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CABINET

7 SEPTEMBER 2020

(7.15 pm - 8.04 pm)

PRESENT: Councillors Stephen Alambritis (in the Chair), Mark Allison, Laxmi Attawar, Caroline Cooper-Marbiah, Edith Macauley MBE, Eleanor Stringer and Martin Whelton

Co-opted Members

ALSO PRESENT: Councillor Nick McLean (Leader of the Conservative Group) and Peter Southgate (Leader of the Merton Park Ward Independent Residents Group)

Ged Curran (Chief Executive), Hannah Doody (Director of Community and Housing), Caroline Holland (Director of Corporate Services), Rachael Wardell (Director, Children, Schools & Families Department), James McGinlay (Assistant Director for Sustainable Communities), Tara Butler (Programme Manager - Strategic Policy and Research), Kiran Vagarwal (Interim Head of Community Safety), Andrew Robertson, Octavia Lamb (Policy and Research Officer (Labour Group)), Matthew Leek (Principal Electoral Services Officer), Louise Fleming (Senior Democratic Services Officer) and Amy Dumitrescu (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence.

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 13 July 2020 are agreed as an accurate record.

4 COMPULSORY PURCHASE ORDER FOR RAVENSBURY PHASE 2 (Agenda Item 4)

Item withdrawn, to be considered at the next Cabinet meeting.

5 BISHOPSFORD BRIDGE - PROCUREMENT (Agenda Item 5)

The Cabinet Member for Regeneration, Housing and Transport presented the report which set out a proposal to accelerate the construction of the new Bishopsford Bridge by delegating authority to the Director of Environment and Regeneration and the Director of Corporate Services after consultation with the Cabinet Member to award the construction contract. It was noted that the previous structure had been removed and the planning application would be considered by the Planning Applications Committee in October.

Tara Butler, Deputy Head of Future Merton, drew Members attention to section 6 of the report which set out the previously agreed budget and advised that the report on the Neighbourhood Fund later on the agenda would propose a re-profiling of that budget.

The Chair welcomed the report and the progress made with the new bridge and thanked all those involved for their work.

RESOLVED

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.

6 APPROVAL OF THE NEIGHBOURHOOD FUND 2020 BIDDING ROUND (Agenda Item 6)

The Cabinet Member for Regeneration, Housing and Transport presented the report which set out recommendations for allocation of the Merton Neighbourhood Fund following a seven week consultation period and in line with agreed criteria. The projects would improve infrastructure in the Borough, help with bridging the gap and support BAME organisations.

The Chair welcomed the report and thanked those involved for their work.

RESOLVED

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 (Agenda Item 7)

The Cabinet Member for Voluntary Sector, Partnerships and Community Safety presented the report which set out proposals for a more localised Public Space Protection Order, following the expiry of the current Borough-wide Order, to address anti-social behaviour and its impact on communities. A six week public consultation had been carried out and 87% respondents were in support of the prohibition. It was proposed that a further consultation be carried out on the introduction of a PSPO in Morden Town centre, Wimbledon Town Centre, and the wards of Abbey, Trinity, Pollards Hill and St Helier and further evidence be collected for consideration by the Director of Environment and Regeneration.

The Chair thanked the Cabinet Member for her work with the Council's partners in keeping the Borough safe; and the officers involved for their work.

RESOLVED

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 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;
 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 PPS 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 (Agenda Item 8)

The Chair presented the report which recommended delegating authority to the Chief Executive to implement local lockdown provisions in line with legislation and drew Members attention to the local lockdown plan appended to the report.

The Managing Director, South London Legal Partnership, clarified that the local lockdown plan related to the closure of individual premises or events should the need arise to protect the health and wellbeing of residents.

RESOLVED

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 WORKER CONTRACT (Agenda Item 9)

The Deputy Leader and Cabinet Member for Finance presented the report which proposed an extension to the current agency worker contract and thanked the officers involved. The extension would provide best value for the Council.

The Director of Corporate Services advised that the current provider had enabled the Council to staff on other interim contracts onto this contract and therefore achieving greater value for money. The numbers of and amount spent on agency staff would continue to be monitored closely.

RESOLVED

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 (Agenda Item 10)

The Deputy Leader and Cabinet Member for Finance presented the report and thanked all the officers involved. The recommendations would enable the Council to hold more funds and in the meantime earn interest on those funds which would help the Council's financial position.

The Director of Corporate Services advised that the report would be considered by full Council and the establishment of a Money Market Fund would maximise income to the Council to reduce the impact of financial pressures on front line services.

RESOLVED

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 (Agenda Item 11)

The Deputy Leader and Cabinet Member for Finance presented the report and thanked all the officers involved for their resilience during the pandemic. He advised that unless the Government fully funded the cost of the front line services the Council provided throughout the pandemic, there would have to be very significant cuts to local services in Merton. It had been estimated that the cost of the pandemic had been £26m greater than the funding provided by the Government. The financial monitoring reports later on the agenda demonstrated that the Council had reduced its costs by £3m, which resulted in a deficit of approximately £23m and this money would have to be found from somewhere unless the Government reimbursed the Council for the full cost of the pandemic. The report set out how this would be dealt with in future budgets, and savings to be found in the next financial year were five times greater than that before the pandemic.

The Chair thanked the Cabinet Member and advised that he would continue, along with other London Council leaders, to lobby the Government to recognise the role of local authorities in keeping residents safe during the pandemic.

The Director of Corporate Services advised that the budget gap was linked to the recovery of the economy and successfully dealing with any second wave. Over 30,000 residents had been furloughed and it was not known at this stage how many of those residents would need financial support when the Government's furlough scheme ends. Further Government funding announcements were awaited and officers were working closely with Government departments to ensure that Members have information as early as possible on which to base their decisions. The financial monitoring reports later in the agenda would also be reported to the Financial Monitoring Task Group. Officers were continually reviewing figures, savings targets and assumptions and these would be updated as required.

The Chair thanked all those involved for their efforts and the energy staff had put into protecting Merton's residents from the pandemic and reiterated that it was the role of Councillors to persuade the Government to properly fund and adequately cover the costs of the pandemic response.

RESOLVED

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.

- 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 (Agenda Item 12)

The item was presented together with the previous item and the minute is set out at item 11.

RESOLVED

- 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.
- 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 Admissions System	(125,000)	0	125,000	0	Re-profiled 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	Relinquished budget
IT Equipment	0	(100,000)	(100,000)	0	Relinquished budget
Capital Bidding Fund	0	0	0	(186,400)	Relinquished budget
Community and Housing					
Learning Disability Housing	(138,000)	138,000			Re-profiled from 2020-21 to 2021-22
Environment and Regeneration					
Car Park Upgrades	(264,000)	264,000	0	0	Re-profiled from 2020-21 to 2021-22
Replacement of Fleet Vehicles	(116,800)	116,800	0	0	Re-profiled 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)	

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

13 FINANCIAL MONITORING REPORT 2020/21 - JULY 2020 (Agenda Item 13)

The item was presented together with the previous two items and the minute is set out at item 11.

RESOLVED

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 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 Walk Public Realm	125,000				New NCIL 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	
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*Please note that this will require Council approval

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