000 (Monthly)	126.00	50.00				115.33	50.00				
CRP 094 / SP 485 No. of fly-tips in streets and parks recorded by Contractor (Monthly)	906	700				5,853	4,200				
SP 064 % Residents satisfied with refuse collection (annual) (ars)	Annual measure						73%				
SP 065 % Household waste recycled and composted	36.66%	46%				36.8%	46%				
SP 066 Residual waste kg per household (One month in arrears)	47.48	41				239.32	205				
SP 067 % Municipal solid waste sent to landfill (One month in arrears)	29%	65%				53%	65%				
SP 262 % Residents satisfied with recycling facilities (annual) (ars)	Annual measure						72%				

PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
SP 354 Total waste arising per households (KGs) (One Month in arrears)	73.67	75	✓	↑	↓	372.19	380	✓	↑	↑	✓
SP 407 % FPN's issued that have been paid (Monthly)	70%	70%	✓	-	↓	72.17%	70%	✓	↓	↓	✓
SP 454 % of fly-tips removed within 24 hours (Monthly)	21%	90%	✗	↓	↓	21%	90%	✗	↓	↓	✗
<b>Parks</b>											
LER OS 01 Parks Quality Management Score (PQMS)	4.8	5	✗	?	?	4.77	5	✗	?	?	✗
SP 026 % of residents who rate parks & green spaces as good or very good (annual) (ars)	Annual measure					?	76%	?	?	?	?
SP 027 Young people's % satisfaction with parks & green spaces (annual)	Annual measure					?	75%	?	?	?	?
SP 032 No. of Green Flags (annual)	Annual measure					6	6	✓	↑	↑	✓
SP 318 No. of outdoor events in parks (Monthly)	19	10	✓	↓	↑	201	125	✓	↑	↑	✓
<b>Leisure</b>											
SP 015 Income generated - Merton Active Plus activity (Monthly)	£0	£500	✗	↓	↓	£9,710	£35,500	✗	↓	↓	✗
SP 251 Income from Watersports Centre (Monthly)	£12,000	£13,840	✗	↓	↓	£375,730	£334,650	✓	↓	↑	✓
SP 325 % Residents rating Leisure & Sports facilities Good to Excellent	Annual measure					?	80%	?	?	?	?
SP 349 14 to 25 year old fitness centre participation at leisure centres (Monthly)	7,049	9,103	✗	↓	↓	49,930	52,251	✗	↓	↓	✗
SP 405 No. of Leisure Centre users (monthly)	74,452	90,000	✗	↓	↓	509,732	575,182	✗	↓	↓	✗
SP 406 No. of Polka Theatre users (Quarterly)	Quarterly measure					34,808	38,500	✗	↓	↓	✗
<b>Transport</b>											
SP 136 Average % time passenger vehicles in use	Annual measure					?	85%	?	?	?	?

PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
SP 137 % User satisfaction survey (transport passenger fleet) (annual)	Not measured for Months					?	97%	?	?	?	?
SP 271 In-house journey that meet timescales (transport passenger fleet)	Not measured for Months					?	85%	?	?	?	?

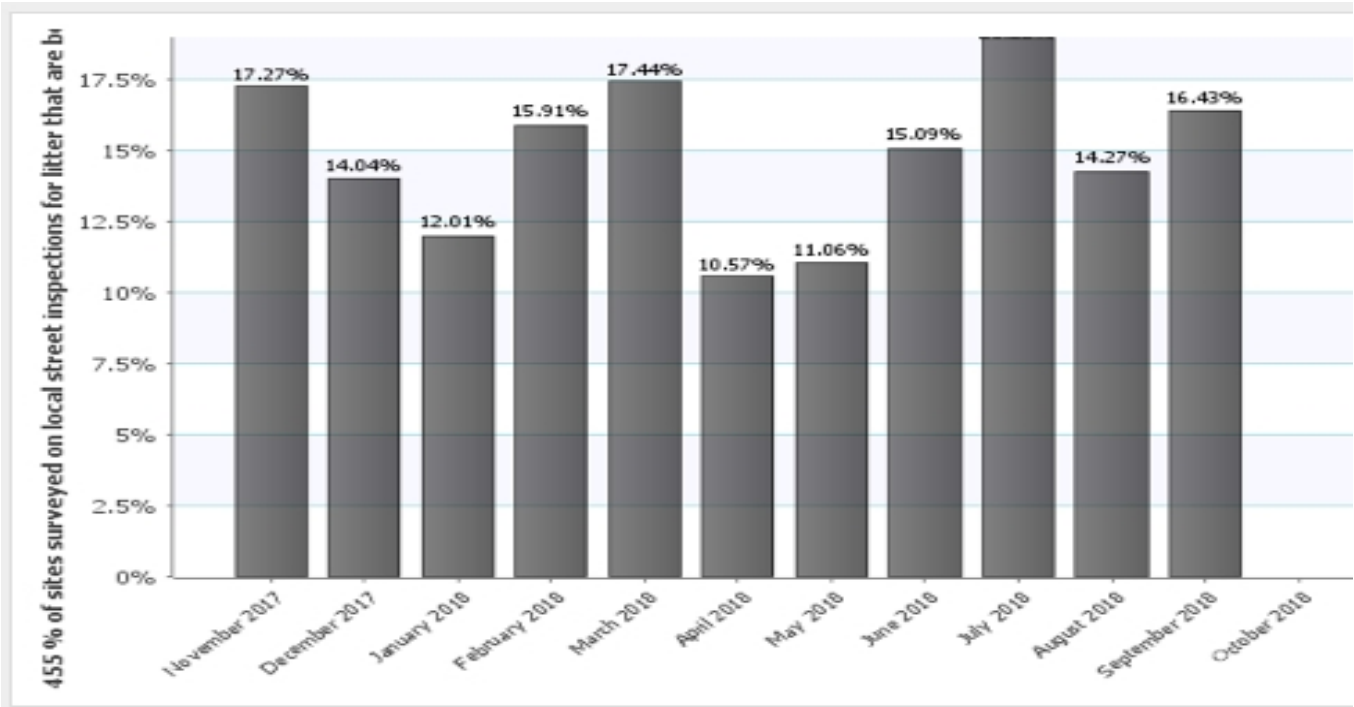
## E&R Sustainable Communities

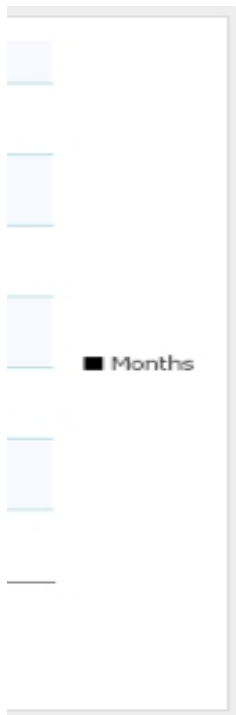
PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
<b>Development and Building Control</b>											
CRP 045 / SP 118 Income (Development and Building Control) (Monthly)	34,521	89,080				758,301	885,000				
CRP 051 / SP 114 % Major applications processed within 13 weeks (Monthly)	75%	67%				82.35%	67%				
CRP 052 / SP 115 % of minor planning applications determined within 8 weeks (Monthly)	74.19%	67%				84.53%	67%				
CRP 053 / SP 116 % of 'other' planning applications determined within 8 weeks (Development Control) (Monthly)	91.11%	80%				92.61%	80%				
SP 040 % Market share retained by LA (Building Control) (Monthly)	49.31%	54%				50.25%	54%				
SP 113 No. of enforcement cases closed (Monthly)	27	38				132	225				
SP 117 % appeals lost (Development & Building Control) (Quarterly)	Measured quarterly					22.25%	35%				
SP 380 No. of backlog enforcement cases (Monthly)	801	650				801	650				
SP 414 Volume of planning applications (Monthly)	383	370				2,236	2,220				
<b>Future Merton</b>											
SP 020 New Homes (annual)	Annual measure					?	435	?	?	?	

PI Code & Description	Sep 2018					2018/19					YTD Status
	Value	Target	Status	Short Trend	Long Trend	Value	Target	Status	Short Trend	Long Trend	
SP 260 % Streetworks inspections completed (Quarterly)	Measured quarterly					34.59%	37%				
SP 327 % Emergency callouts attended within 2 hours (traffic & highways) (Monthly)	100%	98%				100%	98%				
SP 328 % Streetworks permitting determined (Monthly)	100%	98%				100%	98%				
SP 391 Average number of days taken to repair an out of light street light (Quarterly)	Measured quarterly					1.49	3				
SP 468 Footway & Carriageway condition - unclassified roads non-principal defectiveness condition indicator (annual)	Annual measure						95%				
SP 475 Number of publically available Electric Vehicles Charging Points available to Merton Residents (Annual)	Annual measure						30				
SP 476 Number of business premises improved (Annual)	Annual measure						10				
<b>Property Management</b>											
SP 024 % Vacancy rate of property owned by the council (Quarterly)	Measured quarterly					0.1%	3.3%				
SP 025 % Debt owed to LBM by tenants inc businesses (Quarterly)	Measured quarterly					3.57%	8%				
SP 386 Property asset valuations (annual)	Annual measure						150				

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## **Committee: Sustainable Communities Overview and Scrutiny Panel**

**Date: 1 November 2018**

Wards: All

### **Subject: Public Space Protection Orders: Dog Controls**

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Nick Draper, Cabinet Member for Community and Culture

Contact officer: Doug Napier, Greenspaces Manager. Tel. 020 8545 3657;  
doug.napier@merton.gov.uk

#### **Recommendations:**

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1. Members are requested to note the contents of the report, including progress in relation to the adoption of a new Public Space Protection Order and other recent initiatives in relation to dog controls in the borough.
- 

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

- 1.1. At the meeting of the Sustainable Communities Overview and Scrutiny Panel meeting of 2 November 2017, Panel members were provided with a briefing on proposals for a new Public Space Protection Order (PSPO) specifically in relation to dog controls in Merton borough, established by the Anti-social behaviour, Crime and Policing Act 2014.
- 1.2. This report updates the Panel in respect of progress with the PSPO in the intervening period and also on some other dog control initiatives that have taken place during the course of this year.

#### **2 DETAILS**

- 2.1. After considering the clear findings of a borough-wide community consultation exercise on dog control issues carried out during a 9 week period between August and October 2017, officers made recommendations on the composition of the dog control PSPO, based upon the very clear findings of the survey questionnaire (data provided in para. 2.2 below), in reports to Cabinet (15 January 2018) and later Council (7 February 2018) that were approved.
- 2.2. The following new dog control PSPO for Merton's open spaces was approved by Council on 7 February 2018:
  - The prohibition of dog fouling by ensuring that dog owners and walkers clear up after their dogs. (*98.5% support in the consultation survey*)
  - The establishment of dog exclusion area, predominantly children's playgrounds and enclosed play and sports facilities, such as tennis

courts, multi-use games areas and bowling greens. *(87.0% support in the consultation survey)*

- Dogs to be put on a lead in public places when directed to do so by an authorised officer of the council, a police officer or a community support officer. (This proposal would apply within Morden Hall Park and on Mitcham Common, but not on Wimbledon Common which has its own byelaws). *(76.5% support in the consultation survey)*
- The maximum number of dogs that can be walked by one person in all public open spaces (including Morden Hall Park and Mitcham Common, but excluding Wimbledon Common) at any one time is four. *(70.0% support in the consultation survey)*

- 2.3. Council, furthermore, approved the recommendation that the Director of Environment & Regeneration, in consultation with Cabinet Member for Community and Culture, finalise and bring the PSPO into force as soon as possible.
- 2.4. The drafting of the PSPO has been further developed and refined during the course of this year following a legal challenge to the Richmond PSPO where the challenge was unsuccessful. It was appropriate to suspend issue until the legal challenge had been completed to gauge any changes that may be made and whether the Dog Control PSPO was a viable instrument going forward. Some changes were made during June 2018 to make the Dog Control PSPO more robust which included updating the exemption.
- 2.5. Maps of sites, site lists and site descriptions, including the locations of dog exclusion areas, have been prepared as articles for inclusion in the schedule to the Dog Control PSPO. Previously the Dog Control Order map covered the entire borough (all land) with simply Wimbledon Common excluded. The PSPO must now specify exemptions, where in the past this would have not been needed with Dog Control Orders, etc.
- 2.6. Once officers are content with the revised draft Dog Control PSPO then, subject to the approval of the Director of Environment & Regeneration and the Cabinet Member for Community and Culture, the Dog Control PSPO will be sealed, signed and issued, when it will come into force.
- 2.7. Furthermore, and following representations made to the Council by professional dog walkers, concerned about the impact of the proposed PSPO upon their businesses, consideration has been given to the feasibility of the Council introducing a licensing scheme for approved professional dog walkers to enable them to walk dog numbers greater than four. Discussions are still ongoing on this topic between the relevant Council divisions, but such a scheme would present some significant challenges for the authority, not least how such a scheme would be administered and enforced, and that such a proposal could seriously undermine some of the existing community fears that the proposed new PSPO seeks to address, specifically site users encountering large packs of dogs in some of the borough's key and popular parks.
- 2.8. Officers from the local authority's Enforcement and Community Waste team, working with our waste enforcement contractor have undertaken a number of patrols at various open space sites during the course of the summer of

2018, including at popular dog walking locations such as Wimbledon Park and Morden Park.

- 2.9. Monitoring and tackling dog fouling issues has been a particular focus of the team's efforts, with venues known to attract large numbers of dogs, (commonly under the charge of professional dog walkers) receiving much attention, especially those open spaces around the margins of Wimbledon Common (Beverley Meads and Commons Extension).

### **3 ALTERNATIVE OPTIONS**

- 3.1. None for the purposes of this report.
- 3.2. Whereas existing dog fouling and dog exclusion provisions would remain in force under transition provisions until October 2020, these would not address existing community concerns in relation to dogs on leads and multiple dog walking. The Council's approach is therefore to enshrine all dog control measures into one new PSPO.

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

- 4.1. A public consultation exercise on the Council's dog control proposals was undertaken between 24 August and 30 October 2017.
- 4.2. A report on the Council's dog control proposals was considered by the Sustainable Communities Overview and Scrutiny Panel on 2 November 2017.
- 4.3. Recommendations on the proposed dog control PSPO were considered and approved by Cabinet on 15 January 2018 and by Council on 7 February 2018.

### **5 TIMETABLE**

- 5.1 The Order will come into force when issued, for a period of 3 years from this date, unless extended pursuant to section 60 of the relevant Act.

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

- 6.1. There are no significant financial or resource implications arising from these proposals. There will be some minor additional on-site signage needed that will be funded from within existing budgets and the operational aspects of the enforcement of the PSPO will be included within the routine duties of the departmental officers, The Council's environmental enforcement contractors and the police, as appropriate.
- 6.2. The enforcement of the PSPO will generate income from the issuing of fixed penalty notices, currently £80, with enforcement duties primarily undertaken by the Council's waste enforcement contractors.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. It was determined that the Council had the legal power to make a PSPO as contained in Section 59 of the 2014 Act and its Regulations and pursuant to guidance issued by the Secretary of State.
- 7.2. Under Section 66 of the 2014 Act any challenge to the validity of a PSPO must be made in the High Court by an interested person within six weeks of it being made. An interested person is an individual who lives in, or regularly works in, or visits the restricted area. This means only those directly affected by the restrictions have the power to challenge. The validity of a PSPO can be challenged on two grounds only: -
  - (a) that the Council did not have the power to make the order, or to include particular prohibitions or requirements imposed.
  - (b) that the procedural requirements for making the PSPO were not complied with.
- 7.3. On any application to the High Court setting out the validity of a PSPO the Court may suspend the operation of the Order or any of the prohibitions or requirements imposed by it until the determination of the proceedings. If the Court is satisfied the Council erred and the applicant has been substantially prejudiced by that failure, it may quash the Order or any of the prohibitions and requirements imposed by it.
- 7.4. It is an offence under Section 67 of the 2014 Act, without reasonable excuse to (a) do anything prohibited by a PSPO or (b) to fail to comply with any requirement imposed by a PSPO. A person convicted of such an offence may be fined up to £1,000 (Level 3 of the Standard Scale) and ordered to pay costs. A police constable, or authorised person such as a Council officer, may enforce an offence by initially issuing a Fixed Penalty Notice (FPN), giving the recipient the opportunity to pay the FPN to discharge his/her liability to conviction for the offence.
- 7.5. The 2014 Act enables the Council to determine the amount of an FPN up to a maximum of £100.
- 7.6. Once approved, the Order must be published on the Council website and notices put up where practical on or adjacent to the public places to which the Order relates publicising the fact that the Order has been made and its effect.
- 7.7. A licensing scheme for professional dog walkers to enable then to walk dog numbers greater than four would require consideration on review of the Dog Control PSPO and would require consideration by Cabinet and/or Council.

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

- 8.1. Officers have had regard to the Council's duties under the Equality Act 2010.
- 8.2. An Equalities Analysis has been carried out to consider the potential benefits as well as potential impacts for protected groups.

- 8.3. Exemptions have been included within the draft PSPO for assistance dogs.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. Measures to control unruly and overly aggressive dogs are included within the draft PSPO.
- 9.2. The draft PSPO also includes restrictions on the maximum number of dogs that can be walked by one person in public open spaces within Merton (with the exception of Wimbledon Common) at any one time in order to address concerns in relation to large packs of dogs that are commonly witnessed in some of the borough's larger open spaces and measures to exclude dogs from sensitive public spaces such as children's playgrounds.

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

- 10.1. The risk of not addressing this matter could be considered as a failure by the Council to address the genuine needs and wishes of the community, highlighted during the recent consultation exercise, and compounding existing health and safety fears arising from dog faeces and overly aggressive dogs, for example.

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

- London Borough of Merton Public Spaces Protection Order 2018 (Dog Control) (Draft)

## **12 BACKGROUND PAPERS**

- 12.1. A report on the survey and results of the 2017 public consultation exercise on dog controls in the borough can be viewed here:  
[www.merton.gov.uk/dogcontrolorders](http://www.merton.gov.uk/dogcontrolorders)
- 12.2. Public Space Protection Orders - Guidance for councils:  
<https://www.local.gov.uk/public-spaces-protection-orders-guidance-councils>
- 12.3. *Public Space Protection Orders - Dog Controls*. Report and minutes of the Sustainable Communities Overview and Scrutiny Panel, 2 November 2017.
- 12.4. *Dog Control Public Space Protection Orders*. Report and minutes of Cabinet, 15 January 2018.
- 12.5. *Dog Control Public Space Protection Orders*. Report and minutes of Council, 7 February 2018.

**APPENDIX 1 - London Borough of Merton Public Spaces Protection  
Order 2018 (Dog Control) (Draft)**

**LONDON BOROUGH OF MERTON  
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014  
LONDON BOROUGH OF MERTON  
PUBLIC SPACES PROTECTION ORDER 2018 (DOG CONTROL)**

The Council of the London Borough of Merton (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

This Order may be cited as the “London Borough of Merton Public Spaces Protection Order 2018 (Dog Control)”.

This Order comes into force on *[Date]* and for a period of 3 years from this date, unless extended pursuant to section 60 of the Act.

In this Order the following definitions apply:

“Person in charge” means the person who has the dog in his possession, care or company at the time the offence is committed or, if none, the owner or person who habitually has the dog in his possession.

“Restricted area” means the land described and/or shown in the maps in the Schedule to this Order.

“Authorised officer” means a police officer, PCSO, Council officer, and persons authorised by the Council to enforce this Order.

The masculine includes the feminine.

This Order applies to National Trust land within the administrative area of the Council, and land owned by the Mitcham Common Conservators within the administrative area of the Council. It does not apply to Wimbledon Common.

## **The Offences**

### **Article 1 - Dog Fouling**

(1) If within the restricted area a dog defecates, at any time, and the person who is in charge of the dog fails to remove the faeces from the restricted area forthwith, that person shall be guilty of an offence unless –

- (a) The person has a reasonable excuse for failing to do so; or



- (b) The owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically) to his failing to do so

(2) For the purposes of this Article –

- (a) Placing the faeces in a receptacle in the restricted area which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
- (b) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (c) A person in charge and in the company of a dog in the restricted area shall be guilty of an offence if, on the request of an Authorised Officer the person fails to forthwith produce a device for or other suitable means of removing dog faeces and taking it home or to a suitable waste disposal receptacle (whether or not the dog has defecated) unless the person has a reasonable excuse for not doing so.

### **Article 2 – Dogs on leads**

(1) A person in charge of a dog shall be guilty of an offence if, at any time, he does not comply with a direction given to him by an Authorised Officer to put and keep the dog on a lead in the restricted area unless –

- (a) The person has a reasonable excuse for failing to do so; or
- (b) The owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically) to his failing to do so

(2) An authorised officer may only give a direction under this Order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal

### **Article 3 – Dog Exclusion Area**

(1) A person in charge of a dog shall be guilty of an offence if, at any time, he takes a dog onto, or permits the dog to enter or remain on land within the restricted area unless–

- (a) The person has a reasonable excuse for doing so; or
- (b) The owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically)

### **Article 4 – Multiple Dog Walking**

(1) A person in charge of more than one dog shall be guilty of an offence if, at any time, and at the same time, he takes on to the restricted area more than four dogs unless –

- (a) The person has a reasonable excuse for doing so; or
- (b) The owner, occupier or other person or authority having control of the restricted area has consented (generally or specifically).

### **Exemptions**

Nothing in this Order applies to —

- a. a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his/her ability to comply with the article and where the dog is their guide dog or assistance dog; or
- b. a person who is training an assistance dog in an official capacity; or
- c. a dog used by the police or other agencies permitted by the Council for official purposes.

### **Penalty**

It is an offence under section 67 of the Act for a person without reasonable excuse —

- (a) to do anything that they are prohibited from doing by a public spaces protection order, or,
- (b) to fail to comply with a requirement which they are subject to under a public spaces protection order.

A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

THE COMMON SEAL OF THE MAYOR AND  
BURGESSES OF THE LONDON BOROUGH  
OF MERTON was affixed this    day of  
2018 in the presence of:

South London Legal Partnership

**Schedule identifying Restricted Areas for Articles 1-4 of the Order**

Article 1 - Dog Fouling – map & description

Article 2 - Dogs on leads – map & description

Article 3 - Dog Exclusion Area – map & list

Article 4 - Multiple Dog Walking – map & description

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## Sustainable Communities Work Programme 2018/19

This table sets out the Sustainable Communities Panel Work Programme for 2018/19; the items listed were agreed by the Panel at its meeting on 4 June 2018. This Work Programme will be considered at every meeting of the Panel to enable it to respond to issues of concern and incorporate reviews or to comment upon pre-decision items ahead of their consideration by Cabinet/Council.

The work programme table shows items on a meeting-by-meeting basis, identifying the issue under review, the nature of the scrutiny (pre-decision, policy development, issue specific, performance monitoring, partnership related) and the intended outcomes.

**Chair:** Cllr Laxmi Attawar

**Vice-chair:** Cllr Daniel Holden

### Scrutiny Support

For further information on the work programme of the Sustainable Communities Scrutiny Panel please contact: -

Annette Wiles, Scrutiny Officer

Tel: 020 8545 4035; Email: [annette.wiles@merton.gov.uk](mailto:annette.wiles@merton.gov.uk)

For more information about overview and scrutiny at LB Merton, please visit [www.merton.gov.uk/scrutiny](http://www.merton.gov.uk/scrutiny)

**Meeting date:** 21 June 2018 (*Deadline for papers: 12pm, 13 June 2017*) **COMPLETE**

Scrutiny category	Item/issue	How	Lead member and/or lead officer	Intended outcomes
<b>Executive oversight</b>	Cabinet Member priorities	Verbal update	<ul style="list-style-type: none"> <li>Community and Culture</li> <li>Environment and Street Cleanliness</li> <li>Regeneration, Housing and Transport</li> </ul>	To allow members to understand current priorities and consider how these should inform the work programme.
<b>Scrutiny Review</b>	South London Waste Partnership – communication of the new service rollout	<ul style="list-style-type: none"> <li>Written update report</li> <li>Presentation</li> </ul>	<ul style="list-style-type: none"> <li>Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>Charles Baker, Waste Strategy and Commissioning Manager</li> <li>Scott Edgel, CEO, Veolia</li> </ul>	To understand how the new service rollout will be communicated to residents.
<b>performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal report	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> <li>Steve Langley, Head of Housing Needs</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and for the Panel to make any recommendations or request additional information as

				necessary.
<b>Setting the work programme</b>	<p>To agree the Panel's work programme and consider:</p> <ul style="list-style-type: none"> <li>• a thematic approach to the work programme;</li> <li>• appointing topic leads;</li> <li>• getting the best from performance monitoring;</li> <li>• the Panel's use of task groups;</li> <li>• opportunities for pre-decision scrutiny; and</li> <li>• monitoring task group recommendations.</li> </ul>	Written report	Annette Wiles, Scrutiny Manager	To enable the Panel to agree the draft 2017/18 work programme and select a subject for task group review.

**Meeting date:** 4 September 2018 (**Deadline for papers:** 12pm, 24 August 2018) **COMPLETE**

Scrutiny category	Item/issue	How	Lead member and/or lead officer	Intended outcomes
<b>Performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal report	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> <li>Representative from Community and Housing (TBC)</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and for the Panel to make any recommendations or request additional information as necessary.
<b>Pre-decision scrutiny</b>	Highways and maintenance contract	Written report	<ul style="list-style-type: none"> <li>James McGinlay, Assistant Director – Sustainable Communities</li> <li>Paul McGarry, Head of futureMerton</li> </ul>	Work on re-letting the contract will begin in September 2018. The Panel will therefore have the opportunity to comment on proposals before the start of this work and before a recommendation is made to Cabinet.
<b>Performance monitoring/scrutiny review</b>	Parking update report	Written report	<ul style="list-style-type: none"> <li>Cathryn James, Interim Assistant Director, Public Protection</li> <li>Jim Rogers, Business &amp; Customer Services Manager</li> </ul>	To be provided with updates on a variety of matters including Christmas parking, cashless parking, ANPR, improved parking facilities in selected borough parks



				etc.
<b>Scrutiny Review</b>	South London Waste Partnership – new service rollout	Written update report	<ul style="list-style-type: none"> <li>Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>Charles Baker, Waste Strategy and Commissioning Manager</li> </ul>	A further update on the new service rollout in the weeks leading up to implementation. Members have asked numbers registering for assisted collections compared to using this service prior to the rollout.
<b>Scrutiny review/task group</b>	Crossovers task group – Cabinet response and action plan	Written report	<ul style="list-style-type: none"> <li>Paul McGarry, head of <i>futureMerton</i></li> <li>Steve Cooper, Principal Highway Officer</li> </ul>	To provide the Panel with a response to the report and recommendations of the crossovers task group following Cabinet consideration.
<b>Setting the work programme</b>	Work programme 2017/18	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider.

Meeting date: 1 November 2018 (*Deadline for papers: 12pm, 24 October 2018*)

Scrutiny category	Item/issue	How	Lead member and/or lead officer	Intended outcomes
<b>Pre-decision scrutiny</b>	Budget/business plan scrutiny (round 1)	Written report	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> <li>Hannah Doody, Director for Community and Housing</li> <li>Caroline Holland, Director of Corporate Services</li> </ul>	<p>To discuss and comment on the Council's budget proposals at phase 1.</p> <p>To include consideration of the free Christmas parking initiative.</p>
<b>Pre-decision scrutiny</b>	Morden re-development	Written report	<ul style="list-style-type: none"> <li>James McGinlay, Assistant Director – Sustainable Communities</li> <li>Paul McGarry, Head of <i>futureMerton</i></li> <li>Eben Van Der Westhuizen, Policy Planner</li> </ul>	For the Panel to comment on the selection of a joint venture partner before this decision is considered by Cabinet.
<b>Performance monitoring</b>	Merantun	Presentation	<ul style="list-style-type: none"> <li>James McGinlay, Assistant Director – Sustainable Communities</li> <li>Paul McGarry, Head of <i>futureMerton</i></li> </ul>	Briefing to allow members to understand and scrutinise the progress that has been made with the local authority housing company.

<b>Performance monitoring</b>	South London Waste Partnership – Lot 1 (grounds maintenance)	Written update report	<ul style="list-style-type: none"> <li>• Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>• Doug Napier, Greenspaces Manager</li> <li>• Representative from idverde</li> </ul>	This is the Panel's opportunity to focus on Lot 1 of the partnership having spent considerable time last year looking at Lot 2. Performance under the contract will be the main focus. If possible, members would also like update info on Merton's public parks and tree watering/maintenance.
<b>Scrutiny review</b>	Environmental enforcement	Written report	<ul style="list-style-type: none"> <li>• Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>• Pat DeJesus, Waste Engagement &amp; Enforcement Manager</li> </ul>	The Panel has touched on the work of this team on several occasions over the last municipal year. This item will provide the opportunity to understand the team's remit in more detail.
<b>Performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal report	<ul style="list-style-type: none"> <li>• Chris Lee, Director of Environment and Regeneration</li> <li>• Representative from Community and Housing (TBC)</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and for the Panel to make any recommendations or request additional information as necessary.

<b>Scrutiny review</b>	Public space protection orders update	Written report	Doug Napier, Greenspaces Manager	To allow members to understand what progress has been made with the implementation of public space protection orders.
<b>Task group</b>	Single use plastics	Written report	Task group chair (TBC)	The task group will bring its draft terms of reference to the Panel for its approval prior to commencing its work.
<b>Setting the work programme</b>	Work programme 2017/18	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider.

**Meeting date:** 9 January 2018 (*Deadline for papers: 12pm, 31December 2018*)

<b>Scrutiny category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Performance monitoring</b>	Clarion Housing Group: regeneration	Responses to members' questions to be printed as part of the agenda	Representatives from Clarion Housing Group will be invited to attend the session and answer member questions.	This session will be used to focus on Clarion's estates regeneration.
<b>Pre-decision scrutiny</b>	Budget and business planning (round 2)	Report	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> </ul>	To comment on the budget and business plan proposals at phase

			<ul style="list-style-type: none"> <li>• Hannah Doody, Director for Community and Housing</li> <li>• Caroline Holland, Director of Corporate Services</li> </ul>	2 and make any recommendations to the Commission to consider and co-ordinate a response to Cabinet.
<b>Performance monitoring</b>	Merton Adult Education	Written report	Anthony Hopkins, Head of Libraries and Culture Services	To give the Panel the opportunity to assess the performance of Merton's Adult Education service after two full academic years of operation under the commissioning model and a year following re-inspection by Ofsted.
<b>Executive oversight</b>	Cabinet Member priorities	Verbal update	<ul style="list-style-type: none"> <li>• Community and Culture</li> <li>• Environment and Street Cleanliness</li> <li>• Regeneration, Housing and Transport</li> </ul>	To allow members to understand current priorities and consider how these should inform the work programme. To include a verbal update by Cllr Draper on the Regulatory Services Partnership.
<b>Scrutiny review</b>	Commercialisation task group – action plan review	Written report	Chris Lee, Director of Environment and Regeneration	For the Panel to monitor the implementation of the recommendations it made and were accepted by Cabinet.

<b>Performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal update	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> <li>A representative from C&amp;H</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and for the Panel to make any recommendations or request additional information as necessary.
<b>Setting the work programme</b>	Work programme 2017/18	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider.

**Meeting date:** 26February 2019 (*Deadline for papers: 12pm, 18 February 2019*)

<b>Scrutiny category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Performance monitoring</b>	Libraries and heritage annual report	Written report	Anthony Hopkins, Head of Library and Heritage Services	To provide the annual report on the libraries service and to inform members of any proposed future development of the service.

<b>Scrutiny review/pre-decision scrutiny</b>	Diesel levy implementation	Written report	Chris Lee, Director of Environment and Regeneration	If Cabinet proceeds with a review of the levy after two years of operation. To allow members to have an opportunity to review and comment before this proceeds to Cabinet for its decision.
<b>Performance monitoring</b>	Update: waste, recycling and street cleaning	Written report	<ul style="list-style-type: none"> <li>Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>Charles Baker, Waste Strategy and Commissioning Manager</li> <li>Scott Edgel, CEO, Veolia</li> </ul>	<p>To allow Panel members to closely monitor performance under the contract following the rollout of the new service.</p> <p>To involve residents and seek their feedback on the rollout of the new service.</p>
<b>Pre-decision scrutiny</b>	Highways and maintenance contract	Written report	<ul style="list-style-type: none"> <li>James McGinlay, Assistant Director – Sustainable Communities</li> <li>Paul McGarry, Head of futureMerton</li> </ul>	At the meeting in Sept 2018, it was agreed that the more detailed specification and the outcome of the full procurement process return to scrutiny for pre-decision scrutiny before progressing to Cabinet for decision.
<b>Scrutiny review</b>	Air quality task group – monitoring recommendations	Written report	<ul style="list-style-type: none"> <li>Cathryn James, Interim Assistant Director, Public Protection</li> </ul>	To provide the Panel with an update on the implementation of the task group's

			<ul style="list-style-type: none"> <li>• Jason Andrews, Environmental Health Manager (Pollution)</li> </ul>	recommendations.
<b>Scrutiny review/performance monitoring</b>	Air Quality Action Plan	Written report	<ul style="list-style-type: none"> <li>• Cathryn James, Interim Assistant Director, Public Protection</li> <li>• Jason Andrews, Environmental Health Manager (Pollution)</li> </ul>	Members requested an update be provided on the implementation of the Air Quality Action Plan as updated during the last municipal year. This is to be provided alongside the update on the air quality task group.
<b>Scrutiny review/performance monitoring</b>	Electric cars	Written report	<ul style="list-style-type: none"> <li>• James McGinlay, Assistant Director – Sustainable Communities</li> <li>• Paul McGarry, Head of <i>futureMerton</i></li> </ul>	This item is for members to understand the progress being made in making the borough friendly for electric cars.
<b>Performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal update	<ul style="list-style-type: none"> <li>• Chris Lee, Director of Environment and Regeneration</li> <li>• A representative from C&amp;H</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and for the Panel to make any recommendations or request additional information as necessary.
<b>Task group</b>	Single use plastics	Written report	Task group chair (TBC)	For the task group to present its final report in draft format for approval



				by the Panel prior to progressing to Cabinet.
<b>Setting the work programme</b>	Work programme 2017/18	Written report	Annette Wiles, Scrutiny Officer	To amend/agree the Panel's work programme and accommodate any pre-decision or other items that the Panel may wish to consider.

**Meeting date:** 19 March 2019 (*Deadline for papers: 12pm, 11 March 2019*)

<b>Scrutiny category</b>	<b>Item/issue</b>	<b>How</b>	<b>Lead member and/or lead officer</b>	<b>Intended outcomes</b>
<b>Performance monitoring</b>	Performance monitoring	Basket of indicators plus verbal report	<ul style="list-style-type: none"> <li>Chris Lee, Director of Environment and Regeneration</li> <li>A representative from C&amp;H</li> </ul>	To highlight to the Panel any items of concern where under performance is evident and to make any recommendations or request additional information as necessary.
<b>Scrutiny review</b>	Monitoring the implementation of the recommendations of the housing supply task group	Written report	<ul style="list-style-type: none"> <li>Steve Langley, Head of Housing Needs and Strategy</li> <li>James McGinlay, Assistant Director – Sustainable Communities</li> </ul>	For the Panel to monitor the implementation of the recommendations it made and were accepted by Cabinet. The Panel agreed that this would be the final

				review of this task group with the report providing a summary of all impact.
<b>Scrutiny review</b>	Update on the impact of the homelessness reduction act	Written report	<ul style="list-style-type: none"> <li>Hannah Doody, Director for Community and Housing</li> <li>Steve Langley, Head of Housing Needs and Strategy</li> </ul>	Close to a year after implementation, members will be provided with an update on the impact of the homelessness reduction act.
<b>Performance monitoring</b>	Development and planning control	Written report	James McGinlay, Assistant Director – Sustainable Communities	Members have ongoing concerns regarding staffing levels in the enforcement team. The report will focus on operational capacity, performance and challenges facing the service. This is an update following the report received in the last municipal year and will include data on cases that are more than six months old.
<b>Scrutiny review</b>	London Borough of Culture	Written report	<ul style="list-style-type: none"> <li>Anita Cacchiloi, Interim Assistant Director, Public Space, Contracting and Commissioning</li> <li>Christine Parsloe, Leisure and Culture Development</li> </ul>	Members to be provided with a briefing on the delivery of Merton's involvement in the London Borough of Culture initiative throughout 2019.

			Manager	
<b>Scrutiny review/task group</b>	Crossovers task group – review of implementation of recommendations	Written report	<ul style="list-style-type: none"> <li>• Paul McGarry, head of <i>futureMerton</i></li> <li>• Steve Cooper, Principal Highway Officer</li> </ul>	To provide the Panel with an update on the implementation of the task group's recommendations.
<b>Performance monitoring</b>	Town centre regeneration	Presentation	Paul McGarry, Head of <i>futureMerton</i>	To provide a progress update on the delivery of the town centre regeneration programme.
<b>Scrutiny review</b>	Topic suggestions 2019/2020	Written report	Annette Wiles, Scrutiny Officer	To seek suggestions from the Panel to inform discussions about the Panel's 2019/20 work programme

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