



CORPORATE SERVICES DEPARTMENT

Caroline Holland - Director

To all Members of the Council

**Democratic Services
London Borough of Merton
Merton Civic Centre
Morden, Surrey SM4 5DX**

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Date: 09 September 2020

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 7 September 2020 are attached.

The call-in deadline is Monday 14 September 2020 at noon

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

Democracy Services

Decisions of the Cabinet held on Monday 7 September 2020

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5	Bishopsford Bridge - procurement	<p>RESOLVED</p> <p>That authority be delegated to the Director of Environment and Regeneration and the Director of Corporate Services in consultation with the Cabinet Member for Regeneration, Housing and Transport to approve the award of the construction contract for the new Bishopsford Bridge.</p>
6	Approval of the Neighbourhood Fund 2020 bidding round	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the CIL Neighbourhood Fund money be allocated to individual projects received through the 2020 Neighbourhood Fund consultation in line with Merton Council's approved Neighbourhood Fund criteria. The projects recommended for Neighbourhood Fund allocation are shaded green in Appendix A to the Cabinet report. 2. That authority be delegated to the Director of Environment and Regeneration in consultation with the Cabinet Member for Regeneration, Housing and Transport to make any amendments to funding bid amounts received through the recent Neighbourhood Fund consultation, in line with Cabinet's agreed Neighbourhood Fund criteria.
7	Merton's Public Space Protection Order Report	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the Evidence Report (Appendix 1), Public Consultation Results (Appendix 2) and the Equalities Impact Assessment (Appendix 3) be noted: 2. That the making of the proposed Public Space Protection Order (PSPO) related to the consumption of alcohol in public places in the restricted areas detailed in the PSPO and shown highlighted in section 2.8 of the Cabinet report be approved. The form of the proposed PSPO is in Appendix 4. 3. That the amount of the fixed penalty payment payable where a Fixed Penalty

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		<p>Notice (FPN) is issued in respect of breaches of the Order, as an alternative to prosecution, be set at £100, payable within 14 days and that no discount be authorised as an incentive for early payment;</p> <ol style="list-style-type: none"> 4. That the Director of Environment and Regeneration be authorised to finalise and make the PSPO, affixing the corporate seal on execution. The PSPO shall come into force on 21 October 2020 once the remaining procedural formalities have been completed; 5. That the proposed signage (Appendix 5) to be displayed in the restricted areas advising members of the public of the PSPO and its effect be noted and the Director of Environment and Regeneration be authorised to finalise form of the signs having regard to Cabinet's views; 6. That the process for making, varying and/or discharging any further PSPOs or varying and/or discharging any existing PSPOs as set out in section 2.226 table 2 of the Cabinet report be agreed; and 7. That further analysis and consultation for the areas of Morden Town Centre, Wimbledon Town Centre and the wards of Abbey, Trinity, Pollards Hill and St Helier be carried out to assess either further expansion of the proposed PSPS and/or a separate PSPO, ensuring the legal test and statutory guidance is complied with at all times.
8	Covid-19 Local Outbreak Control Plans and Process	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That authority be delegated to the Chief Executive to implement the local lockdown provisions set out in the Health Protection (Coronavirus Restrictions) (England) (No.3) Regulations 2020 SI 2020 No.750; and 2. That Council be asked to note that the Scheme of Delegation to the Chief Executive set out in Part 3E of the Constitution will be amended accordingly by the Monitoring Officer.
9	Proposal extension of the Agency	RESOLVED

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	Worker Contract	That authorisation be given to activate the optional 12 month extension to the agency worker contract with Comensura Limited.
10	Treasury Management Annual Review and approval to change in investment limits	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the annual review of the London Borough of Merton's 2019-20 Treasury Management Strategy be noted; and 2. That full Council be recommended to approve the updated and increased Money Market Fund limits.
11	Business Plan 2021-25	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the approach to rolling forward the MTFS for 2021-25 be noted. 2. That the latest position with regards to savings already in the MTFS be confirmed. 3. That the approach to setting a balanced budget using the unmet balance of last year's savings targets as the basis for the setting of targets for 2021-25 be agreed. 4. That the proposed savings targets based on current assumptions be agreed, but kept under review. 5. That the timetable for the Business Plan 2021-25 including the revenue budget 2021/22, the MTFS 2021-25 and the Capital Programme for 2021-25 be agreed. 6. That the process for the Service Plan 2021-25 and the progress made so far be noted.
12	Financial Monitoring report 2020/21 - June 2020	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the financial reporting data for month 3, June 2020, relating to revenue budgetary control, showing a forecast net adverse variance at year-end of £23.7m be noted.

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2. That the contents of Section 4 be noted and the amendments to the Capital Programme contained in Appendix 5B of the report be approved.

That the outcome of a review of the Capital Programme and the contents of Section 4 and Appendix 5B be noted and the amendments to the Programme contained in the table below be approved:

	Budget 2020-21	Budget 2021-22	Budget 2022-23	Budget 2023-24	Narrative
-	£	£	£	£	
Corporate Services					
Customer Contact Programme	(350,000)	(400,000)	0	0	Relinquished budget
Capital Building Works	(175,420)	0	0	0	Relinquished budget
Replacement Boilers	(267,200)	267,200	0	0	Re-profiled from 2020-21 to 2021-22
Civic Centre lighting upgrade		(300,000)	300,000	0	Re-profiled from 2021-22 to 2022-23
Planning and Public Protection	0	0	0	(550,000)	Relinquished budget
School	(125,000)	0	125,000	0	Re-profiled

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		Admission s System					from 2020- 21 to 2022- 23
		Youth Justice System	(100,000)	100,000	0	0	Re-profiled from 2020- 21 to 2021- 22
		Multi Function Device	(330,000)	0	0	0	Relinquish ed budget
		IT Equipment	0	(100,000)	(100,000)	0	Relinquish ed budget
		Capital Bidding Fund	0	0	0	(186,400)	Relinquish ed budget
		Community and Housing					
		Learning Disability Housing	(138,000)	138,000			Re-profiled from 2020- 21 to 2021- 22
		Environme nt and Regenerati on					
		Car Park Upgrades	(264,000)	264,000	0	0	Re-profiled from 2020- 21 to 2021- 22
		Replaceme	(116,800)	116,800	0	0	Re-profiled

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		<table border="1"> <tbody> <tr> <td>nt of Fleet Vehicles</td> <td></td> <td></td> <td></td> <td></td> <td>from 2020-21 to 2021-22</td> </tr> <tr> <td>Highway Bridges and Structures</td> <td>(150,000)</td> <td>150,000</td> <td>0</td> <td>0</td> <td>Re-profiled from 2020-21 to 2021-22</td> </tr> <tr> <td>Morden Town Centre Regeneration</td> <td>(50,000)</td> <td>(460,000)</td> <td>108,000</td> <td>402,000</td> <td>Re-profiled from 2020-21 onwards</td> </tr> <tr> <td>Canons Parks for the People</td> <td>178,770</td> <td>(178,770)</td> <td></td> <td></td> <td>Re-profiled from 2021-22 to 2020-21</td> </tr> <tr> <td>Paddling Pool – Option 2</td> <td>(113,000)</td> <td>113,000</td> <td>0</td> <td>0</td> <td>Re-profiled from 2020-21 to 2021-22</td> </tr> <tr> <td>Total</td> <td>(2,000,650)</td> <td>(289,770)</td> <td>433,000</td> <td>(334,400)</td> <td></td> </tr> </tbody> </table> <p>3. That finance officers continue to work with budget managers to identify further re-profiling and savings throughout the approved programme 2020-24.</p>	nt of Fleet Vehicles					from 2020-21 to 2021-22	Highway Bridges and Structures	(150,000)	150,000	0	0	Re-profiled from 2020-21 to 2021-22	Morden Town Centre Regeneration	(50,000)	(460,000)	108,000	402,000	Re-profiled from 2020-21 onwards	Canons Parks for the People	178,770	(178,770)			Re-profiled from 2021-22 to 2020-21	Paddling Pool – Option 2	(113,000)	113,000	0	0	Re-profiled from 2020-21 to 2021-22	Total	(2,000,650)	(289,770)	433,000	(334,400)	
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13	Financial Monitoring report 2020/21 - July 2020	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the financial reporting data for month 4, July 2020, relating to revenue budgetary control, showing a forecast net adverse variance at year end of £22.867m be noted. 2. That the outcome of a review of the Capital Programme and the contents of 																																				

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Section 4 and Appendix 5B be noted and the amendments to the Programme contained in the table below, with the detail of the Neighbourhood CIL projects detailed elsewhere in a report on the Cabinet agenda be approved.

	Budget 2020-21	Budget 2021-22	Budget 2022-23	Budget 2023-24	Narrative
	£	£	£	£	
Corporate Services					
Compulsory Purchase Order – Clarion*	4,079,460	3,143,570	0	0	Fully funded by Clarion
Children, Schools and Families					
Unallocated – Capital Maintenance	446,750	0	0	0	Additional Central Government Grant net of Review Reduction
Environment and Regeneration					
Hartfield	125,000				New NCIL

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Walk Public Realm					Scheme "Love Wimbledon"
Polka Theatre	150,000				NCIL Contribution to Construction Project
Haydons Rd Shop Front Improvement	257,580				NCIL Grant
Canons Parks for the People – Regeneration	533,020	(533,020)			Re-profiled to match projected spend
Pollards Hill Lighting	100,000				NCIL Grant
Total	5,691,810	2,610,550	0	0	

*Please note that this will require Council approval

- That finance officers continue to work with budget managers to identify further re-profiling and savings throughout the approved capital programme 2020-24.

Merton Council - call-in request form

1. Decision to be called in: (required)

2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor's email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy and Electoral Services, 1st floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy and Electoral Services on 020 8545 3409