

If you are reading this electronically, the Council has saved **£1.60** on printing. For more information on the Mod.gov paperless app, contact Democratic Services

Merton Council

Council meeting

Membership

The Mayor: Councillor Janice Howard

The Deputy Mayor: Councillor Edward Foley

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

Date: **Wednesday 8 July 2020**

Time: **7.15 pm**

Venue: **This will be a virtual meeting and therefore will not take place in a physical location, in accordance with s78 of the Coronavirus Act 2020.**

This is a public meeting and can be viewed by following this link
www.youtube.com/user/MertonCouncil

For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3616

Press enquiries: communications@merton.gov.uk or telephone 020 8545 3181

Electronic agendas, reports and minutes

Copies of agendas, reports and minutes for council meetings can also be found on our website. To access this, click www.merton.gov.uk/council-and-local-democracy and search for the relevant committee and meeting date.

Agendas can also be viewed on the Mod.gov paperless app for iPads, Android and Windows devices.

For more information about Merton Council visit www.merton.gov.uk

Council meeting

8 July 2020

1	Apologies for absence	
2	Declarations of Pecuniary Interest	
3	Minutes of the previous meeting	1 - 6
4	Announcements by the Mayor, Leader of the Council and Chief Executive	
5	Motion to suspend Council Procedure Rule 2.3 to vary the order of business as set out below	
6	Public questions to cabinet members	7 - 24
7	Councillors' questions to cabinet members	25 - 34
8	The Council's response to Covid-19	To follow
9	South London Waste Plan	35 - 48
10	Review of proportionality and changes to membership of committees	49 - 56

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 Managing Director, South London Legal Partnership.

Agenda Item 3

COUNCIL
4 MARCH 2020

(7.15 pm - 10.05 pm)

PRESENT The Mayor, Councillor Janice Howard
 The Deputy Mayor, Councillor Edward Foley

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

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors David Dean, Brenda Fraser, Joan Henry and Marsie Skeete.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 5 February 2020 are agreed as an accurate record.

4 BUSINESS PLAN 2020-24 (Agenda Item 4)

The Mayor outlined the procedure for this Budget Council meeting. She also reminded the Council that all budget related decisions, including proposed amendments, were required to be recorded within the minutes with a list of the names of those who voted for or against the decision or who abstained from voting. To accommodate that, a roll call vote would be taken for the substantive budget motion and any amendments to it.

At the invitation of the Mayor, the Director of Corporate Services presented the Business Plan 2020-2024. The Director then responded to questions from

Councillors David Chung, Adam Bush, Mike Brunt, Jenifer Gould, Stan Anderson, Oonagh Moulton, Paul Kohler, Edith Macauley, Najeeb Latif and Ben Butler.

The Leader of the Council presented the Business Plan 2020-24 and formally moved the recommendations in the report whilst making his budget speech to Council, a copy of which is appended to the minutes as Appendix A.

Councillor Eleanor Stringer formally seconded the recommendations, and reserved her right to speak.

The Mayor then invited the opposition Group Leaders in turn to respond to the Budget proposal and the Business Plan.

The Leader of the Conservative Group, Councillor Nick McLean addressed the meeting and his speech is attached to the minutes, as Appendix B. As part of his speech, he presented the proposed amendment to the Business Plan 2020-24.

The Leader of the Liberal Democrat Group, Councillor Anthony Fairclough, addressed the meeting, and his speech is attached to the minutes, as Appendix C. As part of his speech, he presented the proposed amendments to the Business Plan 2020-24

The Leader of the Merton Park Ward Independent Residents Group, Councillor Peter Southgate, addressed the meeting and his speech is attached to the minutes, as Appendix D.

The following members of the Cabinet addressed the meeting: Councillors Mark Allison and Laxmi Attawar.

The Mayor then invited members to move proposed amendments to the Business Plan.

Councillor Nick McLean moved the Conservative amendment which was seconded by Councillor Edward Gretton.

Councillor Anthony Fairclough moved the Liberal Democrat amendment 1 which was seconded by Councillor Eloise Bailey.

Councillor Anthony Fairclough moved the Liberal Democrat amendment 2 which was seconded by Councillor Eloise Bailey.

Councillor Anthony Fairclough moved the Liberal Democrat amendment 3 which was seconded by Councillor Eloise Bailey.

The Mayor then opened up the general debate on the proposed amendments and on the proposed substantive Business Plan. The following members spoke in the debate: Councillors Owen Pritchard, Daniel Holden, Agatha Akyigyina, Hayley Ormrod, Hina Bokhari, Aidan Mundy, David Simpson, Nick Draper, Nigel Benbow, Carl Quilliam, Caroline Cooper-Marbiah, James Holmes, David Ward, Peter Southgate, John Dehaney, Andrew Howard, Rebecca Lanning, Thomas Barlow, Martin Whelton, Simon McGrath, Dennis Pearce, Stephen Crowe, Mary Curtin, David Williams, Paul Kohler, Tobin Byers, Peter McCabe, Natasha Irons, Billy Christie and Eleanor Stringer.

At the conclusion of the debate, the Mayor called for a roll-call vote on the Conservative amendment to the Business Plan 2020-2024. Voting was as follows:

Votes in favour: Councillors Thomas Barlow, Nigel Benbow, Adam Bush, Omar Bush, Stephen Crowe, Edward Gretton, Daniel Holden, James Holmes, Andrew Howard, Najeeb Latif, Nick McLean, Oonagh Moulton, Hayley Ormrod, David Simpson, David Williams and the Mayor, Councillor Janice Howard (16)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Natasha Irons, Sally Kenny, Linda Kirby, Rebecca Lanning, Edith Macauley, Russell Makin, Peter McCabe, Russell Makin, Dennis Pearce, Owen Pritchard, Geraldine Stanford, Eleanor Stringer, Dave Ward and Martin Whelton (30)

Not voting: Councillors Eloise Bailey, Hina Bokhari, Anthony Fairclough, Jenifer Gould, Paul Kohler, Simon McGrath, Carl Quilliam, Peter Southgate, Dickie Wilkinson and the Deputy Mayor, Councillor Ed Foley (10)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 1 to the Business Plan 2020-2024. Voting was as follows:

Votes in favour: Councillors Eloise Bailey, Hina Bokhari, Anthony Fairclough, Jenifer Gould, Paul Kohler, Simon McGrath, Carl Quilliam, Peter Southgate, Dickie Wilkinson and the Deputy Mayor, Councillor Ed Foley (10)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Natasha Irons, Sally Kenny, Linda Kirby, Rebecca Lanning,

Edith Macauley, Russell Makin, Peter McCabe, Russell Makin, Dennis Pearce, Owen Pritchard, Geraldine Stanford, Eleanor Stringer, Dave Ward and Martin Whelton (30)

Not voting: Councillors Thomas Barlow, Nigel Benbow, Adam Bush, Omar Bush, Stephen Crowe, Edward Gretton, Daniel Holden, James Holmes, Andrew Howard, Najeeb Latif, Nick McLean, Oonagh Moulton, Hayley Ormrod, David Simpson, David Williams and the Mayor, Councillor Janice Howard (16)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 2 to the Business Plan 2020-2024. Voting was as follows:

Votes in favour: Councillors Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Adam Bush, Omar Bush, Stephen Crowe, Anthony Fairclough, Edward Gretton, Jenifer Gould, Daniel Holden, James Holmes, Andrew Howard, Paul Kohler, Najeeb Latif, Simon McGrath, Nick McLean, Oonagh Moulton, Hayley Ormrod, Carl Quilliam, David Simpson, David Williams and the Mayor, Councillor Janice Howard (23)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Natasha Irons, Sally Kenny, Linda Kirby, Rebecca Lanning, Edith Macauley, Russell Makin, Peter McCabe, Russell Makin, Dennis Pearce, Owen Pritchard, Geraldine Stanford, Eleanor Stringer, Dave Ward and Martin Whelton (30)

Not voting: Councillors Peter Southgate, Dickie Wilkinson and the Deputy Mayor, Councillor Ed Foley (3)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Liberal Democrat amendment 3 to the Business Plan 2020-2024. Voting was as follows:

Votes in favour: Councillors Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Adam Bush, Omar Bush, Stephen Crowe, Anthony Fairclough, Edward Gretton, Jenifer Gould, Daniel Holden, James Holmes, Andrew Howard, Paul Kohler, Najeeb Latif, Simon McGrath, Nick McLean, Oonagh Moulton, Hayley Ormrod, Carl Quilliam, David Simpson, Peter Southgate, David Wilkinson, David Williams, the Deputy Mayor, Councillor Ed Foley and the Mayor, Councillor Janice Howard (26)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Ben Butler, Tobin Byers, Billy

Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Natasha Irons, Sally Kenny, Linda Kirby, Rebecca Lanning, Edith Macauley, Russell Makin, Peter McCabe, Russell Makin, Dennis Pearce, Owen Pritchard, Geraldine Stanford, Eleanor Stringer, Dave Ward and Martin Whelton (30)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the substantive motion for the Business Plan 2020-24. Voting was as follows:

Votes in favour: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Natasha Irons, Sally Kenny, Linda Kirby, Rebecca Lanning, Edith Macauley, Russell Makin, Peter McCabe, Russell Makin, Dennis Pearce, Owen Pritchard, Peter Southgate, Geraldine Stanford, Eleanor Stringer, Dave Ward, Dickie Wilkinson, Martin Whelton and the Deputy Mayor, Councillor Ed Foley (33)

Votes against: Councillors Eloise Bailey, Hina Bokhari, Anthony Fairclough, Jenifer Gould, Paul Kohler, Simon McGrath and Carl Quilliam (7)

Not voting: Councillors Thomas Barlow, Nigel Benbow, Adam Bush, Omar Bush, Stephen Crowe, Edward Gretton, Daniel Holden, James Holmes, Andrew Howard, Najeeb Latif, Nick McLean, Oonagh Moulton, Hayley Ormrod, David Simpson, David Williams and the Mayor, Councillor Janice Howard (16)

RESOLVED:

1. That the Council agrees the Business Plan 2020-24 including:-
 - A) the General Fund Budget;
 - B) the Council Tax Strategy for 2020/21 equating to a Band D Council Tax of £1,276.92, which is an increase of below 4%, inclusive of 2% Adult Social Care flexibility;
 - C) the Medium Term Financial Strategy (MTFS) for 2020-24;
 - D) the Capital Investment Programme (as detailed in Annex 1 to the Capital Strategy);
 - E) the Capital Strategy (Section 1, A)
 - F) the Treasury Management Strategy (Section 1, A), including the detailed recommendations in that Section, incorporating the Prudential Indicators as set out in the Council report;and agrees the formal resolutions as set out in Appendix 1 to the Council report.

This page is intentionally left blank

1. From: Kevin Clarke

To the Cabinet Member for Regeneration, Housing and Transport

Council transport policy is to encourage a shift to more active and sustainable transport modes (including public transport). Will council undertake a commitment towards step-free access at all stations in the borough? Furthermore, will council investigate whether funds from any parking surplus can be used to this end?

Reply

The Council seeks to promote step free access at Merton stations through a mix of processes in partnership with Network Rail, TfL and train operating companies. Potential sources including Department of Transport "Access for all funding", station improvement grants, Network Rail land disposal consultations and via planning applications.

Access to DfT grants is dependent on set criteria, including the availability of matched funding. The Council will explore all of its funding sources to help bring schemes forward.

In the case of planning applications, where the scale of development cannot justify delivery on its own, the Council will seek to safeguard future delivery within the building design via planning obligations.

Some parking revenue can lawfully be used for transport purposes however at this time the demand for the use of this exceeds the resources available.

2. From: Diana Mercer

To the Cabinet Member for Regeneration, Housing and Transport

Why have all the roads have been allowed to get so bad and the wear/tear on tyres. Will there be any compensation for tyres and how soon before the problems are rectified. The Bushey Road junction is bumpy/uneven and towards New Malden there has been a spillage which is bumpy/hard.

Reply

The Council invests circa £2.5 million each year capital in improving our highways and footways. The annual London survey of Highway condition shows that our roads compare well with other London boroughs and are not deteriorating overall. I can confirm that the London Borough of Merton (Merton) undertakes a system of regular highway safety inspections of all its adopted highways in order to comply with its statutory duty to maintain highways in accordance with Section 41 of the Highways Act 1980. Safety inspections are designed to identify defects that meets the Council intervention criteria. The risk of danger is identified by a highways officer on site, and if a defect meets the intervention criteria this is categorised in terms of an appropriate priority response.

Defects that the Highway Officer's pass across to our term contractor to repair would have to meet the council strict intervention level and due to the current financial position of the Council, it is only possible to treat those defects that meet the current intervention criteria . For information, Merton Council's intervention thresholds are 20mm either on a footway or a designated cycleway and 40mm within the carriageway.

To determine roads for inclusion in our annual carriageway resurfacing programme each year the council uses a robust prioritisation model. This model benchmarks and ranks all roads in the borough in comparison to each other and considers a range of criteria such as Engineers Assessment, Condition Survey results, Road Classification, Safety Inspector Priority, Reactive Maintenance Expenditure, Traffic Volumes, Population Density, Emergency, Bus and Cycle routes, Traffic Generators (schools & hospitals etc), Ward Deprivation and Complaints Received. The information used in this model is reviewed and updated annually at the time that the programmes are developed to ensure that the most current picture of the network is taken into account. The council's current levels of funding for planned maintenance allows for 20 – 30 roads to be resurfaced per year,

In the meantime, the Council will continue to inspect all adopted highways as per Merton Councils safety inspection regime to ensure they are maintained in a safe condition and are all considered for inclusion in the council's future maintenance programmes.

Unfortunately, I'm unable to answer your point regarding tyres, however please feel free to contact Merton Risk and Insurance Team and fill out a claim form via the link that I have provided <https://www.merton.gov.uk/council-and-local-democracy/complaints-compliments-and-comments/insurance-claims-against-council>

3. From: Diane Neil Mills

To the Cabinet Member for Regeneration, Housing and Transport

Does the council not agree that decision making at planning committee would be improved through the creation of regional planning subcommittees, similar to that in place at other local authorities such as Westminster, as councillors would have better local knowledge?

Reply

Planning decisions affect communities in different ways . The impact can be local and in other instances far reaching. It is right that in a relatively small borough like Merton that decisions are taken by Members right across the geographical spread of Councillors . That said we will always keep an open mind on how we ensure that Planning decisions are taken and the best way to ensure sensible , efficient , democratic decisions are taken.

**4. From: Susan Cusack
To the Cabinet Member for Finance**

Does it not make sense for members of the Planning Committee who have conflicts of interest to be substituted by members without such conflicts to ensure all Councillors are able to vote on most, if not all, items on the Agenda?

Reply

All councillors who sit on the Planning Applications Committee receive training on how to identify conflicts of interest and in what circumstances such interests mean they should not vote. The Council also allows substitutes to sit on the Committee in order to maximise democratic participation in this important process.

**5. From: Chris Ritchie
To the Cabinet Member for Regeneration, Housing and Transport**

When will the council get tough on companies that flout the road rules in our borough? Eg: heavy goods vehicles using 7.5 tonne weight restricted roads. How can I help?

Reply

Throughout London, there are London wide lorry bans as well as localised lorry bans that refer to 7.5T vehicles. This means that there are some roads that are subject to a lorry ban but access is permitted. The right of access makes enforcement extremely difficult. Like many other authorities lorry bans are not enforced.

There are some routes throughout the borough that are London Distributor Roads and some that are local distributor roads which means that HGVs are permitted to use those routes.

There are parts of the borough that have had an increase in commercial activities which has led to larger volume of service vehicles, this is often caused by an increase in developments, home extensions and other home improvements resulting in an increase in HGV numbers.

In the past London Local authorities in partnership with London Councils did hold talks with freight companies and their representatives during which time complaints regarding HGV and enforcement in particular issues with skip lorries were discussed but a reasonable resolution could not be reached.

It also been noted that some unintended 'rat running' by HGVs appears to be drivers following Satnavs and at times they are directed via certain routes that they should not use. However, to address this, it is considered that there are sufficient number of Lorry Ban signs in any given area and drivers should take note of the signs and restrictions,

however due to the fact that access is permitted, it would be difficult to identify those who have the right to be there from those who should not.

The council supports and encourages the Fleet Operator Recognition Scheme (FORS) through known business associations – this scheme is a voluntary accreditation scheme for fleet operators which aims to raise the level of quality within fleet operations, and to demonstrate which operators are achieving exemplary levels of best practice in safety, efficiency, and environmental protection. The scheme is managed by TfL, but includes many operators from outside the Capital.

At the basic FORS Bronze accreditation level, it confirms that an operator employs good practices. This includes demonstrating dedication to driver and vehicle safety, combined with improving operating practices through effective monitoring of fuel and tyre usage, vehicle maintenance and performance management.

There are currently over 5000 accredited members across the transport and haulage industry. Adopting these practices can reduce accidents and improve fuel efficiency. For companies to sign up to any scheme there needs to be tangible benefits to membership. FORS can demonstrate a proven track record to prospective members.

With regards to enforcement, this is not something that can be enforced by the Police. The Council's Parking Services have previously investigated the logistics of HGV enforcement but as already mentioned, due to access rights and the fact that such an enforcement would be extremely resource intensive and costly, HGV enforcement is not something the Council can undertake at this time.

I am aware that The Sustainable Communities and Transport Scrutiny Panel will be looking at this matter as part of their 20/21 work programme and we will work closely with them to see how we can improve this matter .

**6. From: Louise Furber
To the Cabinet Member for Regeneration, Housing and Transport**

Planning representations are no longer published on Merton's website due to risks associated with publishing personal information, however they are available to view in person at the Civic Centre. What difference does it make if they are viewed electronically or in person? There are either data protection issues or not.

Reply

Letters are available to view in person and also are sent electronically if requested direct by email. The letters are redacted to ensure we comply with GDPR regulations. The number of requests is low allowing officers to spend time the necessary time ensuring it is done correctly in line with GDPR requirements .

7. From: Simon Tuley
To the Cabinet Member for Adult Social Care, Health and the Environment

When will Merton's budget for Social Service expenditure be increased and what will it add to the rates?

Reply

Between 2017/18 and 2020/21 the Council has invested a net £6.706m in Adult Social Care to meet service pressures. During that same period it has also hypothecated £17.969m in Government Grant earmarked for Adult Social Care together with £5.336m in Social care Grant for both Children's and Adult's services. The Council has further taken advantage during that period of the Government's facility to increase Council Tax to fund Adult Social Care pressures by 8% which has ensured an additional injection of £7.152m for 2020/21 into this important service area. For information 1% on Council Tax for 2020/21 raises £0.993m.

Taken together the Council has invested heavily in this critical area (up to £37.2m) over that period which demonstrates its commitment to providing critical services to those that need them most. I would also add that this Administration will continue to keep all services under review and will, where resources permit, invest further to ensure key services are maintained or even increased.

However, ultimately what is required is a long-term, sustainable settlement for adult social care, which the Government has consistently failed to deliver, despite repeated promises. A Green Paper on adult social care was first promised in March 2017, and to date nothing has been produced. The pandemic has only exacerbated the urgent need for the Government to put forward proposals to find a long-term solution for this crucial service.

8. From: Jeremy Collis
To the Cabinet Member for Adult Social Care, Health and the Environment

How are the Council ensuring care homes in Merton are:

- 1) adequately provided with PPE
- 2) not forced to take in untested potentially infected patients from the NHS?
- 3) fully supported by the NHS so that ill patients are sent to hospital, not just left to die in care homes?

Reply

- 1) adequately provided with PPE

The Council has been working since March to ensure that despite very significant challenges nationally in securing adequate stocks of PPE, locally our care homes, and other social care providers such as home care providers, have been supported to access the PPE they need. To this end we have:

- Ordered in excess of £1million worth of masks, aprons, gloves and other items of PPE for onward delivery to care homes and other social care providers. So far, in excess of 1.6million items of PPE have been distributed to care providers across the borough, with almost 700,000 items going to care homes, with more on order for future delivery;
- Secured a series of deliveries of PPE from the London Resilience Forum, which again have been delivered out to care homes and other care providers across the borough;
- Monitored, on a daily basis, PPE stock levels for each care home and proactively contacted homes that appear to be short of PPE to check if they need extra support. Where needed, we have provided, usually same day, deliveries of PPE to care homes in urgent need;
- Ensured that care homes are aware of other options for securing emergency supplies of PPE (via escalation routes put in place by the NHS at South West London and national levels).

As a result of all of the above activity, we have had many examples of positive feedback from care homes about our efforts to support them through these very difficult times.

2) not forced to take in untested potentially infected patients from the NHS?

It is important firstly to note that care homes are independent entities and that the Registered Managers of homes have an individual liability to keep their residents safe. Managers have always, therefore, had the legal right to refuse admissions if they feel that to accept someone would make the situation unsafe for their existing residents. Clearly, given the huge pressures on hospitals particularly in the early phases of the pandemic, this became more difficult in lots of ways. However, Council officers have worked closely with NHS colleagues throughout the period to ensure that the legal responsibilities of care home managers are understood and respected.

It is also the case that the standard NHS guidance since the early days of the pandemic has been that every discharge to a care home should have been tested within the 48hours prior to their discharge from hospital. This has been fully complied with by our local hospitals. All planned discharges are discussed in a daily multi-disciplinary meeting, in which a senior adult social care manager takes part. There have been examples, as a result of this daily engagement, of where discharge plans have been altered in order to avoid discharging individuals to homes that are deemed to be vulnerable at that particular point in time. A further precaution to avoid virus spread in care homes is that all care homes place new arrivals from hospital into isolation for 14 days regardless of their testing status. As noted in my previous answer on the provision of PPE, the Council has delivered over 700,000 items of PPE to care homes to date to assist them in managing infection control and we have

now also distributed the first tranche of the Government's Infection Control Grant to all care homes in the borough, which will further assist in managing infection control risks safely.

3) fully supported by the NHS so that ill patients are sent to hospital, not just left to die in care homes?

The issues around end of life care for individuals are sensitive and complex. Individuals or their families may, for example, have put in place clear instructions as to how they wish to be cared for in the final days and hours of their life, and often these will include a preference to be cared for in the care home rather than transferred to hospital unless this becomes absolutely necessary. It is often the case that care home staff, with the support of the person's GP and a range of community health services can safely, sensitively and appropriately care for individuals through to the end of their lives. While the period of the pandemic has inevitably created difficulties for GPs and other health professionals in providing face to face care, much work has been done by NHS colleagues to ensure that other means of providing remote support, such as video conferencing, are available.

It is also important to note here that throughout the pandemic period, individuals have continued to be admitted to hospitals from their care home where this has been clinically necessary. During April, when the pandemic was at its peak, London Ambulance Service recorded 77 call outs to care homes in Merton, with 59 individuals being taken to hospital as a result. I should pay tribute to our care home managers here – this number of people being taken to hospital as a proportion of the number of ambulance call outs is amongst the highest in London, which indicates that our care homes are generally only calling an ambulance when it is actually needed. This in turn suggests that our care homes are working effectively with GPs and other health professionals to appropriately care for their residents in the home.

More broadly, there has been an Enhanced Support to Care Homes programme in place in Merton since 2018, with senior representation from Council officers, GPs and NHS colleagues, as well as care home managers. A primary purpose of this group is to ensure that arrangements are in place to ensure that all residents of care homes in Merton get the right health care at the right time and in the setting that is most appropriate, whether that be in the care home itself, or in a hospital setting.

9. From: Sandra Vogel
To the Cabinet Member for Finance and the Cabinet Member for Regeneration, Housing and Transport

What percentage of (a) deaths and (b) confirmed cases due to Covid-19 in Merton have been in the East of the Borough and what percentage of the £490,000 programme announced for Merton's active and healthy travel plan in response to Covid-19 will be spent in the East of the Borough?

Reply

- a) ONS do not publish weekly figures below Borough level. For the most recent time period for which such data have been published, namely 1 Mar – 31 May, the numbers of deaths by E and W (defined by Medium Level Super Output Areas) are as follows:

E – 111 (57%)

W – 84 (43%)

Total 195 (100%)

- b) Merton's Active & health Travel response was adopted by Cabinet on 15 June which sets out priorities for funding bids to TFL and DFT.

The delivery of schemes is dependent on the funding the Council receives.

Of the £1,495,680, we have submitted bids for, £444,010 is so far for schemes in the east of the borough (30%)

10. From: Jamie O'Hara To the Cabinet Member for Women and Equalities

Following George Floyd's death Merton asserted their opposition to hateful discrimination. Do the council believe in an equal rejection of (and support for victims) based on hateful motivations and discrimination of people with disabilities, learning difficulties and mental health issues?

Reply

The death of George Floyd was tragic, unnecessary and highlighted the discrimination still faced by many in society. Merton council is committed to tackling all forms of discrimination and has a zero tolerance policy on hate crime. We have numerous measures in place to deliver the commitments in our Hate Crime Strategy.

Merton council continues to work in partnership with other organisations and the community to promote hate crime reporting and to support hate crime victims. The focus of this year's Hate Crime Awareness Week (10-17 October 2020) is Disability and, as in previous years the week will be marked by activity to raise awareness of hate crime and provide information on where victims may get help and support.

11. From: Gareth Hughes To the Cabinet Member for Regeneration, Housing and Transport

I am pleased to see that the reduced 20 mph limit has been introduced to the majority of roads. I am, however, shocked that many people are still driving in excess of 30/40 mph and would like to understand what the Council intends to do to enforce the limits?

Reply

Under normal circumstances we investigate road safety and accessibility within our annual Local safety programme that is funded by TfL through our annual LiP; currently all funding has been suspended and as a result the annual local safety programme has been put on hold until further notice.

With regards to speed, this appears to be a country wide problem and, in Merton, the Metropolitan Police Service are responsible for enforcement and as such speeding related concerns should be reported directly to the Police .

For locations with speed related issues TfL, in partnership with the Metropolitan Police Service, undertakes many speed management initiatives, including Community Road Watch. Community Roadwatch is a road safety initiative which aims to reduce speeding in residential areas, and gives local residents the opportunity to work side by side with their local police teams, and use speed detection equipment to identify speeding vehicles in their communities. Concerns from members of the public on speeding, and other road offences, can be sent to Roadsafelondon. This portal is an information and intelligence gathering tool that can inform police activity. The following link shows the address for the Roadsafelondon website - <http://content.met.police.uk/Site/roadsafelondon>

12. From: Graham Howell To the Cabinet Member for Regeneration, Housing and Transport

With the current concerns about monuments and road names with connections to slavery, is the Council planning to review monuments/road names in the Borough and will the Council, if they intend to do such a review, commit to seeking the views of all Borough residents before taking any action?

Reply

The Council understands the concern raised by communities regarding commemorations for persons who have been connected with the oppression of black people. We will continue to listen and act where appropriate to ensure that Merton is a place where people of all races and religions can feel safe and respected.

13. From: Barry Smith To the Cabinet Member for Regeneration, Housing and Transport

Can you please fix Bishopsford Bridge quickly?

Reply

Yes, we are working as quickly as possible on the reopening of Bishopsford Bridge. Demolition is substantially underway and we have recently carried out a survey as to what people want the new bridge to look like. The planning application is being finalised and procurement of a contractor will follow rapidly. Thank you for bearing with us while we get this work done. We are keeping Merton's website up to date with news

www.merton.gov.uk/bishopsfordbridge. It is expected that the bridge will reopen in spring 2021

14. From: Kirsten Galea
To the Cabinet Member for Regeneration, Housing and Transport

I would like to know if the local council sought direct feedback from disability reference groups or access specialists on the swift "temporary" measures applied to the streets of Merton? Although safe for some, disabled and elderly people can find these new measures more difficult to navigate.

Reply

Although the Council did not seek specific feedback from disability reference groups when introducing emergency measures, our normal practice is that all measures have been and continue to be assessed to ensure that those with disabilities are accommodated and not disadvantaged. Our Cabinet report made clear that due to the emergency nature of the installations, we cannot consult and engage in-depth as we normally would do with permanent traffic schemes.

All temporary schemes are monitored and we will react to any issues that may be brought to our attention.

15. From: Michael Gould
To the Cabinet Member for Children's Services

Whilst welcoming the decision to continue funding free school meals during the summer holidays, could the council guarantee that families will receive payment on time, and not suffer the delays experienced at the beginning of the Covid19 pandemic response?

Reply

The voucher scheme, which replaces free school meals provided in school and which has now been extended to cover the summer holiday period, is administered by a private provider, Edenred, commissioned by central government. Therefore regrettably the Council is not in a position to guarantee that families will receive payment on time.

However, Children, Schools and Families staff will continue to support schools with information to enable timely applications to be made to the scheme and will continue to promptly raise concerns with the Department for Education if there are any signs of delayed payments. The Council also has well established routes to support for families experiencing food shortages during this period, including for families not eligible for free school meals because their children are under school age.

16.From: Luke McCarthy
To the Cabinet Member for Regeneration, Housing and Transport

What is the council's ambition for long term modal share of transport in the borough, how is it ensuring the urgent need to promote cycling and walking in response to Covid-19 best supports this, and what short and long term funding will the council be committing to achieve this?

Reply

The Council's long term ambition for modal share is set out in our Transport Strategy, Local Implementation plan. This can be viewed online at <https://www.merton.gov.uk/assets/Documents/Adopted%20LIP3%20September%20%202019.pdf>

Coronavirus and the requirement to put in place emergency measures on our roads to promote social distancing and cycling have changed the context in which our TFL LIP was based.

The Council has now adopted its Active and Healthy Travel Response to Covid-19, setting out our ambition for strategic cycling, low traffic neighbourhoods, school streets and pavement widening. Details can be found in the Cabinet Report of 15 June.

<https://democracy.merton.gov.uk/ieListDocuments.aspx?CId=146&MId=3689&Ver=4>

Merton Council has allocated £80,000 from existing highway budgets to support emergency measures. We have also bid to DfT and TfL to deliver our wider covid-19 transport programme. The total value of bids to DfT & TfL is £1,495,680. We have received £88,000 in the first tranche of bids, with announcements expected in mid-July on the remaining bids.

17.From: John Braithwaite
To the Cabinet Member for Regeneration, Housing and Transport

With the Post-Covid desire to have safer cycle routes, will the council stop wasting money on dangerous cycle lanes, such as the newly painted Worple road, where its stop start nature makes it more dangerous for cyclists, and invest in a few proper continuous cycle lanes, safe for families?

Reply

Worple Road was recently resurfaced due to its deteriorating condition. It is normal practice to put back lines that were already in existence unless there is an opportunity to improve on infrastructure. Worple Road is not wide enough for segregated cycle lanes without re-engineering pedestrian crossing points and safety islands. Therefore, the existing advisory cycle lanes were re-instated. It is worth noting that Railside Path,

which runs parallel to Worple Road provides a safe, quiet, off-road cycle link between Raynes Park and Wimbledon.

The Council's ambition for safe segregated cycle lanes will be limited not by our ideas and plans but the funding available.

18. From: Tony Burton
To the Cabinet Member for Regeneration, Housing and Transport

To ask what support Merton Council will be providing to complete the "missing link" in the Wandle Trail under the railway between Trewint Street bridge and Haslemere Avenue following planning permission for the redevelopment of Garratt Mill by The Collective last year and the associated s106 obligations?

Reply

I can confirm that the [S106 provision to be met by the Garratt Mills Development \(link to S106 agreement\)](#) in LBW is as follows:

“£150k to secure the extension of the Wandle Trail **to the north** of the site running underneath the railway line linking Trewint Street and Penrith Roads”. The agreement also requires the developer to undertake works to provide a riverside walk along the western bank of the Wandle **within** the site and a footbridge across the Wandle linking the riverside walk to the eastern bank of the Wandle **within** the site immediately north of Trewint Street.

I can confirm that with respect of LBM developments (located **to the north** of the site and the railway):

- a £51k s106 contribution from development at 12a Ravensbury Terrace has been received and is available “towards the River Wandle pedestrian footbridge”; and
- a £35,724.31 s106 contribution from Haslemere development has been received and is available “to be applied to investigate the feasibility of providing a link between Trewint Street to Penwith Road to the north and for improvements to walking and cycling for the Wandle Trail in order to ensure that it remains available for public use”.

19. From: Mary Butler
To the Cabinet Member for Commerce, Leisure and Culture

What are the (a) costs savings per year and (b) other benefits resulting from disbanding Merton Heritage Forum in February prior to publishing a draft Heritage Strategy in June on "setting a framework for partnership work, resource sharing and investment" as provided by the former Merton Heritage Forum?

Reply

The Heritage Forum has not been disbanded but is seeking community leadership to take over the running of the forum to further assist with the Heritage Strategy objective of increasing community ownership of Merton's heritage. Whilst there is no direct cost saving for seeking community leadership the consensus amongst the forum was that the forum would benefit from operating in a different way. It also enables the Heritage Officer who facilitates the meetings to focus more on important projects such as the recent Windrush Day exhibition and activities.

20. From: James Ballance

To the Cabinet Member for Regeneration, Housing and Transport

How does the Council expect the public to give its views on the intended disposal of Beverley Meads Fields to WRFC, given that Covid-19 restrictions will reduce the number of people seeing the notice, and the total absence of particulars of the proposed lease on the Council's website?

Reply

The Council advertised its intention under section 123 (2A) of the Local Government 1972 to dispose of public open space by way of a lease in the Wimbledon and Wandsworth Times on 30th April and 7th May 2020 specifying the land by reference to the proposed lease plan and allowing for objections up to midnight on 17th June 2020 (NB The Council allowed six weeks for representations being aware that a high level of interest could be expected and to ensure we could demonstrate our intention for the process to be thorough). In addition a notice was placed on the property although this was not strictly necessary.

The deadline for objections to be made has expired and we have received 100 individual representations and one from Preston Rd & Hood Rd Residents' Association-that states that it should be treated as on behalf of the 100 residents. This response is well in excess of the advertisement of other recent proposed disposals in the Borough (eight and twenty four objections respectively) which were advertised many months before the Covid 19 pandemic and suggests that the process followed by the Council in compliance with the legislation was more than sufficient.

Providing particulars of the proposed lease is not necessary for the council to satisfy its obligation to advertise under s123 (2A) of The Local Government Act 1972 and terms are incomplete pending the statutory process and consideration of objections; further such details are usually considered confidential between the parties until completed.

21. From: Robert Jervis

To the Cabinet Member for Regeneration, Housing and Transport

Are there any plans to introduce a LTN policy for Haydon Park Road, Cromwell Road, Avondale Road & Ashcombe Road?

Reply

The council has submitted a bid to TfL and this area is within the bid. Any proposal would be subject to a successful bid and the appropriate consultation.

22. From: Nicola Thompson

To the Cabinet Member for Regeneration, Housing and Transport

What steps will be taken and when to fix the mess that has been made of developer-funded Plough Lane highways works between Wandle bridge and Summerstown which have been carried out without safe cycling provision?

Reply

The widened pavements on Plough lane are intended to host a shared-use footway and cycle way which is safer for cyclists than being on-road.

The project is not yet complete by Galliard Homes. We appreciate that residents of Haydons Rd North have concerns over the design which is not as fully segregated as some may expect; this is largely due to land ownership and the design being in accordance with the planning permission for the adjacent site being designed some years ago.

The Council will review the layout of Plough Lane once the priorities of the covid-19 transport projects are delivered.

23. From: Tanya Capper

To the Cabinet Member for Regeneration, Housing and Transport

There has been a considerable increase in HGV's using Worple Road which bring a lot of noise, air pollution and speed infringements. Worple Road is now 20mph and if speed cameras were introduced, amongst bringing the council substantial revenue, surely this would help reduce pollution and be safer for everyone?

Reply

Worple Road is a London Distributor Road and it is supposed to carry all types of vehicles including commercial vehicles. With Worple Road being a London Distributor Road, a bus route and the priority route for emergency services, it would not be possible to introduce any traffic calming features or place restrictions on type of vehicles using the road.

Enforcement of speed falls under the jurisdiction of the Police and reports of speeding can be made directly but it should be noted that their resources are stretched dealing with other priorities.

Speed cameras falls under the jurisdiction of the Police and TfL and their introduction is subject to strict criteria that is directly linked to serious / fatal accidents. This is not the case at this location.

For locations with speed related issues where speed cameras are not viable, TfL, in partnership with the Metropolitan Police undertakes many other speed management initiatives, including Community Road Watch. Community Roadwatch is a road safety initiative which aims to reduce speeding in residential areas, and gives local residents the opportunity to work side by side with their local police teams, and use speed detection equipment to identify speeding vehicles in their communities. Concerns from members of the public on speeding, and other road offences, can be sent to Roadsafelondon. This portal is an information and intelligence gathering tool that can inform police activity. The following link shows the address for the Roadsafelondon website - <http://content.met.police.uk/Site/roadsafelondon>

24. From: Gillian Waring

To the Cabinet Member for Regeneration, Housing and Transport

Haydon Park Road has become a rat run. Cars are backed up beyond Avondale Road during rush hour, our cars are being damaged and abusive altercations between motorists occur regularly. We want Merton Council to designate HPR as a Low Traffic Neighbourhood. What are they going to do about it?

Reply

The council has submitted a bid to TfL and this area is within the bid. Any proposal would be subject to a successful bid and the appropriate consultation.

25. From: Ingrid Dickenson

To the Cabinet Member for Regeneration, Housing and Transport

Council is asking for new applications to the Neighbourhood Fund. Why has nothing materialized from the money allocated under last year's funding to smarten up shopfronts in Haydons Road parade? Our shops look as dreadful as ever. Nothing has been done.

Reply

As the Council has had to refurbish current shopping parade projects to a higher specification to comply with health and safety requirements this has resulted in increased costs and delays. Covid-19 has also put some of these projects on hold. With regards to Haydon's Road Parade, the costs are double the amount of funding awarded to the project at Cabinet in July 2019. Accordingly, a further top-up bid has been submitted during the current Neighbourhood Fund bidding round. If successful procurement would commence from October 2020 with the aim for works to commence early 2021.

26. From: Sarah Warren

To the Cabinet Member for Regeneration, Housing and Transport

100% of residents surveyed on Haydon Park road said they want traffic reduced. Nearly as many have spotted a traffic incident - including aggressive behaviour and

damage to cars. Please make Haydon Park road and surrounding streets a LTN. We must be a priority especially with the stadium opening.

Reply

The council has submitted a bid to TfL and this area is within the bid. Any proposal would be subject to a successful bid and the appropriate consultation.

**27. From: Richard Hopkinson-Woolley
To the Cabinet Member for Regeneration, Housing and Transport**

CPZs were originally introduced with the approval of residents on the basis that charges would pay for administration of the scheme, not as a tax or disincentive to owners of diesel cars. Why does Council think things have changed and they can change the basis upon which they were introduced?

Reply

The introduction of the diesel level in 2017 followed a formal consultation process. The council has limited options in changing car ownership trends and the council took the decision at the time that the introduction of a diesel surcharge was appropriate. Council Reports at the time and subsequently (available on the councils Web pages) have clearly set out the legal basis for the introduction of a diesel surcharge as well as the basis for proposed changes. This is in the context of the councils objective to reduce harmful emissions produced in particular by diesel cars, with the aim of improving air quality and health of the boroughs residents.

**28. From: Steve Turner
To the Cabinet Member for Regeneration, Housing and Transport**

In recent months before lockdown and starting again now, the road has become intolerable to live in at rush hour times. Can you tell what the council intends to do about it? This should be a Low Traffic Neighbourhood area.

Reply

The question does not make clear which road is being discussed. Regarding Low Traffic Neighbourhoods. The council has submitted a number of LTN bids to TfL . Any proposal would be subject to a successful bid and the appropriate consultation

**29. From: Esther Bird
To the Cabinet Member for Regeneration, Housing and Transport**

As a resident of Haydon Park Road I would like to ask Merton council to urgently address the high levels of traffic that cut through this residential road causing pollution, road rage instances, speeding and congestion on a daily basis. Can my road be designated as a low traffic neighbourhood?

Reply

The council has submitted a bid to TfL and this area is within the bid. Any proposal would be subject to a successful bid and the appropriate consultation.

This page is intentionally left blank

Councillor questions to Cabinet Members

From Councillor John Dehaney to the Cabinet Member for Finance

Can the Cabinet Member please provide the current best estimate of the shortfall between the cost to the council of the coronavirus outbreak and the funding being offered by the government?

Reply

The net cost of Covid – 19 to the Council as per our return to MHCLG for May 2020 is illustrated below:-

	£m
Additional service expenditure	8
Shortfall in savings/projects delays	10
CT & BR Shortfall	14
Loss of income	<u>14</u>
Total	46
Government Grant	<u>-11</u>
TOTAL Net Impact	<u>35</u>

The net costs from the June return to MHCLG will be reported to Cabinet as part of Month 2 monitoring report, although it is unlikely there will be an announcement on further support to offset the costs at this stage.

From Councillor Hayley Ormrod to the Cabinet Member for Children's Services and Education

Education of school children is critical. We are only a few weeks away from the summer holidays. Can the cabinet member tell us what she is doing to get schools ready to open fully by September?

Reply

Schools need to plan for how they will reopen in some way in September to all pupils. Although government guidance is awaited, and it is hoped will arrive in good time before the end of term, schools supported by the LA are already thinking ahead about what they will need to prepare for. There are broadly speaking three scenarios which Merton schools are thinking about:

- Total reopening, with no social distancing, all children back all the time.
- Some social distancing in place, meaning that there may need to be some form of rota system in place to allow part year groups back at

any one time, and/or a relaxation of the current guidance saying that schools are not able to use other venues to teach all children across more spaces. This would mean that there will be a need for some continued remote learning for most pupils

- Schools do not reopen because of a second spike.

Schools will need to consider further developing their remote learning strategies to accommodate the last two of the three scenarios above. The Local Authority has produced a Strategy to support schools in their thinking with this.

Thousands of children will have missed out on their normal education over the six months between March and September. The Government announced a £1 billion catch up fund to be implemented from September. This will need to be implemented quickly and carefully once details are available, alongside schools' own planning to adapt their curriculum to meet pupils' needs. The Government has also suggested that GCSE and A level exams might be pushed back by a month to enable more time for the current Year 10 and Year 12 pupils to cover the exam curriculum. The Local Authority is beginning work with schools to think how the curriculum might need to be adapted.

Children's mental and physical health will have been affected in different ways by the period of lockdown. Schools are considering how this can best be supported not just now, as wider opening begins, but in the year(s) ahead.

From Councillor Nick Draper to the Cabinet Member for Regeneration, Housing and Transport

Can the Cabinet Member please let us know what discussions Ministers have had with him regarding their decision to end free travel on TfL services for Under-16s and Freedom Pass holders, and whether this is likely to have an impact on inequalities in the borough?

Reply

Discussions have been coordinated by London Councils and Transport for London and we are contributing to the case to retain free transport in London for young people. It is important that young people retain free transport to assist in them being able to enjoy a full and active life accessing all that London has to offer including volunteering, work interviews, culture and sporting activities as well as attending school and college. The late inclusion of this condition in the package of support for Transport for London will cause a disproportionate impact on the most disadvantaged young people especially those living in the east of the borough as they may be unable to afford travel to access training, work and leisure opportunities. It is a retrograde step and I fully support the retention of free travel.

From Councillor Nick McLean to the Cabinet Member for Finance

The governments furlough scheme has protected over 25,000 jobs in Merton. What steps has the council taken to help those who are unemployed?

Reply

Residents will be able to claim Universal Credit from the Department of Work and Pensions. Those liable for council tax will be able to apply for council tax support.

Since the end of March we have seen a large increase in council tax support claims. The average number of claims pre Covid19 was around 500 per month, in April we received 2172 and in May 822.

The DWP have confirmed an average increase of 508% in Universal Credit claims in Merton. We are now assisting an additional 950 working age residents with their council tax and the cost of the scheme has increased by over £1 million.

For our working age claimants not in receipt of full council tax support we will credit up to £200 to their council tax account from the council tax hardship fund. The government recommended councils award £150 to those eligible.

Residents will continue to be able to access our local welfare support scheme to assist with financial hardship and access to our Community Hub and foodbanks.

We are concerned that without further support from the government for businesses that will still be affected by the economic downturn from coronavirus, combined with the impact of Brexit, there could be a substantial increase in unemployment in the short and medium term.

In addition, without further support from the government for the council, there could be an additional impact on unemployment. The council is awaiting further instalments from the government following its promise to provide "whatever funding is needed". Currently, we estimate the cost to the council of the outbreak at £46m, and although the government has given just £10.6m we look forward to receiving the remaining instalments.

From Councillor Eloise Bailey to the Cabinet Member for Women and Equalities

Could the Cabinet member please outline the process for the equality impact assessment of decisions taken relating to the Council's Covid19 response, including examples of any mitigations following these assessments?

Reply

The Equality Analysis (EA) process is well embedded in the council's day-to-day business and the process is the same for Covid-19 related matters.

However, in taking forward Emergency Planning measures to respond to the pandemic the council has been implementing national or regional policy/guidance. Most of the Covid-19 services were implemented at speed to reduce risk to life and to protect vulnerable people.

An EA was recently conducted for the Local Authority Discretionary Grants Policy and a mitigating measure identified is the need to collect Equality data at the application stage, to try to identify potential negative impact if the grant criteria excludes local specialist companies, particularly Community Interest Companies, whilst recognising that this might be difficult to identify from the information provided.

From Councillor Dave Ward to the Cabinet Member for Regeneration, Housing and Transport

Can I please have an update on the impact the Covid-19 outbreak has had on the opening of the new Harris Wimbledon buildings and AFC Wimbledon's new stadium at Plough Lane?

Reply

All construction sites in Merton shut down for a period during the Covid19 lockdown and there has been some consequential delay to both sites but I am pleased to say that this delay has been minimised by the efforts of the site owners, construction firms and their suppliers. Both of these sites are under construction again. Harris Wimbledon has announced that the new premises is expected to open directly after October 2020 half term and won't be open from September 2020 as previously scheduled. Arrangements have been made to extend the temporary facilities at Whatley Avenue for the first half of the term. AFC Wimbledon's Stadium is also expected to open in October 2020 from the previous date in early September 2020. AFC Wimbledon are working closely with the Safety Advisory Group. The government guidelines on Covid19 that are in place at the time of the first events in or after October 2020 will determine whether fans will be able to attend matches or not.

From Councillor Edward Gretton to the Cabinet Member for Finance

Can the cabinet member confirm the total amount of funds and support from central government to the council to support the local economy?

Reply

At the outset of the coronavirus outbreak the Secretary of State told councils that they would get "whatever funding is needed for councils to get through this".

Merton Council currently estimates that the cost to the council of the coronavirus outbreak will be £46m. Thus far we have received £10.6m, but we are grateful to the government for its promise to deliver the rest.

Below are additional funds from government to support the local economy. This excludes some funding e.g. the Hardship Fund which local residents may then use in the local area. A full list of funding is included within the Council report.

Support	National Allocation £bn's	LBM Allocation/Cost - £m's	LBM Funds Allocated £m's	Comments
S31 Business rates relief	1.800	3.471		Fully received
Business support grant		29.318	27.11	Over 95% of funding paid– 95% of businesses paid–
Business rates holiday		N/K	Fully Allocated	Over £43 million in extended retail reliefs and nursery reliefs granted
Business Discretionary grants		1.3	None	Council is currently reviewing applications and processing for payment, within government restrictions
Reopening the High Street Fund	0.30	182k		ERDF funds for action plans, comms, awareness and temporary public realm changes.
Emergency Active Travel Fund - Indicative Allocations	0.25	704k	100k	Gov allocation of 704k for active travel and social distancing highway measures. £100k granted initially by 5 June. £604k available in second bidding round

From Councillor Peter Southgate to the Cabinet member for Regeneration, Housing and Transport:

In view of the low take up of the Ward Allocation Funds (£290,000 unspent from a budget of £300,000), would the Cabinet member consider allowing Ward councillors greater discretion in putting forward proposals for the benefit of the communities they serve?

Reply

The Ward Allocation Scheme has run for just over a year and has just under two years left to run and councillors have this time to put forward bids. Nine out of 20 wards have expressed an interest in the scheme and seven have submitted bids. All three ward councillors have to support the bids before officers can implement them.

The principles behind the Ward Allocation Scheme is to have a fixed list of key local projects in order to maximise the amount of money spend on the ground in local communities and delivered within the council's existing capacity while minimising the

funds required for project administration (e.g. procurement, legal issues, project management).

Greater flexibility in choice of bespoke projects for each ward would be challenging to deliver within the council's existing capacity as it would require a greater proportion of the £15,000 ward allocation scheme to be spent on project administration.

Officers are continually reviewing interest and take-up, particularly in the light of Covid19 demands and challenges which have also delayed everyone's capacity to submit bids. Should there be any factors that mean it appears that the Ward Allocation funds won't be spent in local communities within the next 18 months then officers will make recommendations to the cabinet member.

We will keep this matter under review to identify whether and what further flexibility can be provided

From Councillor David Chung to the Cabinet Member for Commerce, Leisure and Culture

Can the Cabinet Member please explain how the Council has monitored and continues to monitor compliance with Covid-19 guidance in parks and in retail premises?

Reply

Merton is blessed with many parks and greenspaces all of which remained open during the pandemic. Within parks and open spaces, the safe and compliant use of these spaces is firstly communicated through appropriate signage to advise users of government guidance while restricted equipment such as outdoor gyms and playgrounds have been secured or altered to deter use. The service has engaged our environmental enforcement provider, Kingdom Security Ltd., to monitor our parks and open spaces daily, including weekends, during this period to provide advice, guidance and direction when socially distancing or improper use of the open spaces is not adhered to. They also have utilised their environmental enforcement delegated powers to tackle littering and have issued over 175 fixed penalty notices since April 2020. The service receives daily reports of social distancing compliance and park user behaviours from our parks and open spaces and this information allows us to determine where to deploy teams in order to provide coverage and intervention where needed. Issues of non-compliance that cannot be managed effectively by the team, such as groups not willing to disperse and demonstrating anti-social behaviour, have been escalated to the Police.

At the start of lock down in March the Regulatory Service Partnership provided a duty rota to advise both businesses and members of the public around business closures and other business restrictions including the use of outdoor tables and chairs.

We have provided advice and guidance to hundreds of premises across the borough and limited enforcement activity has been required. Our approach has been to support and sustain business where we possibly can.

As circumstances have changed we have adapted and at present in addition to the duty team have a dedicated Environmental Health Officer working with businesses, including retail ,to help them comply with the necessary Risk Assessments, signage and social distancing requirements. We have also been working with departments across the Council to ensure businesses can reopen safely. We have worked closely with business on a High Street Reactivation plan following the reopening of non-essential retail on 15th June.

Another strand has been collaborative work with public Health on the development of our Local Outbreak Plan to ensure in the unfortunate event of a local cluster of Covid Cases we have the correct procedures in place to take prompt and appropriate action.

From Councillor Paul Kohler to the Cabinet Member for Finance

I would like to again thank officers for the speed with which grants and business rate discounts were distributed to many Merton businesses under the Government's Business Rates Expanded Retail Discount Scheme; the Small Business Grant Fund and the Retail, Hospitality and Leisure Grant Fund.

Please could the Cabinet member confirm:

- How much of the monies received under these schemes remains undistributed?
- Whether the Council is still proposing to return this surplus or any part of it to Central Government, as suggested by the Director of Corporate Services?
- And given the discretion set out in the Government guidance, the example of other Councils across the country in using that discretion, and the explicit assurances from the Chancellor of the Exchequer in the House of Commons, why are Merton choosing not to use this surplus to support a wider range of businesses, for example Merton's English language schools (including the Wimbledon & Milner Schools of English); event companies (including White Light and Oxygen); market research companies (including Plus Four Market Research); and medical businesses (including Physiocentric)?

Reply

In March 2020, the government announced that local councils would distribute grants to all businesses in the borough that receive small business rates relief, and to those eligible to extended retail relief. The government allocated £29,318,000 to the council to award grants to those businesses meeting the qualifying criteria. As at the 29 June, we have paid £27,315,000 to businesses. We were in the top 3 in London out of 32 boroughs for the speed with which we processed this first lot of aid thus helping businesses as quickly as possible. The rest of the grants will be paid as soon as we obtain details from the remaining qualifying businesses. We anticipate that most of any undistributed grant monies will still be allocated to Merton businesses, as well as through the £1.3m discretionary grant tranche.

From Councillor Daniel Holden to the Cabinet Member for Regeneration, Housing and Transport

The government has offered councils the opportunity to bid for funds to make walking and cycling safer. Will the cabinet member assure residents that this council will submit bids as and when each opportunity arises?

Reply

The Council has now adopted its Active and Healthy Travel Response to Covid-19, setting out our ambition for strategic cycling, low traffic neighbourhoods, school streets and pavement widening. Details can be found in the Cabinet Report of 15 June.

<https://democracy.merton.gov.uk/ieListDocuments.aspx?CId=146&MId=3689&Ver=4>

Merton Council has allocated £80,000 from existing highway budgets to support emergency measures.

We have also bid to DFT and TFL to deliver our wider covid-19 transport programme. The total value of bids to DFT & TFL is £1,495,680. We have received £88,000 in the first tranche of bids, with announcements expected in mid-July on the remaining bids.

From Councillor Brenda Fraser to the Cabinet Member for Children's Services and Education

Can the Cabinet Member outline how the opening for key workers' children and the further reopening of schools during the Covid crisis has been managed and received in Merton? What are the numbers of Merton's children back at school now?

Reply

From Monday 23 March to Friday 29 May, Merton schools have been closed to the majority of pupils, but open to the children of key workers, and to vulnerable children (children with a social worker or an EHCP). From Monday 1 June, primary schools were permitted to open more widely to pupils, prioritising children in nursery, reception, Yr1 and Yr6, and from Monday 15 June, secondary schools were permitted to make arrangements for some face to face learning for pupils in Yrs 10 and 12, while pupil referral units have been permitted to make similar arrangements for Yrs10 and 11. Since 1 June, special schools have been permitted to welcome back more pupils, where it is safe to do so, on a bespoke basis with no specific year group prioritisation.

Throughout this period (including during the designated holiday weeks over Easter and the May half term), the approach in Merton has been for the Children, Schools and Families directorate to support all schools to stay open to children in line with the published guidance of the time, and subject to the schools being able to implement required social distancing measures within the context of their own available staffing and space constraints. This has been successful in ensuring that all schools have stayed open to children of keyworkers and vulnerable children throughout, with a

small number of schools choosing to operate on a 'hub' basis by sharing a single site.

Since 1 June more and more children have been returning to Merton schools, which have opened more widely to prioritised year groups in line with government guidance. Not all children in prioritised year groups have returned, even when schools have been open to them. This is a matter of parental choice, and government guidance is clear that it is not appropriate to apply sanctions for non-attendance at this time.

Attendance continues to be highly variable day by day, but on 23 June (the date of highest attendance so far) 4895 children attended. This compares with 2321 pupils attending on the day of highest attendance in week commencing 1 June, and with just 338 children attending on 27 March (the first day in this period for which we received attendance figures back from DfE).

This page is intentionally left blank

Committee: Council

Date: 8th July 2020

Wards: all

Subject: Proposed submission of the draft South London Waste Plan

Lead officer: Director for Environment and Regeneration Chris Lee

Lead member: Cabinet Member for Regeneration, Environment and Housing, Councillor Martin Whelton.

Contact officers: Eben van der Westhuizen, planning policy, Future Merton
Tara Butler, Deputy Future Merton manager

Recommendations:

- A. That, having considered the recommendations from the Borough Plan Advisory Committee and Cabinet, Council consider the contents of this report and resolve to submit the draft South London Waste Plan to the Secretary of State, understanding that this will be preceded by a statutory six-week pre-submission publication period.
 - B. That approval of any amendments arising during or subsequent to the Examination-in-Public be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. Following advice from the Borough Plan Advisory Committee on 12 September 2019, Cabinet (19 September 2019) approved the public consultation on the Submission Draft South London Waste Plan.
- 1.2. Between 31 October and 22 December 2019, the four partner boroughs, Merton, Kingston, Sutton and Croydon, consulted on the Issues and Preferred Options draft of the South London Waste Plan.
- 1.3. The document proposed eight draft planning policies and identified 46 existing waste sites across the four boroughs for safeguarding for waste treatment uses over the plan period to 2036. Specifically to Merton the new Plan proposes the removal of the Benedict Wharf site from waste management uses.
- 1.4. In total 78 representors made over 1,000 representations to the public consultation.
- 1.5. The purpose of this report is to seek Members' advice on the Submission draft South London Waste Plan (Appendix A, available online <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>) and associated documents, including the Sustainability Appraisal (Appendix B <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>), and a recommendation for Cabinet

and Council to give authority for the document to be published, representations to be sought and the plan to be submitted to the Secretary of State for Housing, Communities and Local Government.

- 1.6. At their recent meetings, the Borough Plan Advisory Committee (on 4th June 2020) and Cabinet (on 15th June 2020) considered the report and resolved to recommend that council agrees with the two recommendations A and B in this report.
- 1.7. The next stages of the Waste Plan's progress are:
- | | |
|----------------|---|
| September 2020 | Publication of Submission version for public comment (6 weeks) across all four boroughs |
| Autumn 2020 | Submission to Secretary of State |
| Early 2021 | Examination in Public by Planning Inspector |
| Summer 2021 | Adoption |
- 1.8. Members should note that the submission of the Waste Plan to the Secretary of State will be accompanied by a schedule of proposed changes. This is common practice and covers minor changes including grammatical and factual errors and amendments arising from feedback to the 6-week publication. This report seeks the agreement of any schedule of minor amendments to be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Environment and Housing.
- 1.9. Should the planning inspectorate decide that the South London Waste Plan is 'sound' at examination, the final South London Waste Plan will be recommended to all four councils for adoption.

2 DETAILS

- 2.1. In 2012 the four boroughs of Merton, Kingston, Sutton and Croydon adopted the 10-year South London Waste Plan, for the plan period 2011-2021, which allocated sites, created planning policies and designated areas for waste management development. This existing South London Waste Plan will finish in 2021.
- 2.2. In 2019 the four boroughs agreed to work together again and produce a new South London Waste Plan to cover the geographical area of the London boroughs of Croydon, Kingston, Merton and Sutton.
- 2.3. The London Plan sets the boroughs the target of managing 100% of London's waste within Greater London by 2026 and having zero biodegradable and recyclable waste going to landfill by 2026. It also sets targets for local authority-collected waste, commercial and industrial waste, construction and demolition, and excavation waste.
- 2.4. Since the current South London Waste Plan was adopted in 2012, the four boroughs have been working closely together on:

- Monitoring the South London Waste Plan annually
 - Fulfilling the legal Duty to Co-operate with other councils on waste management issues, responding to other Development Plan Documents for waste management.
 - Preparing and submitting a successful bid for government funding to support a new South London Waste Plan 2021-2036 on the basis of joint working.
- 2.5. In 2018 the four boroughs successfully bid for government funding (Planning Delivery Fund – Joint Working) for £136,594 to support the project.

Relationship with the South London Waste Partnership

- 2.6. Although the South London Boroughs already work together as the South London Waste Partnership and have a shared contract for the municipal collection and disposal of waste, the South London Waste Plan relates to the waste planning functions and responsibilities of the South London Boroughs as Waste Planning Authorities.
- 2.7. As a Development Plan Document, at a strategic level, the South London Waste Plan considers the local authority collected waste and the other forms of waste collected by private contractors, and accordingly safeguards sufficient sites to treat both the South London Waste Partnership's waste needs and that of other commercial waste operators.
- 2.8. At a more detailed level, the policies in the South London Waste Plan will be used to assess the merits of any planning application submitted by the South London Waste Partnership's contractor or any other commercial waste operator.

Draft South London Waste Plan: consultation on issues and preferred options

- 2.9. Between 31 October and 22 December 2019, the four councils consulted on a draft South London Waste Plan: issues and preferred options document. The document proposed eight draft planning policies and identified 46 existing waste sites across the four boroughs for safeguarding for waste treatment uses over the plan period to 2036.
- 2.10. Importantly, the document identified that the four boroughs could meet their targets for household, commercial and industrial waste by only safeguarding existing sites, but would permit appropriate intensification of waste treatment on these sites. The new Plan also proposed to meet the construction and demolition waste target by allowing the intensification of waste treatment for this waste stream on existing sites. This is different from the existing 2012 South London Waste Plan which supports waste management facilities locating within specific industrial areas (i.e. not just on existing waste sites as the new South London Waste Plan proposes). The principal headline from the 2019 consultation draft South London Waste Plan was to propose no new waste sites, although a replacement site for an existing site would be considered.

- 2.11. The consultation in Merton comprised:
- (i) contacting all those on the planning policy consultation database;
 - (ii) a dedicated webpage on the planning policy section of the Council's website with a link to the administrative lead authority, Sutton Council's consultation portal;
 - (iii) documents available at Council offices and libraries;
 - (iv) a notice in the Wimbledon Guardian;
 - (v) council tweets and Facebook posts; and
 - (vi) officers offering to attend community group meetings and responding to a request to present the proposals at an Abundance Wimbledon and Sustainable Merton 'Green Coffee' meeting.
- 2.12. The consultation methods described above, meet government's Regulation 18 requirements and the commitments in Merton's adopted Statement of Community Involvement (in place at the time of consultation) and new Statement of Community Involvement.
- 2.13. The consultation closed with a total of 78 individual representors making 1,155 representations..
- 2.14. The complete list of representations with officers' comments are set out in Appendix C, available online <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13> . If councillors would like to focus on Merton representations, these are:
- **C16** Merton Conservative Group
 - **C23** Wimbledon Park Residents' Association
 - **C70** a Merton resident (a one-word representation)
- 2.15. A summary of responses to the whole South London Waste Plan are set out in Table 1 below

Table 1: Summary of representations from the 2019 consultation

Representor	Comment	Officers' comment and actions
The Mayor of London	<p>Many matters supported but the plan is not in 'general conformity' with the London Plan and need to consider the following matters:</p> <ul style="list-style-type: none"> Councils must remove their policy discouraging new sites for waste facilities because it does not allow better waste management (<i>reuse is preferred to recycling, which is preferred to other waste management</i>) or new technologies coming forward. The flexible approach to the implementation of the waste hierarchy. Waste sites which are not required by the boroughs should be offered to other London boroughs No contingencies for plan not delivering 	<ul style="list-style-type: none"> Officers intend to keep to the same approach because the councils can meet their waste targets through existing sites only and in south London, other businesses (i.e. not just waste management) have great demand for industrial uses, which the councils must also meet. Wording regarding the treatment of waste in accordance with the 'waste hierarchy', have been amended To ensure that London has the capacity to manage all the waste that it produces, the Mayor of London apportions target quantities of waste for each borough to manage. The councils' targets are already 13% above the waste the councils produce so the councils are already more than playing their part in meeting Greater London's waste. A contingencies plan is accepted See 'Risks' below.
Councils outside London (notably, Surrey, Essex and Northants)	<ul style="list-style-type: none"> The policies discouraging new sites for waste facilities because is too restrictive and the councils would not meet their targets 	<ul style="list-style-type: none"> The South London Waste Plan area can meet its waste targets without the need for new waste sites. See 'Risks' below
Transport for London	Additions and clarifications	Accepted
Environment Agency	Additions and clarifications	Accepted
National Grid	and clarifications	Accepted
Historic England	Additions and clarifications	Accepted

NHS England	Request for additional clinical waste facilities	Seeking further details from NHS England. Normally clinical waste disposal is within hospital settings. See 'Risks' below
Metropolitan Police Service	Additions and clarifications	Accepted
Thames Water	Support	Accepted
Viridor	Request for sufficient outdoor operating space	Reduced boundary of Beddington Farmlands Energy Recovery Facility
SUEZ	Request for 'Agent of Change' policy (ie: new development must mitigate effects from established uses)	Accepted
Veolia	Request for 'Agent of Change' policy (ie: new development must mitigate effects from established uses)	Accepted
Days Aggregates	Request for greater flexibility and correction that the site managed 168,000 tonnes per annum of Construction and Demolition waste	Accepted. This representation meant the shortfall for Construction and Demolition Waste target has been eliminated
Poppymill Ltd	Delete the Chessington Equestrian Centre site as it is temporary use	Accepted
Curley Skip Hire	Delete the Curley Skip Hire site because it is adjacent to residential uses	Accepted
Wandle Valley Forum	Additions and clarifications	Accepted
Residents	Numerous issues	See Appendix C

Submission Draft South London Waste Plan Document

- 2.16. In light of the consultation and other developments, the consultation document on issues and preferred options South London Waste Plan document has been revised to become the Submission Draft South London Waste Plan (see Appendix A). The major changes between the 2019 consultation and this proposed submission are:

- *Key Issue 3 - Scarcity of Land* has been updated to reflect the fact that the London Plan housing targets have been reduced and to provide more statistics on the demand for industrial land from non-waste industrial uses
- The *Vision and Objectives* have been tweaked to ensure consistency and alignment with amended policies.
- *Policy WP2 (Strategic Approach to Other Forms of Waste)* has been amended to reflect the move from a shortfall in the 2019 consultation draft, to the 2020 submission draft showing a small surplus in terms of meeting the construction and demolition waste target. In addition, to improve conformity with the London Plan and address the concerns of South East councils, separate text and policy details have been included for inert excavation waste, which is no longer grouped together with construction and demolition waste.
- *Policy WP6 (Sustainable Construction of Waste Facilities)* has been amended in response to the Environment Agency recommendation to include the option of a requirement for an 'Excellent' CEEQUAL rating, which may be more suitable for the assessment of the sustainability features of some waste management proposals, than a bespoke BREEAM assessment.
- *Policy WP8 (New Development Affecting Existing Sites)* is a new policy to reflect the requests from SUEZ and Veolia (see above). It sets out the London Plan "agent of change" principle of if new development (e.g. homes) wants to locate next to existing development (e.g. nightclubs, hospitals, waste sites) the new development should provide appropriate mitigation measures rather than the established uses. This principle is also part of national policy.
- *Policy WP10 (Monitoring and Contingencies)* is a new policy to meet statutory requirements for monitoring and the Mayor of London's request for contingencies, such as in instances when existing sites have been unable to be intensified or operations on sites cease or have long-term throughput reductions.
- *Site C2 (Croydon Car Spares, Croydon)* has been deleted because it is closed, it only contributed a minute amount to meeting the targets and was located adjacent to two residential properties
- *Site C3 (Curley Skip Hire, Croydon)* has been deleted because it contributed nothing to the targets and is adjacent to existing and proposed residential uses
- *Site C5 (Factory Lane Waste Transfer Station)* has been divided into three: C5A (Factory Lane Waste Transfer Station), C5B (Factory Lane Reuse and Recycling Centre) and C13 (Solo Wood Recycling) at the request of the site operators/owners
- *Site K1 (Chessington Equestrian Centre)* has been deleted because it is a temporary site which is closing soon
- Changes to the safeguarded sites in Sutton comprise boundary changes, references to overhead power lines and references to the need of a transport assessment including cumulative impacts

- Appendix 1 is new and is a table of indicators for monitoring the policies.
- Appendix 2 has been revised to show new waste throughput figures and to reflect the latest information from site owners as to which sites may be intensified

Risks

- 2.17. Conformity with the London Plan: Section 19 of the Planning and Compulsory Purchase Act (2004, as amended) requires Development Plan Documents to be in “general conformity” with the London Plan. The Mayor of London has written to the councils to say in some respects the plan is in conformity and in some aspects it is not in conformity, e.g., conforming with regards to the safeguarding of existing and the intensification of existing sites but not conforming with regards to the discouragement of new sites and the potential weak implementation of the waste hierarchy. Officers have made a number of amendments to the Submission Draft South London Waste Plan and consider that the plan is in general conformity but not necessarily in absolute conformity. Council officers will continue to liaise with GLA officers on these matters in an effort resolve any outstanding issues, where possible. It should be noted that it is the Planning Inspector at the Examination-in-Public who will make the judgement on whether the plan is in general conformity with the London Plan.
- 2.18. Objections from councils in the South East: Section 33A of the Planning and Compulsory Act (2004, as amended) requires the councils to co-operate with other local authorities where there are significant strategic, cross-boundary issues. Waste is defined as a strategic issue and the movement of waste is a cross-boundary issue. The councils’ have written to 43 authorities, of which some are representatives for a further 17 authorities, with whom a significant quantity of waste had been exchanged (sent and/or received) within the past 5 years. Only 4 authorities have raised matters that require further discussions on matters such as, facilities that have or will be closing and quantities of waste within unclear origin coding. Therefore, the South London Waste Plan boroughs need to come to an understanding with the South East authorities over the movement of waste. Officers continue to liaise with their colleagues in the South East authorities to conclude Statements of Common Ground with the relevant authorities.
- 2.19. Objection from NHS England: During the South London Waste Plan Issues and Preferred Options Document, the councils received a representation from NHS England requesting additional clinical waste treatment facilities in the plan area. To date, officers have followed up with NHS England but have not yet heard back from them on the nature and scale of the additional facilities requested and whether these are in addition to the clinical waste permits already held by hospitals and pharmacies in south London and so have not included a reference in the plan. Should NHS England make a further representation at the draft South London Waste Plan publication and representation stage, officers will consider the representation and if it

requires a minor amendment, with the delegated powers sought with the recommendations to this report, an amendment could be presented to the Planning Inspector during the Examination-in-Public.

3 ALTERNATIVE OPTIONS

- 3.1. There are no reasonable alternative options, as most of the processes being undertaken are specified by statutory requirements or by government policies (refer to Part 7 of the report).
- 3.2. Without an up-to-date South London Waste Plan, many more sites in Merton and across the three partner boroughs, would continue to be considered suitable for waste management facilities via the planning system. This would leave Merton Council with very limited planning scope to refuse inappropriate waste treatment planning applications or negotiate amendments to inappropriate proposals.
- 3.3. Another alternative is for each borough to produce a waste related development plan document independently, which would be far more resource intensive for each borough. The production of a 'sound' development plan document would in any case require neighbouring boroughs to collaborate in order to develop consistent policies and proposals in line with the legal requirement of "duty to co-operate". Furthermore, independent working may trigger a requirement to reimburse the government funding that has been awarded to this project, for 'joint working'.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Between 31 October and 22 December 2019, the four partner boroughs, Merton, Kingston, Sutton and Croydon, consulted on the Issues and Preferred Options draft of the South London Waste Plan.
- 4.2. The next step is the publication of the Submission Draft South London Waste Plan, which the partner boroughs intend to submit to the Secretary of State later in 2020, after the approval by all four boroughs.
- 4.3. At their recent meetings, the Borough Plan Advisory Committee (on 4th June 2020) and Cabinet (on 15th June 2020) considered the report and resolved to recommend that council agrees with the two recommendations A and B in this report.
- 4.4. Before it is submitted to the Secretary of State, in line with legislation, the Submission Draft South London Waste Plan is published for six weeks. This is not a consultation in the traditional sense that each council wants to make more changes to the Plan; it is to allow anybody who still wants changes made to the Plan to submit these representations, which will then be passed to the Secretary of State's planning inspector for their consideration.
- 4.5. For the final South London Waste Plan to be legally compliant, the publication and seeking of representations must conform with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (SI 2012/767). Any objections to the draft plan must be made with reference to the "*Test of Soundness for Development Plan Documents*", set out in

Table 2: NPPF Tests of Soundness for Development Plan Documents

Test of Soundness	Definition
Positively Prepared	Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
Justified	An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
Effective	Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
Consistent with National Policy	Enabling the delivery of sustainable development in accordance with the policies in this Framework.

- 4.6. The publication and seeking of representations will involve the following consultation methods to meet the Regulation 19 requirements and the commitments in Merton's adopted SCI and draft new SCI:
- a dedicated page on the council's website with a link to Sutton Council's consultation portal, the administrative lead authority where all the documents will be held;
 - documents on display at council offices and libraries;
 - emails / letters to consultees on the planning policy consultation database;
 - press release;
 - community meetings (if requested and probably virtual);
 - tweets and Facebook and posts.
- 4.7. Officers will also fulfil the legal Duty to Co-operate with other councils on waste management issues.

5 TIMETABLE

- 5.1. Following the approval by all four boroughs to publish the Submission Draft South London Waste Plan, there are a number of procedural steps that need to be followed before the plan can be adopted and these are set out in Table 3.

Table 3: Steps to adoption

Steps	Timescale (approximate)
Submission Draft South London Waste Plan published and representations sought	0 weeks
End of representations period	+6 weeks
Councils consider the representations received	+10 weeks
Submission to the Secretary of State	+10 weeks
Appointment of Planning Inspector	+12 weeks
Start of hearings for the Examination-in-Public	+20 weeks
End of hearings for the Examination-in-Public	+22 weeks
Main modifications (arising from the Examination-in-Public) consultation <i>(Note: This stage may not be required)</i>	+26 weeks
Issuing of the Inspector's Report	+34 weeks
If the Inspector's report finds the plan sound, officers recommend for adoption	+40 weeks
Adoption at Full Council	+44 weeks

5.2. The adoption of the South London Waste Plan is therefore still in accordance with the programme set out in the Local Development Scheme:

Summer 2020	Publication of Submission version
Autumn 2020	Submission to Secretary of State
Early 2021	Examination in Public Hearing
Summer 2021	Adoption

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Funding to support this work will mainly come from existing resources and officers will seek opportunities for funding bids and match funding wherever possible.
- 6.2. In 2018, the four boroughs successfully bid for £136,594 from the Ministry of Housing, Communities and Local Government's Planning Delivery Fund for joint working to produce a new South London Waste Plan. This was supposed to be the first tranche of the Planning Delivery Fund but the fund has since been discontinued. Officers will now seek to produce the plan within the existing grant award.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Waste treatment is a strategic planning issue across London and a challenge for all successful urban areas. As Waste Planning Authorities, all London Boroughs have a statutory duty to prepare a waste Development Plan Documents in line with Article 28 of the Waste Framework Directive (2008).
- 7.2. The National Planning Policy for Waste states that waste planning authorities should have regard to their apportionments set out in the London Plan when preparing their plans and work collaboratively in groups with other waste planning authorities to provide a suitable network of facilities to deliver sustainable waste management.
- 7.3. As waste planning authorities (WPAs), all four of the boroughs have a statutory duty to prepare a waste Development Plan Document in line with Article 28 of the Waste Framework Directive (2008).
- 7.4. With the aim of encouraging more local authorities to have a Development Plan Document in place, the Housing and Planning Act 2016, gives the Secretary of State greater powers to intervene in the Development Plan Document making process. Specifically it would allow the Secretary of State to intervene if a local authority was failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a Development Plan Document.
- 7.5. The proposals in this report and the process described to progress the South London Waste Plan, are in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the requirements set out in those regulations.
- 7.6. The requirement to send the Submission Draft South London Waste Plan to a Council meeting for approval to submit to the Secretary of State, arises from Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. Development Plans Documents contain planning policies to help improve community cohesion and are subject to Sustainability Appraisal / Strategic Environmental Assessments and Equalities Impact Assessments. These appraisals (refer to Appendix B which is available online <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>) will be published alongside the draft plan for consultation.

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. As set out in the body of this report.

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

- Appendix A – Submission Draft South London Waste Plan (available online via <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>)
- Appendix B - Sustainability Appraisal (available online via <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>)
- Appendix C - Representations on the South London Waste Plan Issues and Preferred Options Consultation (available online via <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol13>)

12 BACKGROUND PAPERS

- 12.1. [South London Waste Plan 2011-2021](#)
- 12.2. [South London Waste Plan Issues and Preferred Options Document \(2019\)](#)
- 12.3. [Waste Framework Directive \(2008\)](#)
- 12.4. [Planning and Compulsory Purchase Act \(2004, as amended\)](#)
- 12.5. [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)
- 12.6. [National Planning Policy Framework](#)
- 12.7. [National Planning Policy for Waste](#)
- 12.8. [London Plan Intend to Publish \(2019\)](#)
- 12.9. [Merton's Statement of Community Involvement adopted \(2006\)](#)
- 12.10. [Merton's Statement of Community Involvement draft \(2019\)](#)
- 12.11. [Merton's Core Planning Strategy adopted \(2011\)](#)
- 12.12. [Merton's Site and Policies Plan adopted \(2014\)](#)
- 12.13. [Merton's Policies Map \(2014\)](#)
- 12.14. [Merton's Local Development Scheme adopted \(2019\)](#)

This page is intentionally left blank

Committee: Council

Date: 8 July 2020

Subject: Review of proportionality and changes to Membership of Committees

Lead officer: Louise Round, Managing Director, South London Legal Partnership

Contact officer: Louise Fleming, Senior Democratic Services Officer

Democratic Services 020 8545 3616 - democratic.services@merton.gov.uk

Recommendations:

That the Council:

1. Approves the allocation of seats to political groups as set out at Appendix A
 2. Approves the appointment of nominations to those seats as set out in Appendix B and paragraph 2.2 below.
 3. Notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Council has a statutory duty to review the representations of different political groups on the Council in order to ensure that a political balance is secured on council committees so as to reflect the overall political composition of the council.
- 1.2. This report also asks Council to note the changes made to committee memberships under delegated authority since the publication of the agenda for the last ordinary Council meeting on 5 February 2020.

2 DETAILS

- 2.1 Following the move of Councillor Carl Quilliam from the Liberal Democrat group to the Labour Group, in consultation with the political group leaders, officers have carried out a review of proportionality and the proposed allocation of seats to committees calculated to reflect the change in the political composition of the Council and is attached at Appendix A. In essence, it is proposed that the size of the Children and Young People Scrutiny Panel is reduced from 12 to 10 members.
- 2.2 The proposed membership of the Children and Young People Scrutiny Panel is attached at Appendix B and is for ratification by Council.
- 2.1. The following membership changes have been made by the Chief Executive under his delegated authority in accordance with section 1.4 of part 3F of the Constitution since the last ordinary meeting of the Council:

Committee	Member resigning	Replaced by	Date
Merton and Sutton Joint Cemetery Board	Stan Anderson	Marsie Skeete	31 January 2020
Children and Young People Scrutiny Panel	Marsie Skeete	Owen Pritchard	10 February 2020
Sustainable Communities Scrutiny Panel	Owen Pritchard	Mary Curtin	21 February 2020
Sustainable Communities Scrutiny Panel	Mary Curtin	Owen Pritchard	3 March 2020
Merton and Sutton Joint Cemetery Board	Marsie Skeete	Stan Anderson	3 March 2020
Children and Young People Scrutiny Panel	Owen Pritchard	Marsie Skeete	3 March 2020
Planning Applications Committee	John Dehaney (substitute)	Nick Draper (substitute)	19 March 2020
Planning Applications Committee	Carl Quilliam (substitute)	Eloise Bailey (substitute)	17 June 2020
Healthier Communities and Older People Scrutiny Panel	Carl Quilliam	tbc	25 June 2020

- 2.4 The appointments to Committees and other bodies, including the appointment of Chairs and Vice-Chairs of those committees and other bodies, were agreed at the annual meeting of the Council on 15 May 2019. These will remain in place until the next annual meeting of the Council on 16 September 2020, which was postponed following the publication of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which removed the requirement to hold an annual meeting in March, April or May.

3 CONSULTATION UNDERTAKEN OR PROPOSED

- 3.1 None for the purposes of this report.

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 4.1. None for the purposes of this report.

5 LEGAL AND STATUTORY IMPLICATIONS

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

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

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.1. None for the purposes of this report.

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

- 9.1 Appendix A – Allocation of committee places to political groups
- 9.2 Appendix B – Nominations to committee places

10 BACKGROUND PAPERS

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

This page is intentionally left blank

Parties
Seats
Total councillors
Total in groups

60
60

Labour	Con	LD	MPW
34	17	6	3

Committees subject to Statutory proportionality		Exact entitlement				Allocations actual				Variation
	Seats	Labour	Con	LD	MPW	Labour	Con	LD	MPW	seats
Scrutiny committees										
Overview and Scrutiny Commission	10	5.67	2.83	1.00	0.50	6	2	1	1	+
Healthier Communities and Older People	8	4.53	2.27	0.80	0.40	5	2	1	0	+
Children and Young People	10	5.67	2.83	1.00	0.50	6	3	0	1	+
Sustainable Communities	8	4.53	2.27	0.80	0.40	5	2	1	0	+
SW London Joint Health Overview and Scrutiny Cttee	2	1.13	0.57	0.20	0.10	1	1	0	0	+
Committees										
Appointments	10	5.67	2.83	1.00	0.50	6	3	1	0	+
Licensing	12	6.80	3.40	1.20	0.60	7	4	1	0	+
Licensing misc	12	6.80	3.40	1.20	0.60	7	4	1	0	+
Planning	10	5.67	2.83	1.00	0.50	6	2	1	1	+
Standards and General Purposes	12	6.80	3.40	1.20	0.60	7	3	1	1	+
Appeals	6	3.40	1.70	0.60	0.30	4	1	1	0	+
Advisory Committees established by the Council										
Pension Fund Advisory Committee	3	1.70	0.85	0.30	0.15	2	1	0	0	+
Borough Plan Advisory Committee	6	3.40	1.70	0.60	0.30	4	1	1	0	+
Joint Consultative Committee with Ethnic Minority Organisations	5	2.83	1.42	0.50	0.25	3	1	1	0	+
Member School Standards Panel	3	1.70	0.85	0.30	0.15	2	1	0	0	+
Total seats	117	66.30	33.15	11.70	5.85	71	31	11	4	0
Total rounded	117	66	33	12	6	Total allocated				117
Variation	+	Variation							+	

This page is intentionally left blank

COMMITTEES, SUB-COMMITTEES AND SCRUTINY BODIES

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL (10 seats) Substitutes allowed	Cllr Sally Kenny (Chair) Cllr Agatha Akyigyina Cllr Joan Henry Cllr Russell Makin Cllr Dennis Pearce Cllr Dave Ward Substitutes: Cllr Billy Christie TBC	Cllr Hayley Ormrod – Vice-Chair Cllr James Holmes Cllr Omar Bush Substitutes: Cllr Thomas Barlow Cllr Andrew Howard		Cllr Edward Foley Substitute: Cllr Dickie Wilkinson

This page is intentionally left blank