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Merton Council

Cabinet Agenda

Membership

Councillors:

Mark Allison (Chair)
Agatha Mary Akyigyina OBE
Mike Brunt
Tobin Byers
Caroline Cooper-Marbiah
Rebecca Lanning
Owen Pritchard
Marsie Skeete
Eleanor Stringer
Martin Whelton

Date: Monday 22 March 2021

Time: 7.15 pm

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

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<https://www.youtube.com/user/MertonCouncil>.

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Cabinet Agenda

22 March 2021

1	Apologies for absence	
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6	Additional Restrictions Grant (Discretionary Scheme) Policy	51 - 76
7	Contract Award - School Meals Catering Service 2021	77 - 84
8	Financial Monitoring report 2020/21 - January 2021	To Follow
9	Procurement of multiple Apprenticeship Standards	To Follow
10	Exclusion of the public To RESOLVE that the public are excluded from the meeting during consideration of the following reports on the grounds that they are exempt from disclosure for the reasons stated in the reports.	
11	Contract Award - School Meals Catering Service 2021 - exempt appendix	85 - 92
12	Procurement of Multiple Apprenticeship Standards - exempt appendix	To Follow

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. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 3

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

CABINET

8 FEBRUARY 2021

(7.15 pm - 7.46 pm)

PRESENT: Councillors Councillor Mark Allison (in the Chair),
Councillor Agatha Mary Akyigyina, Councillor Mike Brunt,
Councillor Tobin Byers, Councillor Caroline Cooper-Marbiah,
Councillor Natasha Irons, Councillor Rebecca Lanning,
Councillor Owen Pritchard, Councillor Marsie Skeete,
Councillor Eleanor Stringer and Councillor Martin Whelton

ALSO PRESENT: Councillors Nigel Benbow and Peter Southgate

Ged Curran (Chief Executive), Hannah Doody (Director of Community and Housing), Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), Louise Round (Managing Director, South London Legal Partnership and Monitoring Officer), Anthony Hopkins (Head of Library, Heritage and Adult Education Services), Octavia Lamb (Policy and Research Officer (Labour Group)) and Louise Fleming (Democracy Services Manager)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies for absence were received.

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 18 January 2021 are agreed as an accurate record.

Before moving to the items of business, the Chair thanked all the Council and NHS staff involved in the enhanced testing exercise in Pollards Hill following the late notification of a case of the South African variant in Merton. He thanked residents for their efforts in reducing the number of cases by complying with the Government's rules and encouraged residents in Pollards Hill to get a test. He advised that he had called on the Government to ensure that isolation payments to those being required to self-isolate are automatic in these cases; and to address the miscommunication over the specific area which had been affected. He placed on record his thanks to all involved for their efforts in the cold weather, demonstrating an amazing community spirit.

At the invitation of the Chair, the Cabinet Member for Adult Social Care and Public Health echoed the tribute to the staff and residents in the Pollards Hill area for their efforts in the enhanced testing exercise.

The Cabinet Member for Housing, Regeneration and the Climate Emergency and Pollards Hill ward Member thanked all involved, but particularly paid tribute to the Commonsides Trust and the New Horizon Centre.

The Chair thanked all the ward Members for their community leadership.

The Chief Executive echoed the comments already made and extended his thanks to the MP for Mitcham and Morden, Bob Whitehead from the Metropolitan Police, Dr Mohan Sekeram, Naomi Martin of the Commonsides Trust and Suzanne Hudson of the Citizens' Advice in Merton.

4 FINANCIAL MONITORING REPORT 2020/21 - DECEMBER 2020 (Agenda Item 4)

The Cabinet Member for Finance presented the report which set out the financial position of the Council for December 2020. He thanked the officers for their work on the report and budget monitoring. He highlighted the increased adverse variance from the previous month, in part due to the impact of the current lockdown on Environmental and Regeneration budgets. He drew the Cabinet's attention to page 17 of the report which set out the Covid-19 cost summary which clearly showed that the Council was over £9m worse off as a result of the work done to support communities in the pandemic which had not been properly funded by the Government.

The Director of Corporate Services advised that there was further income to come and would be calculated for the April return; there were some adjustments to the capital programme proposed and a decrease in Community Infrastructure Levy monies being received and therefore a review of how those monies were collected would be undertaken to address.

The Chair thanked the Cabinet Member and the Director for their contributions.

RESOLVED:

1. That the financial reporting data for month 9, December 2020, relating to revenue budgetary control, showing a forecast net adverse variance at year-end of £4.3m be noted.
2. That the contents of Section 4 and Appendix 5b of the report 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					

Housing Company*	(2)	(6,716,750)	(10,557,690)	(6,000,000)		Removal of Budget
Financial System	(1)			(700,000)	700,000	Re-profiled in line with projected spend
Community and Housing						
Disabled Facilities Grant	(1)	(75,000)			75,000	Re-profiled in line with projected spend
Learning Disability Affordable Housing	(1)	(75,000)	75,000			Re-profiled in line with projected spend
Children, Schools and Families						
Abbotsbury - Capital Maintenance	(1)	28,000				Virement from unallocated budget
Cricket Green - Capital Maintenance	(1)	25,000				Virement from unallocated budget
Melbury SMART Centre - Capital Maintenance	(1)	32,000				Virement from unallocated budget
Malmesbury - Capital Maintenance	(1)	16,000	33,000			Virement from unallocated budget
Unallocated Capital Maintenance	(1)	(101,000)	(33,000)			Virement to new schemes
Environment and Regeneration						
ANPR Cameras Supporting Enforcement of School Streets	(1)	(486,000)	486,000			Re-profiled in line with projected spend
Active Travel Fund	(1)	240,000	150,000			New TfL Funding
Mitcham Area Regeneration - Canons Parks for the People	(1)	(697,120)	697,120			Re-profiled in line with projected spend
Parks - Canons Parks for the People	(1)	(311,350)	311,350			Re-profiled in line with projected spend
Resurface Tennis Courts Wimbledon Park	(1)	(75,440)	75,440			Re-profiled in line with projected spend
Total		(8,196,660)	(8,762,780)	(6,700,000)	775,000	

5 AWARD OF MAIN SERVICES CONTRACT - MERTON ADULT LEARNING (Agenda Item 5)

The Cabinet Member for Culture, Leisure and Skills presented the report and thanked the officers involved for their work. She outlined the purpose of the report and gave an overview of the contract to provide adult learning services in the borough, which would be important in reskilling residents as part of the pandemic recovery.

The Cabinet Member for Housing, Regeneration and the Climate Emergency welcomed the report and the improvements to the important service following the move to a commissioned model.

The Joint Deputy Leader and Cabinet Member for Performance, Recovery and the Local Economy also thanked the officers involved and the external funding received from the GLA and the ESFA; and welcomed the report which was important and timely for the pandemic recovery.

The Chair thanked all involved, including the Joint Deputy Leader and Cabinet Member for Children and Education and welcomed the report.

RESOLVED:

1. That the award of the main contract for Merton Adult Learning services be awarded to Supplier E, on an initial 3 year term from 1 August 2021, with

extension provision of up to a further 2 years. The identities of the preferred and unsuccessful bidders are set out in Appendix A. The contract values for the proposed term are set out in Appendix B.

2. That the authority to exercise the extension provision is delegated to the Director of Community & Housing, in consultation with the Cabinet Member for Culture, Leisure and Skills, and subject to continued funding and satisfactory supplier performance.

6 EXCLUSION OF THE PUBLIC (Agenda Item 6)

Cabinet noted the information in the exempt appendix at item 7 and did not refer to it during the consideration of item 5 and therefore the meeting remained open.

7 AWARD OF MAIN SERVICES CONTRACT - MERTON ADULT LEARNING - EXEMPT APPENDICES (Agenda Item 7)

Cabinet noted the information in the exempt appendix at item 7 and did not refer to it during the consideration of item 5. The decision is set out under item 5 above.

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

CABINET

22 FEBRUARY 2021

(7.15 pm - 7.58 pm)

PRESENT: Councillors Councillor Mark Allison (in the Chair), Councillor Agatha Mary Akyigyina, Councillor Mike Brunt, Councillor Tobin Byers, Councillor Caroline Cooper-Marbiah, Councillor Rebecca Lanning, Councillor Owen Pritchard, Councillor Marsie Skeete, Councillor Eleanor Stringer and Councillor Martin Whelton

ALSO PRESENT: Councillors Nigel Benbow, Daniel Holden, Peter Southgate and David Williams MBE JP

Ged Curran (Chief Executive), Hannah Doody (Director of Community and Housing), Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), Louise Round (Managing Director, South London Legal Partnership and Monitoring Officer), Octavia Lamb (Policy and Research Officer (Labour Group)) and Louise Fleming (Democracy Services Manager)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence received.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION: BUDGET AND BUSINESS PLAN 2021-25 (Agenda Item 3)

At the invitation of the Chair, Councillor Southgate, Chair of the Overview and Scrutiny Commission presented the reference report which set out the recommendations of the Commission and the Scrutiny Panels following the third round of budget scrutiny which had taken place in February 2021. He highlighted the appreciation of the efforts of all staff in the course of the pandemic and acknowledged the difficult period for all, with many uncertainties remaining and no resolution to the issue of funding adult social care and the reform of business rates. In the event that the final tranches of compensation for lost fees and charges were paid; and the Dedicated Schools Grant deficit issue was resolved by the Department for Education, these would both improve the financial position of the Council and enable it to pay back some of the reserves used to balance the budget in future years.

Councillor Southgate acknowledged that there would be a long term physical and mental impact from the pandemic on the most vulnerable residents. This had

exacerbated the inequalities between the east and west of the borough and this would create increased demand on council services which would have to be reflected in any adjustments to the medium term financial strategy. He endorsed the call of the Local Government Association to the Government to properly fund the pandemic not just in this year but extended into next year.

Councillor Southgate concluded by thanking the Director of Corporate Services and her staff for all their work on producing the draft budget.

The Chair thanked Councillor Southgate for his presentation and thanked the efforts of all the scrutiny Members. He suggested that both items be taken together, to enable the Cabinet and officers to respond to all the points raised and the summary of the remaining discussion is set out under item 4 below.

RESOLVED:

1. That the recommendation made by the Overview and Scrutiny Commission (set out in paragraph 2.4 of the Cabinet report) and the outcomes of consideration by the Overview and Scrutiny Panels (set out in Appendix 1 of the Cabinet report) be taken into account in taking decisions relating to the Business Plan 2021-25.

4 BUSINESS PLAN 2021-25 (Agenda Item 4)

The Cabinet Member for Finance began by thanking the Director of Corporate Services and her staff for preparing the draft business plan, particularly in a period of such uncertainty with a number of late announcements on funding. He thanked Councillor Southgate and all the scrutiny Members for their flexibility in scrutinising the draft budget and savings proposals.

The Cabinet Member highlighted the main points for consideration and advised that the financial position was slightly better than it had been at the end of 2020, in part due to a slightly better than expected Government grant and a number of one-off grants which had reduced the overall level of savings required to balance the budget for 2021/22. However the longer term picture remained uncertain due to the projected impact of the pandemic into 2023/24, with a reduced council tax base and difficulty in forecasting business rates at a time of much uncertainty for businesses. The gap in 2021/22 had only been met by several million pounds of savings, a proposed council tax increase at the maximum level and the levying of the Adult Social Care precept. It was unfortunate that at a time of hardship for many, the Government was forcing local authorities to both cut services and raise council tax by not properly funding councils through the pandemic.

The Cabinet Member addressed the recommendations of scrutiny panels, welcoming the hard work of all members of staff and supported the spirit in which the recommendations had been made. Although not a panacea, digital solutions would be explored where possible. He advised that the review of the learning disability day care offer was driven by a desire to transform services rather than make savings, however the challenges faced by vulnerable users would be considered as part of any consultation. He thanked Councillor Southgate for his positive reference made at

the Commission and highlighted that the future financial position of the Council was dependent on the funding decisions made by the Government.

The Director of Corporate Services drew the Cabinet's attention to section two of the report which set out the issues already highlighted and the changes since the previous version of the draft business plan in January. The report included the positive assurance statement of the s151 officer required under s25 of the Local Government Act 2003 and the worst case scenario in respect of the Council's reserves and advised that work was on going to address the deficit in the Dedicated Schools Grant. The gap in 2022/23 had come down from £5.9m to just under £3.9m, which increased to £11m in 2023/24 so the work to understand the impact of Covid on the Council and the local economy would continue. A number of figures were awaited and if received these would be updated for the Council meeting on 3 March.

The Chair thanked the Director for her detailed presentation and to her team for their work on the draft budget.

The Cabinet Member for Adult Social Care and Public Health thanked the Members of the Healthier Communities and Older People Overview and Scrutiny Panel for their work and discussion on the proposed modernisation of the learning disabilities day care offer and work was ongoing to engage and consult with service users access over an extended period of time on the types of services they wished to access, with the proposed saving coming into effect in 2022/23.

The Director of Community and Housing reaffirmed the commitment to an extensive engagement programme with service users, extending into the summer. It was important to understand the impact of Covid on the borough's residents with learning disabilities.

The Joint Deputy Leader and Cabinet Member for Children and Education thanked all involved and spoke about the impact of Covid on the borough's children and the work being carried out to ensure all had the same access to education and children's services. The draft business plan set out the Council's approach to supporting vulnerable children and families with the resource's available to it, although much was dependent on Government support.

The Joint Deputy Leader and Cabinet Member for Performance, Recovery and the Local Economy thanked the Chair of the Overview and Scrutiny Commission for the reference report. The impact of Covid had been particularly difficult after a decade of Government austerity had decreased resilience and the cuts proposed were in response to the Government's response to Covid. He thanked all the officers involved for their work on presenting a balanced budget and the work being done on supporting the local economy.

The Chair thanked all for their contributions and highlighted the need for everyone to work together to recover from the pandemic and support local residents.

The Cabinet Member for Finance reiterated the earlier points and highlighted the importance of the scrutiny process, and recommended the report for endorsement by the Cabinet.

RESOLVED:

1. That the response to the Overview and Scrutiny Commission be agreed;
2. That having considered all of the information in the Cabinet report and noted the positive assurance statement given by the Director of Corporate Services based on the proposed Council Tax strategy, the maximum Council Tax in 2021/22, equating to a Band D Council Tax of £1,340.72, which is an increase of below 5% be approved and recommended to Council for approval.
3. That all of the latest information and the comments from the scrutiny process be considered, and recommendations be made to Council as appropriate.
4. That the Business Plan 2021-25 including the General Fund Budget and Council Tax Strategy for 2021/22, and the Medium Term Financial Strategy (MTFS) for 2021-25 as submitted, along with the draft Equality Assessments (EAs), be approved and recommended to Council for approval subject to any proposed amendments agreed at this meeting;
5. That having considered all of the latest information and the comments from the scrutiny process, the Capital Investment Programme (as detailed in Annex 1 to the Capital Strategy); the Treasury Management Strategy (Section 5), including the detailed recommendations in that Section, incorporating the Prudential Indicators and the Capital Strategy (Section 4) as submitted and reported upon be approved and recommended to Council for approval, subject to any proposed amendments agreed at this meeting;
6. That it be noted that the GLA precept will not be agreed by the London Assembly until the 25 February 2021, but the provisional figure has been incorporated into the draft MTFS.
7. That officers be requested to review the savings proposals agreed and where possible bring them forward to the earliest possible implementation date.
8. That it be noted that there may be minor amendments to figures in this report as a result of new information being received after the deadline for dispatch and that this will be amended for the report to Council in March.
9. That the Risk Management Strategy be approved.

Committee: Cabinet

Date: 22 March 2021

Wards: All

Subject: Reference from the Sustainable Communities Overview and Scrutiny Panel – HGV's, Roadworks and School Streets.

Lead officer: Chris Lee, Director of Environment and Regeneration

Lead member: Councillor Aidan Mundy, Chair of the Sustainable Communities Overview and Scrutiny Panel

Contact officer: Rosie Mckeever, Scrutiny Officer, 0208 545 4035

Recommendations:

-
1. The Sustainable Communities Overview and Scrutiny Panel recommends that Cabinet take into account its reference set out in paragraphs 2.6 to 2.13 below when making decisions on changes to Merton's road networks and associated resident communications.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. At its meeting on 19 January 2021 the Sustainable Communities Overview and Scrutiny Panel received a number of detailed updates from the Head of Future Merton on issues affecting the borough's road networks and footpaths. These included how HGV's are managed in the borough, roadwork maintenance, sustainable travel and school streets.
- 1.2. The Panel agreed to make a reference to Cabinet on these items as set out in paragraphs 2.6 to 2.13 below.

2 DETAILS

2.1. Scrutiny process

- 2.2. The Panel received reports setting out the requested information and asked questions of clarification.
- 2.3. The Panel heard representations from Haydon's Road North, Wimbledon Park Residents Association, Belvedere Estate Residents Association and Wimbledon East Hillside Residents Association.
- 2.4. Further details of points made in the discussion will be published in the minutes of the meeting.

2.5. Scrutiny response

- 2.6. The Panel RESOLVED to send the following recommendations to Cabinet with regards to HGV's;
- 2.7. "The Panel supports the work the Council has done so far on HGV's and would encourage further work in this area, particularly a wider emphasis across the borough on numbers and emissions, and with an increased focus on those areas outlined by residents as a concern, where the financial resource is available".

- 2.8. “The Panel also recommends that an information hub to support residents in dealing with complaints about problems with HGVs is created and added to the Merton website and advertised appropriately”.
- 2.9. Following discussion around Roadworks and network co-ordination, the Panel RESOLVED to send the following recommendations to Cabinet;
- 2.10. “The Panel recommends that enhanced information with regards to road and footpath maintenance and repair - especially with regards to the proactive work and how that is established - is added to the Merton website and advertised appropriately”.
- 2.11. With regards to School Streets in the borough, the Panel RESOLVED to send the following reference to Cabinet;
- 2.12. “The Panel welcomes the decisive action from the Council on establishing the largest number of schools streets in London and request communications to encourage further resident feedback and explore expanding the scheme with the support of the schools”.
- 2.13. Additionally, the Panel RESOLVED to revisit these item in the future work programme.

3 ALTERNATIVE OPTIONS

- 3.1. None – Cabinet is required under the council’s constitution to receive, consider and respond to references from overview and scrutiny.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Invitations to provide submissions to the Panel were sent to a wide range of residents’ associations and local community organisations.

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 5.1. None for the purpose of this report.

6 LEGAL AND STATUTORY IMPLICATIONS

- 6.1. Cabinet is required under the council’s constitution to receive, consider and respond to references from overview and scrutiny. The Local Government and Public Involvement in Health Act 2007 requires Cabinet to respond to reports and recommendations made by scrutiny committees within two months of written notice being given.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 7.1. There are no human rights, equalities and community cohesion implications as a result of this report.

8 CRIME AND DISORDER IMPLICATIONS

- 8.1. These are no crime and disorder implications as a result of this report.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 9.1. There are no risk management and health and safety implications as a result of this report.

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

- None
- 11 BACKGROUND PAPERS**
- None

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Committee: Cabinet

Date: 22 March 2021

Wards: All

Subject: Proposed public consultation on PlanWimbledon Neighbourhood Area and Forum

Lead officer: Director of Environment and Regeneration, Chris Lee

Lead member: Cabinet Member for Housing, Regeneration and the Climate
Emergency Councillor Martin Whelton

Contact officer: Future Merton: Tara Butler

Recommendations:

- A. That, considering the recommendations of the Borough Plan Advisory Committee (4th March 2021), Cabinet considers the contents of the report and resolves that six weeks of public consultation can take place on PlanWimbledon's proposal to be designated as the Neighbourhood Forum for their proposed Neighbourhood Area of Wimbledon
- B. That approval for any amendments proposed to the consultation documents prior to the start of public consultation are delegated to the Director for Environment and Regeneration in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency

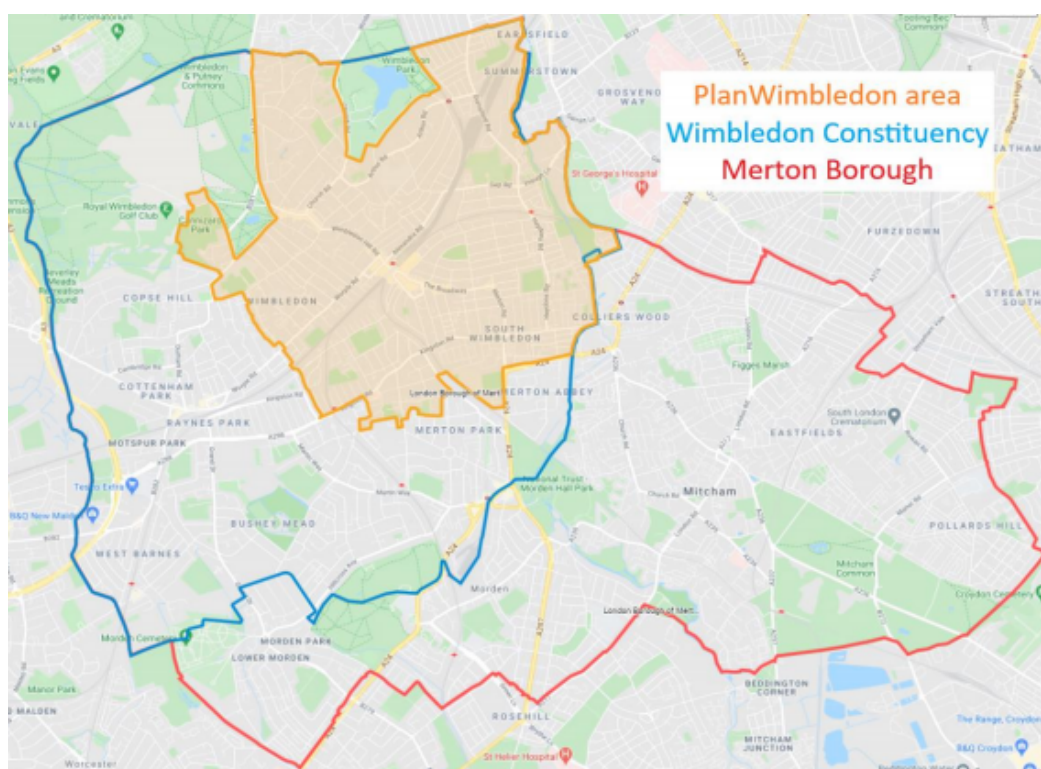
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- 1.1. On 19th February 2021, a community group, PlanWimbledon, applied to the council to become a Neighbourhood Forum for part of the borough around Wimbledon.
 - 1.2. Under the neighbourhood planning legislation, six weeks of public consultation should inform the council's decision as to whether to designate this Neighbourhood Forum for this particular Neighbourhood Area.
 - 1.3. The Borough Plan Advisory Committee are asked to consider the contents of the report and recommend to Cabinet that six weeks of public consultation takes place between April and May 2021 on PlanWimbledon's proposed Neighbourhood Area and Neighbourhood Forum.
 - 1.4. The results of this consultation will help inform the council's decision (likely in June / July 2021) on whether to designate PlanWimbledon as the Neighbourhood forum for the specific Neighbourhood Area they propose. PlanWimbledon may also chose to amend their proposals following consultation feedback.
 - 1.5. This report also seeks delegated authority to the Director in consultation with the Cabinet Member to approve any amendments to the consultation documents that may arise prior to public consultation.

- 1.6. At their meeting on 4th March 2021, the Borough Plan Advisory Committee unanimously resolved to recommend that Cabinet resolve to agree the two recommendations to this report.

2 DETAILS

- 2.1. Under the Localism Act 2011, local communities can produce Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders. Neighbourhood Plans allow communities to shape development and growth in their local areas and form part of the statutory development plan for the area once they are adopted.
- 2.2. The first stage of this process is that a community group must make an application to the council to be the Neighbourhood Forum for a specific Neighbourhood Area of their choosing. On 19th February 2021 Merton Council received an application from a community group, PlanWimbledon, to become the Neighbourhood Forum for their proposed Neighbourhood Area below. The proposed Neighbourhood area lies entirely within the London borough of Merton but borders the London Borough of Wandsworth.

Figure1 – PlanWimbledon’s proposed Neighbourhood Area



- 2.3. Appendix A contains PlanWimbledon’s full application including their proposed Neighbourhood Area above.

Requirements for a neighbourhood forum application

- 2.4. The Neighbourhood Planning (General) Regulations 2012 require that an application to designate a neighbourhood forum must include:
- a) The name of the proposed neighbourhood forum;

- b) A copy of the written constitution of the proposed neighbourhood forum;
- c) The name of the neighbourhood area to which the application relates and map which identifies the area;
- d) The contact details of at least one member of the proposed neighbourhood forum to be made public; and
- e) A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F (5) of the Town and Country Planning Act 1990.

2.5. The conditions contained in section 61F(5) of the Town and Country Planning Act 1990 are that:

- a) The neighbourhood forum is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned;
- b) Its membership is open to:
 - i) Individuals who live in the neighbourhood area concerned,
 - ii) Individuals who work there, and
 - iii) Individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned;
- c) Its membership includes a minimum of 21 individuals each of whom
 - i) Lives in the neighbourhood area concerned,
 - ii) Works there, or
 - iii) Is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned; and
- d) It has a written constitution.

2.6. Officers have considered PlanWimbledon's Neighbourhood Forum and Neighbourhood Area application and recommend that it should be published for six weeks of public consultation. In line with government guidance on neighbourhood planning, officers and PlanWimbledon have engaged prior to PlanWimbledon submitting their application.

Next steps

2.7. In accordance with neighbourhood planning legislation, councils have 13 weeks from the first day of the public consultation to make a decision as to whether or not to designate the group as the Neighbourhood Forum for their proposed Neighbourhood Area.

2.8. Should Cabinet approve public consultation at their meeting on 22nd March 2021, PlanWimbledon and council officers are considering the following timetable:

- 12th April 2021 – start of six week's public consultation on PlanWimbledon's Neighbourhood Area and Neighbourhood Forum proposals.

- 23rd May – end of public consultation
 - 10th June 2021 – The Borough Plan Advisory Committee considers matters including the public consultation feedback and recommends to Cabinet and full council whether or not to designate PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.
 - 14th June 2021 - Merton’s Cabinet considers matters including public consultation feedback and BPAC’s recommendations and determines whether or not to recommend the designation to full council of PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.
 - 7th July 2021 – unless otherwise advised, full council considers matters including public consultation feedback and BPAC’s and Cabinet’s recommendations and determines whether or not to designate PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.
- 2.9. Once designated, that Neighbourhood Forum would be the only permitted Forum for that specific area for the next five years and the only group capable of making a Neighbourhood Plan within that area.
- 2.10. When considering the designation of a neighbourhood forum, the authority must have regard to the desirability of designating an organisation or body:
- a) Which has secured, or taken reasonable steps to attempt to secure, that its membership includes at least one individual falling within the categories set out above;
 - b) Whose membership drawn from different places in the neighbourhood area concerned and from different sections of the community in that area; and
 - c) Which has a purpose which reflects (in general terms) the character of the neighbourhood area.
- 2.11. It is possible for a Neighbourhood Area to be designated as a business area under Section 61H of the Town and Country Planning Act 1990. A business area can be designated where an area is wholly or predominantly business in nature and individuals in businesses take the lead in neighbourhood planning.
- 2.12. PlanWimbledon’s proposed Neighbourhood Area is large, about a third of the borough and isn’t predominantly business in nature as a whole. However parts are of the area are predominantly business in nature: the proposed Neighbourhood Area covers key business locations including Wimbledon town centre, Wimbledon Village, Leopold Road and Wimbledon Park / Arthur Road and Weir Road / Durnsford Road industrial estate. Part of the council’s assessment will be to ensure that the proposed Forum has membership drawn from different places in the proposed Area and from different sections of the community in that Area, including the business communities.
- 2.13. Once the public consultation has finished, officers will consider Planwimbledon’s proposed Neighbourhood Area and Forum applications in

line with the neighbourhood planning legislation and alongside the public consultation feedback and make recommendations to Cabinet.

- 2.14. It will be possible for PlanWimbledon to amend their applications in response to consultation feedback before June's Cabinet meeting considers the final Area / Forum designations, for example to address any concerns arising from consultees' responses.
- 2.15. It will be for the designated Neighbourhood Forum to set out their own timetable, including engagement, for creating a Neighbourhood Plan. The council would have a role in assisting the Neighbourhood Forum and organising the democratic processes.

3 ALTERNATIVE OPTIONS

- 3.1. There aren't considered to be any reasonable alternative options for the purposes of this report requesting that the Borough Plan Advisory Committee recommends that Cabinet approves six weeks of public consultation on PlanWimbledon's proposals to become a Neighbourhood Forum for their proposed Neighbourhood Area.
- 3.2. The report also seeks delegated authority to the Director of Environment and Regeneration in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency to approve final consultation documents in case PlanWimbledon want to propose amendments to the Area boundary or Neighbourhood Forum prior to June's Cabinet decision.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. The Neighbourhood Planning (General) Regulations 2012 require that a neighbourhood forum application is published by the local planning authority as soon as possible for comment.
- 4.2. This must include making available on line and in such manner as is likely to bring the application to the attention of people who live, work or carry on business in the area concerned:
 - a copy of the application,
 - details of how to make representations and
 - the date by which those representations must be received, which must be within no less than 6 weeks.
- 4.3. It is proposed that six weeks of public consultation takes place, likely between 12th April 2021 and 23rd May 2021. The council will publicise the consultation largely online, on Merton's website by emailing individuals and organisations on Merton's Local Plan consultation database and by using social media. Questions on the process may be answered by the council; questions on the proposed Neighbourhood Forum / Area may be answered by PlanWimbledon.
- 4.4. At their meeting on 4th March 2021, the Borough Plan Advisory Committee received a presentation from PlaWimbledon on this proposal and asked questions of PlanWimbledon and on this report. The Borough Plan Advisory

Committee unanimously resolved to recommend that Cabinet resolve to agree the two recommendations in this report.

5 TIMETABLE

5.1. As set out in the body of the report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Funding to support neighbourhood planning groups will come from existing resources.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. The process for designating a neighbourhood forum is set out in the Town and Country Planning Act 1990 (which was amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.

7.2. Under the Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (themselves amended in 2016) once a local planning authority receives an application for a neighbourhood forum designation, they are required to publicise it and invite comments for a minimum period of six weeks. The 2012 Regulations were amended in 2016 to introduce prescribed timescales for the determination of neighbourhood forum applications. In the present case, the application must be determined within the period of 13 weeks from when the application was first publicised for consultation.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purposes of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of this report.

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

- Appendix A – Plan Wimbledon's application to be designated the Neighbourhood Forum for a specific Neighbourhood Area

12 BACKGROUND PAPERS

- The Neighbourhood Planning (General) Regulations 2012 as amended
- National Planning Policy Framework (NPPF) 2019 and national planning policy guidance [Neighbourhood planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/neighbourhood-planning)

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PlanWimbledon
Sustainability Prosperity Community

**Application to become a neighbourhood forum
and neighbourhood area in Merton**

18 February 2021

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1. Name of the proposed neighbourhood forum

The name of the proposed Neighbourhood Forum is PlanWimbledon.

2. Name of the proposed neighbourhood area to which the application relates

The name of the proposed Neighbourhood Area to which the application relates is Wimbledon.

3. Contact details

(will be made publicly available and used as a single point of contact for the forum)

Name:	Suzanne Grocott
Address:	22, The Quadrant, SW20 8SP
Email:	chair@planwimbledon.org
Telephone:	07768 362370

4. Proposed named members and their interests

	Name	Resident	Business / Landowner	Councillor	Interests
1	Dan Holden			X	Hillside Ward Councillor
2	Paul Kohler			X	Trinity Ward Councillor
3	Peter Southgate			X	Merton Park Ward Councillor / School Governor of Merton Park Primary School
4	Edward Foley			X	Merton Park Ward Councillor / Chair of School Governors of Ricards Lodge
5	Nigel Benbow			X	Abbey Ward Councillor
6	Pareesh Modasia		X		Local Pharmacist
7	Marcus Beale	X	X		Local Architect
8	Clive Hilton	X			Chair of Wimbledon Union of Residents Associations and Westside Common RA
9	Gabriel Bennett-Powell	X			Secretary, Friends of Wimbledon Town Centre
10	Susan Cusack	X			Chair, Belvederes Residents Association
11	Rev. Mark Eminson	X			Team Rector, Holy Trinity Church
12	Arun Velautham	X			Representative, the Shree Ghanapathy Temple
13	Chris Goodair	X			Chair, Wimbledon Society Planning & Environment Committee
14	Catherine Nelson	X			Chair, The Friends of Cannizaro Park
15	Ian Murray		X		Owner I&S Locksmiths
16	Andrew Badrudin		X		London Property Holdings Limited
17	Barry O'Donnell	X			Property Consultant with interest in Environment / Conservation
18	Suzanne Grocott	X			Steering Group / School Governor of Wimbledon Chase Primary School
19	Augustin Bataille	X			Steering Group / South Wimbledon Resident
20	Alan Maries	X			Steering Group / Trustee, Sustainable Merton
21	Deborah Crosby	X			Steering Group / South Park Resident
22	Lynne Gordon	X			Steering Group / Chair, Wimbledon East Hillside Residents Association
23	Regina Denton	X			Steering Group / Dundonald Resident
24	Rob Cowan	X			Steering Group / Officer, Friends of Wimbledon Town Centre
25	Mark Morgan	X			Steering Group / Committee Member, Belvederes Residents Association
26	Nigel Headley	X	X		Steering Group / Member, Wimbledon Village Business Association
27	Sue Hale	X			Steering Group / Hillside Resident
28	Tim Day	X			Steering Group / Merton Park Resident
29	Jonathan Parker	X			Resident Artist

5. Why we want to establish a neighbourhood forum

5.1. Encourage local democracy in the planning process

- 5.1.1. PlanWimbledon is applying to be designated as a neighbourhood forum for the Wimbledon neighbourhood area in accordance with the Localism Act 2011. The Government is encouraging local communities to lead and influence decision-making because it makes a real difference to their locality. It is a means to change a neighbourhood for the better in cooperation with the local planning authority.

5.2. Ensure appropriate growth

- 5.2.1. Part of the proposed neighbourhood plan area has been identified as an Opportunity Area in the London Plan¹ and is forecast to grow significantly.
- 5.2.2. There is an urgent need for high quality and sustainable development, ensuring that Wimbledon continues to prosper, enhancing the standing of our town, and enabling local businesses to thrive sustainably.
- 5.2.3. We believe in growth which is positive and creative. We have a vision of a balanced, prosperous, sustainable neighbourhood where residents love to be, where businesses thrive and grow, and to which visitors are attracted. The PlanWimbledon Neighbourhood Forum will harness local knowledge, skills and imagination to ensure that Wimbledon grows in a way that respects its distinctive character.

5.3. Community collaboration towards a shared vision

- 5.3.1. Once designated, PlanWimbledon will lead and coordinate the preparation of a neighbourhood plan for Wimbledon, working with stakeholders and Merton Council, bringing together the interests of residents, workers and businesses within the designated area.
- 5.3.2. Merton Council is redrafting its Core Planning Strategy and Sites and Policies Local Plan (the “Local Plan”) to comply with the revised adopted London Plan 2021 (the “London Plan”). A neighbourhood plan can help to provide the council with a strong evidence base for setting out policies to shape sustainable development to meet a shared vision – such examples of ‘trickle-up’, whereby local policy can benefit from evidence gathered and policies developed at a neighbourhood level, are very common across the country. A neighbourhood plan will be of direct benefit for Merton Council and the community in that it can provide additional benefit and detail (that would be too resource intensive for the council to gather itself) which can help the Council more effectively to serve the local community.²

5.4. Social and economic change in Wimbledon

- 5.4.1. Wimbledon is a highly attractive neighbourhood with excellent transport links, outstanding schools, a wide range of shops, a popular hospitality sector, cultural activities, green spaces, and a safe environment. Wimbledon’s desirability as a place to live and work has fostered a strong local economy.

1 Clause 2.1.27 Adopted London Plan 2021.

2 In the recent Characterisation Study Consultation, 155 people from Wimbledon took part in the survey (Local Plan).

- 5.4.2. But social and economic change is rapid and affecting our community. The Covid-19 pandemic is increasing the uncertainty about the future direction of the economy, particularly for high-street retailers, hospitality venues and offices as people adapt to different ways of shopping, working and socialising. Green spaces are treasured more than ever, and people may become much less tolerant of crowds. The safety of our streets cannot be taken for granted.

6. Neighbourhood area

6.1. How we defined the boundary

- 6.1.1. We took as our starting point Wimbledon's former Town Hall, a historic building that has been incorporated into the Centre Court shopping mall. This is adjacent to Wimbledon Station, the central hub for the area's transport network.
- 6.1.2. A widely spread community of people consider Wimbledon to be their place, and are proud of Wimbledon being an internationally recognised brand. Agreeing that we should predominantly focus on the human scale, we began by considering an area within a one-mile radius (see 'vector map' in Appendix 8.1) of the former Town Hall. One mile is a distance that most people can easily walk in 15/20 minutes and is equivalent to a five-minute bike ride. This focus aligns with the recognition of the importance of 20-minute neighbourhoods in Merton Council's draft local plan³.
- 6.1.3. Both physical and human geographical factors were considered when taking a virtual tour of the perimeter. These included the River Wandle and its tributaries, pathways, roads, railways, open space, and ward and borough boundaries. The task of drawing a precise line to create a boundary was tackled by consulting with a wide range of bodies, including residents' associations, schools, community groups, sports clubs and housing associations which are located at the edges of the area. The map was revised many times as the consultation progressed (see section 6.4 Proposed Boundary).
- 6.1.4. We have consulted widely with interested parties around the edges of the area and reflected their views on where the Wimbledon neighbourhood begins and ends.
- 6.1.5. We gradually contacted all local councillors representing the seven wards that are covered in the proposed neighbourhood forum area. They know the demographics of specific polling districts and they were able to introduce us to more residents who might be interested in neighbourhood planning. Progress was made in setting up meetings and a set of guidance notes was compiled. Encouraging people to join the group formally as members provided a tangible demonstration of the degree of support neighbourhood planning could have (see Members' dot map in appendix 8.2). The dialogue was helpful in agreeing the logical extent of the area and where the boundary should lie.

6.2. Area metrics

- 6.2.1. The total adult (18 and over) population of the proposed forum area is estimated as 40,000 using data obtained from the Merton data website <https://data.merton.gov.uk/> (Borough Preferred Option data). We have taken coverage to be 100% of three wards (Hillside; Wimbledon Park; Trinity); 75% of Dundonald ward; 50% of Village and Abbey wards; and 25% of Merton Park ward.
- 6.2.2. The proposed forum boundary encloses an area of 8.48 square km, which consists of areas of natural beauty (see 6.1.3) in which the population frequently walks or cycles.

³ "20-minute neighbourhoods are places where communities can access most of their daily needs within a 20-minute (about 800 metres) return walk from home". Local Plan consultation 2a "Good Growth Strategy".

- 6.2.3. Wimbledon is a green, affluent area with 70% of the area being in the top two least deprived quartiles.⁴ However, there are pockets of deprivation, including the only travellers' site in Merton.
- 6.2.4. Merton has the third highest economic activity rate amongst all the London boroughs, after the City of London and Lewisham. There are 13,220 active businesses (2019 data) of which 93% are considered micro (0-9 employees).⁵ Wimbledon is the largest site of economic activity in Merton, having the borough's only major town centre and being the heart of its successful economy.⁶

6.3. Why we consider this area appropriate for designation

- 6.3.1. The boundaries of the proposed neighbourhood area are coherent, consistent and appropriate. They are geographically and historically logical, and often coincide with local government boundaries.
- 6.3.2. The people who live or work within these boundaries refer in general terms to the area as "Wimbledon".
- 6.3.3. They use "Wimbledon" when giving their address or in their response to the questions "where do you live?", "where do you work?" and "where is your shop/office?".
- 6.3.4. They use the services provided within the area rather than outside, including primary schools; surgeries; library; places of worship/religious meetings; shopping; restaurants and bars; and theatres and cinemas.
- 6.3.5. Our membership is spread across this fairly wide area because they regard it as "their Wimbledon". They are economically and/or emotionally strongly invested in the area, and what happens here really matters to them.

6.4. Proposed boundary

- 6.4.1. A map of the proposed neighbourhood area (coloured orange) is shown in Appendix 8.3, and set in the context of the Wimbledon Parliamentary constituency boundary (coloured blue) and the Merton borough boundary (coloured red).

A web-based version of this map on the Google Maps platform is also available at www.google.com/maps/d/edit?mid=1phaVTu0KR6lyEhpshHlfGxC7aV1TBWZv&usp=sharing.

We will be working with the council to prepare a map which conforms to the required format for consultation.

- 6.4.2. The area boundary has been drawn in a way that indicates whether one or both sides of roads are included. The following 'route map', setting out anticlockwise in a westerly direction, provides justification for delineating the proposed boundary. Justification for the chosen area and boundary is shown in *[italics]*.

4 The Index of Multiple Deprivation (IMD) 2019 is the official measure of relative deprivation for small areas (or neighbourhoods) in England. The IMD ranks every small area (Lower Super Output Area) in England from 1 (most deprived) to 32,844 (least deprived). The domains are: Income; Employment; Education; Skills and Training; Health and Disability; Crime; Barriers to Housing Services; Living Environment. Each domain is given a weighting and is based on a basket of indicators.

5 All data taken from the Merton data website <https://data.merton.gov.uk/>

6 Local Plan 2a consultation draft 09 Wimbledon 3.6.1

- 6.4.3. Starting from the point where Parkside meets the borough's northern boundary at the junction with Queensmere Road, turn south down Parkside, bearing left along The Green and proceeding south west down Southside Common. Turn northwards up West Side Common past The Fox and Grapes public house and around West Place, North View, Camp View and Camp Road, avoiding Wimbledon Common.
[Following discussions of the boundary with the Wimbledon and Putney Common Conservators, we have agreed not to include the green parts of the Common.]
- 6.4.4. Continue southwards, including Cannizaro Park and House.
[The Friends of Cannizaro Park has asked for the park to be included, and Westside Common Residents Association has asked us to include the Sycamore/Chester Road areas.]
- 6.4.5. Turn east along Cannizaro Park's southern boundary to exclude the Wool Road area.
[North West Wimbledon Residents Association asked us to remove the Wool Road area as it might wish to create its own neighbourhood forum covering Wool Road Conservation Area in the future.]
- 6.4.6. Turn south west down Woodhayes Road, then turn east along Ridgway.
[Rydon Mews Residents Association wished to remain inside the area. NWWRA and the Residents Association of West Wimbledon considered that, given their footprints, they were really more akin to Raynes Park and wanted to be free to join any future neighbourhood forum for Raynes Park. We are planning to hold a joint meeting between the RPA, NWWRA, RAWW and the RMRA so that they can agree on the final boundary together.]
- 6.4.7. Turn south beyond Lansdowne Road to include properties along the west side of The Downs.
[The planned boundary was originally planned to run up the middle of The Downs, but in discussion with Ursuline School – who describe themselves as a Wimbledon school – the boundary was amended to take in both sides of The Downs.]
- 6.4.8. Beyond Worple Road, keep east of Lower Downs Road and Kingston Road.
[The Raynes Park Association were very supportive but wished to have their own forum sometime in the future, and therefore agreed that the boundary between Raynes Park and Wimbledon should run down the back of Lower Downs Road. It was pointed out at a PlanWimbledon general meeting that the new council ward boundaries will place Chaseside and Oxford Avenue in Raynes Park. However, we felt that since Wimbledon Chase is included, it was still right to include these two roads.]
- 6.4.9. On reaching Bushey Road, turn east along Kingston Road passing Cannon Hill Lane, then turn south into Manor Gardens so as to include the Nelson Health Centre and Rutlish School grounds.
- 6.4.10. Follow the John Innes Conservation Area southern boundary to Dorset Road.
[Merton Park Residents Association requested that the boundary be drawn along the John Innes Conservation area, as this formed a natural line between Wimbledon and Morden.]
- 6.4.11. Turn north east along Dorset Road to reach Sheridan Road. Cross over the Tramlink line and turn south east to follow the tracks to Parkleigh Road.
[The Wilmore End Residents Association is pleased to be included in the neighbourhood area.]
- 6.4.12. Turn north up Merton Road and then east along Merantun Way to reach the River Wandle, turning north along its left bank (so as to exclude the Wandle Valley Regional Park) to reach Merton High Street, thereby skirting Colliers Wood Ward.
[We met with the Colliers Wood Residents Association and agreed that the boundary should run along the ward boundary with Colliers Wood. They did not consider themselves part of Wimbledon and may wish to form their own neighbourhood forum in the future.]

- 6.4.13. Turn north up the west bank of the River Wandle to the south west corner of the Wandle Meadow Nature Park. Then turn east along its boundary to include the entire park in our area, and continue eastwards to run north of properties on Boundary Road.
[The Wandle Forum asked us not to run our boundary down the middle of the river, where we understand that the western boundary of the Tooting Bec and Broadway Neighbourhood Forum (currently dormant) runs. We have therefore decided to keep our boundary to the west bank of the river. In addition, although the southernmost part of the Wandle Meadow Nature Park is technically in Colliers Wood, the Wandle Forum also asked us to extend our boundary to take in the whole of the park. We have confirmed with the Colliers Wood Residents Association that they are in agreement with this.]
- 6.4.14. Turn north behind houses on Kimble Road to reach the Thameslink railway, then turn west along the tracks to follow the borough boundary to the east of Waterside Way, continuing past Plough Lane along Summerstown.
- 6.4.15. Turn west along Riverside Road, then south before reaching St Martin's Way, following the borough boundary around the Stadium to reach the River Wandle.
[We are actively trying to contact AFC Wimbledon to discuss the boundary with them.]
- 6.4.16. Turn north along the boundary fence of the left bank of the River Wandle to the west of the borough boundary but rejoin the borough boundary as it leaves the river past Trewint Street.
[The Wandle Valley Forum is supportive of PlanWimbledon's endeavour and understands why the neighbourhood area is not crossing the local authority boundary around Garratt Park and Garratt Mills, resulting in them not to be included.]
- 6.4.17. Before reaching Ravensbury Road, turn west to include properties to the north of Haslemere Avenue. At Acuba Road, turn north, then immediately west again to include properties to the south of Ravensbury Avenue. Continue following the Merton borough boundary along Revelstoke Road, including properties only to the south, to reach the gate into Wimbledon Park. Follow the southern boundary of Wimbledon Park along Home Park Road, turning west to reach Church Road, then turning north up it.
[Wimbledon Park Residents Association had asked that we extend our area into Summerstown and also include all of Wimbledon Park. The Friends of Wimbledon Park also requested that we take in parts of Wandsworth and the Wandle Valley. However, as we were reluctant to cross the borough borders, they then agreed that we take the whole of Wimbledon Park out of our area to leave it free to become part of a future wider Lower Wandle Valley green space area.]
- 6.4.18. On reaching Bathgate Road, turn west to continue within the borough, turning north west along Queensmere Road, following the borough boundary back to the starting point on Parkside.
[We have reached out to discuss the proposed boundary with the Parkside Residents Association which is a member of PlanWimbledon and are awaiting confirmation of the boundary from them. We have reached out to the AELTC and plan to start discussions with them soon.]

7. PlanWimbledon organisation and values

7.1. Purpose

- 7.1.1. The PlanWimbledon Forum is applying to be the relevant body for designation as a neighbourhood forum for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended).
- 7.1.2. The purpose of the proposed PlanWimbledon Forum is to:
- Promote or improve the social, economic and environmental wellbeing of the neighbourhood area.

- Canvass the viewpoints of residents, workers and businesses, bringing common understanding and clarity of local needs and wants.
- Capture key priorities and crystallise them in the form of a neighbourhood plan which, subject to referendum, would complement the Merton Local Plan, adding detail and nuance.

7.2. Evolution

- 7.2.1. PlanWimbledon started life in 2017 as the “Wimbledon Neighbourhood Planning Group”. At first a handful of individuals met regularly in local cafes to discuss the idea of creating a neighbourhood forum and the area that it might cover.
- 7.2.2. Initial meetings were fairly informal, with interested people being on an email distribution list to which an open invitation to monthly meetings was extended. Venues for those meetings included the manager’s office at Centre Court Shopping Centre, Wimbledon Hill Church, Wimbledon Arts Space, Wimbledon Library, Dundonald Congregational Church and upstairs at Starbucks, San Lorenzo and Chimichanga restaurants.
- 7.2.3. Advice was initially sought from Tony Burton, a volunteer convener of www.NeighbourhoodPlanners.London who is also an independent examiner on neighbourhood plans. An application to Locality for AECOM to provide pre-designation support was accepted and we continue to receive valuable advice from them.
- 7.2.4. The inauguration of the Wimbledon Neighbourhood Planning Group (as it then was) in January 2020 saw an elected Steering Committee being formed under an initial constitution. It focused on formalising procedures, agreeing the boundary, expanding membership and preparing the application for designation. The group has been meeting weekly since that time.
- 7.2.5. The constitution (see Appendix 8.4) details our objectives and working methods. The current constitution is available to view on the PlanWimbledon website www.planwimbledon.org. The PlanWimbledon Constitution meets the conditions outlined in section 61F(5) of the 1990 Act (as amended).

7.3. Governance

- 7.3.1. The Steering Committee is represented by up to 12 members, elected at the AGM, and includes three officer positions and at least one business representative.
- 7.3.2. During 2020, the Steering Committee reviewed how it was working. It conducted a skills audit to ensure it knew its individual and group capabilities, and it reached out to the wider membership to fill gaps in the skills base. Several new members were recruited and co-opted to the committee as and when people stepped down.
- 7.3.3. The restructured committee defined its mission, devised its strategy and developed an outreach programme to engage and consult with local people (see Section 7.7. Community Engagement and Communication Plan). In addition to explaining the background to the initiative and its aims, the committee made a priority of consulting broadly with those on the fringes of our boundary. Necessary revisions to the map of our neighbourhood area were made as we received feedback (see section 6.4 Proposed Boundary), providing confidence to apply for designation.
- 7.3.4. We rebranded the proposed forum PlanWimbledon (shorter, snappier and more memorable than Wimbledon Neighbourhood Planning Group), defined our values (Sustainability, Prosperity, Community), developed a visual identity and redesigned our website under the new name (www.planwimbledon.org) and colour palette. We plan to use our website to keep our membership informed and encouraging active participation.

- 7.3.5. At an open general meeting on 14 December 2020, attended by 39 members, the following were voted on:
- PlanWimbledon was adopted as the new name to replace Wimbledon Neighbourhood Planning Group, which had served as an interim vehicle for the prospective neighbourhood forum since 25 January 2020.
 - An amended constitution was considered and voted on after being reviewed by the members.
- 7.3.6. At the first AGM of PlanWimbledon on 15 February 2021, attended by 50 members, the following were voted on:
- Three officers (chair, treasurer and secretary) and a further seven Steering Committee members were nominated and elected unanimously.
 - Minor amendments to the constitution were considered and voted on. The PlanWimbledon Constitution meets the conditions outlined in section 61F(5) of the 1990 Act (as amended).
 - The decision that we should submit our application for designation was unanimously supported.

7.4. Membership classification

- 7.4.1. To achieve its objectives in line with its constitution and values, PlanWimbledon is continuously seeking to involve the whole Wimbledon community. We are open to and welcome all stakeholders in our area: individuals, businesses, groups and associations, educational establishments, campaigners, workers, and others.
- 7.4.2. Our outreach plan assigns specific responsibilities to each Steering Committee member and enables us to track progress. The outreach plan is continuously evolving and expanding as we identify new businesses, associations and other organisations within the proposed forum area (see Section 7.7 - Community Engagement and Communications Plan).
- 7.4.3. Each existing or potential member is recorded according to the following classification:

Group membership category

BIZ	Businesses, retail (including charity shops), professional services, etc.
LAND	Real estate developers and landowners specifically
RA	Residents associations and housing associations
ASSOC	Associations, groups, campaigning groups, country and language groups, social groups, help centres, charities, etc.
PARK	Parks, friends of park / recreation grounds, Wandle Valley Forum, etc. (if relating to a specific green space)
WELLB	Sport, healthcare and medical (physical and mental) etc., including medical practices, pharmacies, meditation groups, yoga, pilates etc.
ART	Performing arts, culture, art, music, crafts, etc.
FAITH	Religious and faith groups and buildings
EDU	Educational establishments (nurseries, schools, colleges, etc.)

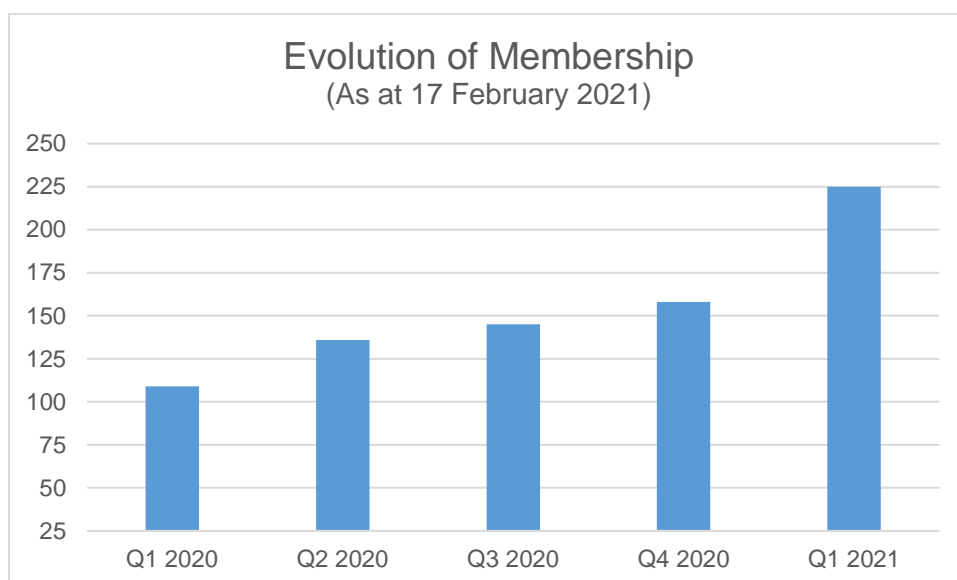
Individual membership category

IRES	Individuals who live in the area
IWL	Individuals who work (but don't live) in the area
IRESWL	Individuals who live and work in the area
IVIS	Individual "visitors" who don't live or work in the area, but with a material and ongoing interest in the area (e.g. social, economic, cultural)
CLLR	Elected members of Merton Council, any part of whose ward falls within the area (these are ex officio members)

- 7.4.4. While the vast majority of members are assigned to only one membership category, a handful of individuals are in our database both in their individual capacity and in their capacity as the named representative of a group.
- 7.4.5. As part of our outreach plan, we have initially prioritised residents associations and business associations in order to give our outreach immediate scale. The initial focus on residents associations was also a key input in defining the boundary of our proposed neighbourhood area.
- 7.4.6. The first Covid-19 pandemic lockdown, which struck some six weeks after our inauguration, has severely affected the lives of many, and has rendered most of the traditional outreach methodologies to expand our membership almost impossible. It has also changed the perspective of the individuals, families and businesses who have experienced shifts in priorities and in their time availability. Fortunately, people are now growing more at ease with online contact, opening greater opportunities which we are seizing.
- 7.4.7. The PlanWimbledon Steering Committee has leveraged our relationships, informal networks, friends and family, work and community colleagues, as well as modern technologies and Merton Council listings to build our membership base.
- 7.4.8. This membership building process and the engagement with the local community and stakeholders have been fundamental and ongoing activities of PlanWimbledon throughout our existence.
- 7.4.9. As a result of these efforts, PlanWimbledon has already achieved a sizeable and engaged membership base that is large, diverse and very supportive.

7.5. Neighbourhood area membership

- 7.5.1. PlanWimbledon's membership is now well in excess of 200 and is continuing to grow steadily, as can be seen from the chart below. The chart shows all members of all categories combined (individuals and associations are each counted as one member). It reflects the tremendous effort that PlanWimbledon is deploying to grow its membership, validate the proposed forum area boundary and engage with the local community and stakeholders.



Note: Quarter 1 2021 is as at 17 February 2021.

- 7.5.2. The enclosed membership distribution map covering the proposed neighbourhood area shows our current membership coverage (Appendix 8.2 Membership Distribution Dot Map)
- 7.5.3. 29 members who have agreed to support the application are listed in section 4. All have agreed and confirmed by email to have their name, street and status accompany the application, to be published on the council website in redacted format. These are listed, including name, street address (provided separately to the local authority) and local interest, confirming widespread support from across the neighbourhood area. The members include representatives of a range of local interest groups, residents and local businesses.
- 7.5.4. Stephen Hammond, Member of Parliament for Wimbledon, is fully supportive of PlanWimbledon and our application. He hopes that the establishment of the forum will lead to the preparation of a neighbourhood plan which attracts widespread support.
- 7.5.5. Our membership can be broken down further as follows.

Current membership breakdown by category	Count	%
Individual residents & residents working locally	157	70%
Residents associations	7	3%
Businesses	17	8%
Councillors	14	6%
Individual visitors or working locally (but not resident)	13	6%
Faith groups	8	4%
Other groups	9	4%
Total	225	100%

Current membership breakdown by type	Count	%
Individuals (IRES, IRESWL, IVIS, IWL, CLLR)	184	82%
Businesses, groups & associations	41	18%
Total	225	100%

7.5.6. **Individual residents:** Individual residents account for 70% of our membership base. Representation amongst local residents is even more significant once the number of people in residents associations and other groups are taken into account.

7.5.7. **Residents associations:**

- a) PlanWimbledon has identified 37 residents associations that partly or wholly fall within our proposed boundary. As at 10 February 2021, 27 of them have been reached out to, most of which now have an ongoing dialogue with us. Seven residents associations have joined PlanWimbledon to date. Those residents associations, while they account each for a single member in our database, represent a large number of residents and a significant geographic footprint of support from the local population.
- b) The engagement with residents associations has been the key source of input into refining the shape of our PlanWimbledon boundary area (see Section 6.4 Proposed Boundary).
- c) Every residents association we have been in touch with is supportive of neighbourhood planning. None of those residents associations that fall within our boundary area has refused, in principle, to join PlanWimbledon. Several are currently going through the necessary process of consulting their whole membership base before joining as a society.
- d) Those residents associations that have declined to join have done so either because they did not consider that they “belonged” to the “Wimbledon” area (and the proposed boundary has been adjusted accordingly), or because they have ambitions to create their own neighbourhood plan. Again, we have agreed where the future boundaries should meet and look forward to sharing learnings with them.

7.5.8. **Businesses and landowners:**

- a) The PlanWimbledon Area includes Wimbledon town centre in addition to several significant commercial high streets and shopping parades which are distributed throughout the area.
- b) We have identified the following business areas to date:

Wimbledon town centre
Wimbledon Hill Road Conservation Area shopping parade
Wimbledon village
Leopold Road Conservation Area shopping parade
Arthur Road Conservation Area shopping parade
Wimbledon Chase station shopping parade
Nelson Hospital shopping parade
Kingston Road shopping parade
South Wimbledon station shopping parade
Merton High Street
Morden Road
Haydons Road station shopping parade
North Road
Weir Road, Gap Road and Plough Lane area

- c) In terms of business associations, the whole area is served by the Merton Chamber of Commerce, Wimbledon town centre by the Love Wimbledon Business Improvement District, and Wimbledon village by the Wimbledon Village Business Association. The smaller high streets do not seem currently to have any active business associations.
- d) As part of our outreach plan to businesses, we have initially prioritised business associations in order to give our outreach immediate scale.

- e) Wimbledon Village Business Association has already joined us, and we have an ongoing dialogue with the other business associations. We are very enthusiastic about more of them joining us, as channeling the voice of the businesses they represent is one of their core missions.
- f) The pandemic is severely restricting the interactions we are able to have with individual businesses. It not only drastically reduces our available communication channels with them, but also results in businesses being less receptive, with many of them being currently fully or partially closed, and those that are open having limited capacity to interact with us.
- g) Nevertheless, our continued effort in building relationships with businesses is paying off. Not only are businesses the second largest member category, accounting for 8% of our membership base, but we are also seeing growing momentum, with new business memberships accounting for 18% of new 2021 registrations to date.

7.5.9. **Councillors:** Our neighbourhood area includes seven wards (complete or partial), represented by a total of 21 local councillors. Of these, 16 are already signed-up members⁷. Each ward is represented by at least one councillor who is a member of PlanWimbledon.

7.5.10. **Faith groups:** At present, six different faiths are represented by seven establishments, a pleasing reflection of PlanWimbledon’s openness and inclusivity. There are ongoing dialogues and outreaches for more to join us.

7.5.11. **Visitors and local workers:** Wimbledon attracts individuals who are not resident in the neighbourhood area but who come to work locally or who are “visitors” (see definition above).

7.5.12. **Other groups:** The PARK, ASSOC, ART, WELLB and EDU categories together account for 4% of our membership base. We have reached out and have ongoing dialogues with more groups and associations, which we expect to come to fruition once common projects, dedicated workshops and opportunities provide input, crystallising how they can contribute to the preparation of the neighbourhood plan.

7.6. Membership classification metrics

7.6.1. Membership is recorded and tracked under a separate and confidential database. When applying for membership, individual residents are asked to supply a range of classification data so we can monitor the diversity of our members. This is, of course, voluntary and not all individual members provide these details, but we have collected as much such data as is reasonably possible. Only individuals aged 18 or over can formally be members.

7.6.2. Gender classification metrics

Individual Residents - Gender			
	PlanWimbledon Membership		PlanWimbledon Area*
	Count	%	%
Male	76	49%	49%
Female	65	42%	51%
Other	0	0%	-
Not available	14	9%	-
Total	155	100%	0%

⁷ Including registrations on 18th of February 2021

7.6.3. Ethnicity classification metrics

Individual Residents - Ethnicity			
	PlanWimbledon Membership		PlanWimbledon Area*
	Count	%	%
White	123	79%	79%
Others	9	6%	21%
Not available	23	15%	-
Total	155	100%	100%

7.6.4. Age classification metrics

Individual Residents - Age			
	PlanWimbledon Membership		PlanWimbledon Area*
	Count	%	%
18 - 24	0	0%	6%
25 - 34	5	3%	25%
35 - 44	11	7%	26%
45 - 54	20	13%	16%
55 - 64	43	28%	11%
65 - 74	29	19%	8%
75+	16	10%	7%
PNTS**	0	0%	-
N/A	31	20%	-
Total	155	100%	100%

* Note: PlanWimbledon Area is a weighted average of Merton Council's classification data for residents in those wards which partly or wholly fall in the PlanWimbledon area as follows: Abbey 50%, Dundonald 75%, Hillside 100%, Merton Park 25%, Trinity 100%, Village 50%, Wimbledon Park 100%. PlanWimbledon Area age metrics rebased excluding 0 – 17 population.

** Prefer Not To Say.

7.7. Community engagement and communication plan

- a) Our community engagement and communication plan is articulated around each stage of the neighbourhood planning cycle.

Stage 1: Preparation of our application for designation: During this stage, we are engaging with as many communities as possible during lockdown across the area to agree a boundary, and grow as diverse and geographically spread membership as possible. Growing and maintaining a large and diverse membership will remain a key task throughout the existence of PlanWimbledon.

Stage 2: Consultation: We will generate publicity and engage more broadly with people across the entire neighbourhood to create awareness and understanding of our aims, and flag the forthcoming consultation process to be undertaken by the council on the proposed area.

Stage 3: Post-designation: We will conduct widespread consultation and discussion on what people and stakeholders within the area see as important priorities, before moving on to consulting on the resulting content of the neighbourhood plan, ensuring that all groups are involved.

Stage 4: Referendum: We will combine our efforts with those of the council to create awareness of and engagement with the referendum on the neighbourhood plan, which will be undertaken by the council.

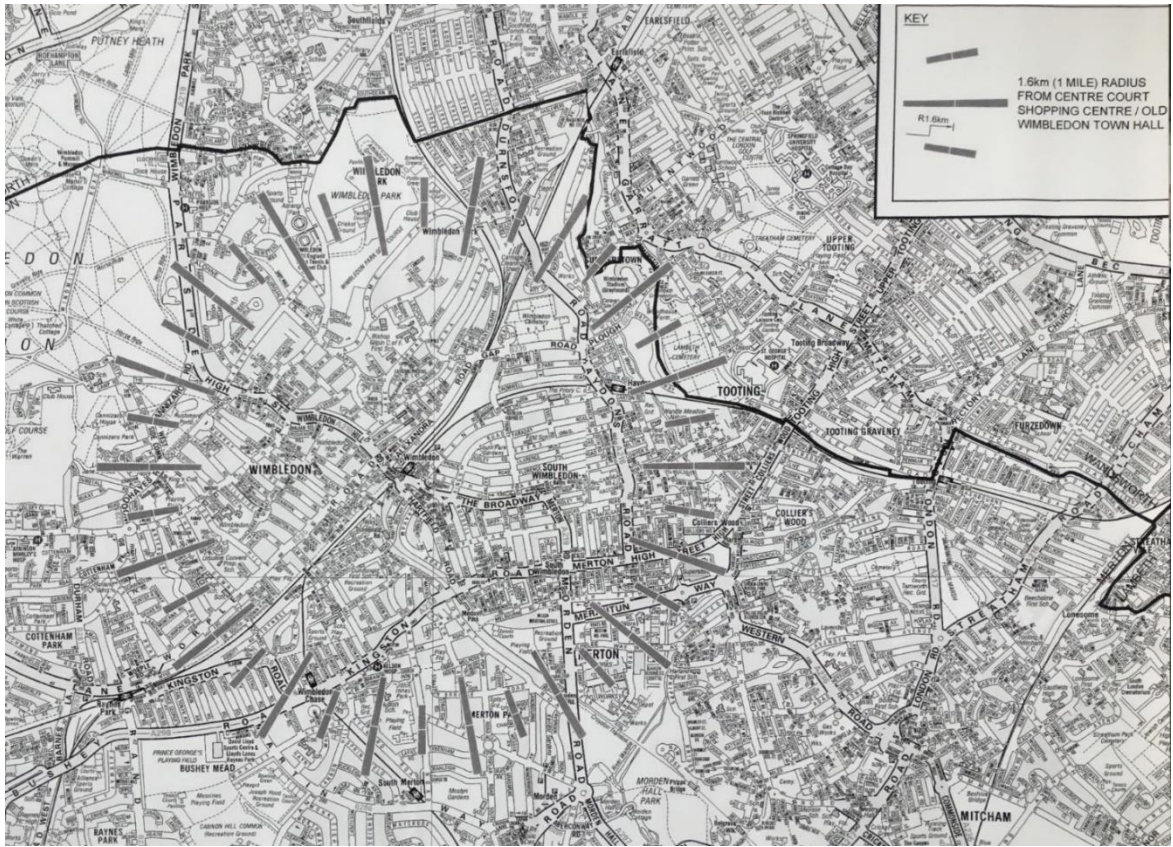
Stage 5: Neighbourhood plan effectiveness and progress: Once our neighbourhood plan is in effect, we will continue involving the whole community in monitoring its effectiveness and we will review the need for updates.

- b) At each stage, the communications to and engagement with the community will be underpinned by
- **Clear objectives:** such as creating awareness and encouraging engagement and voting.
 - **Defined targeted audiences:** such as businesses, landowners, residents, younger people and children, people with disabilities, and associations.
 - **Key messages:** such as bringing the community together, leveraging local knowledge, and enabling people to have their say.
 - **Communication channels to be used for each target market and message:** such as local media, social media, leaflets and workshops.
- c) With an anticipated relaxation of Covid-19-related restrictions, we expect to have a broad array of **communication and engagement channels** at our disposal, including the following:
- **Local media:** Wimbledon Times, Time and Leisure, Darling, etc.
 - **Social media:** Twitter, Instagram, Facebook Groups (e.g. Wimbledon Village Live, South Wimbledon News and Views), Nextdoor, etc.
 - **Our website:** www.planwimbledon.org
 - **Our members' own databases:** such as the membership lists of residents' associations, business associations and local associations (while respecting data protection restrictions).
 - **Merton Council's contact mechanisms:** such as My Merton and email lists (if available) and community forums
 - **Webinars and Q&A sessions**
 - **Surveys**
 - **Leafleting**
 - **Community engagement and targeted workshops**
 - **Stalls and other on-the-ground presence**
- d) As we progress, these channels will enable us to engage further with specific target groups, such as the younger population. Not only might social media reach a larger audience of young adults, we also anticipate holding workshops in collaboration with schools and other associations that will reach a broader spectrum of the younger population.
- e) Throughout our continued engagement with the local community, we anticipate that focus groups and workshops targeted, for example, at local businesses, would help identify the range of planning needs specific to particular groups.

- f) On the social media front, we have laid the foundation of a professional approach and strengthened our brand by renaming ourselves as PlanWimbledon and upgrading our visual identity. This will enable us to have a consistent and recognisable presence across all media types. We have already collected support from community actors which have a social presence and have offered to relay our communication among residents and businesses alike.
- g) Finally, the PlanWimbledon Steering Committee has already considered and discussed an internal organisation matrix to structure and coordinate the action of sub-groups and sub-committees in order to ensure our effectiveness in involving all parts of our community in the preparation of a neighbourhood plan.

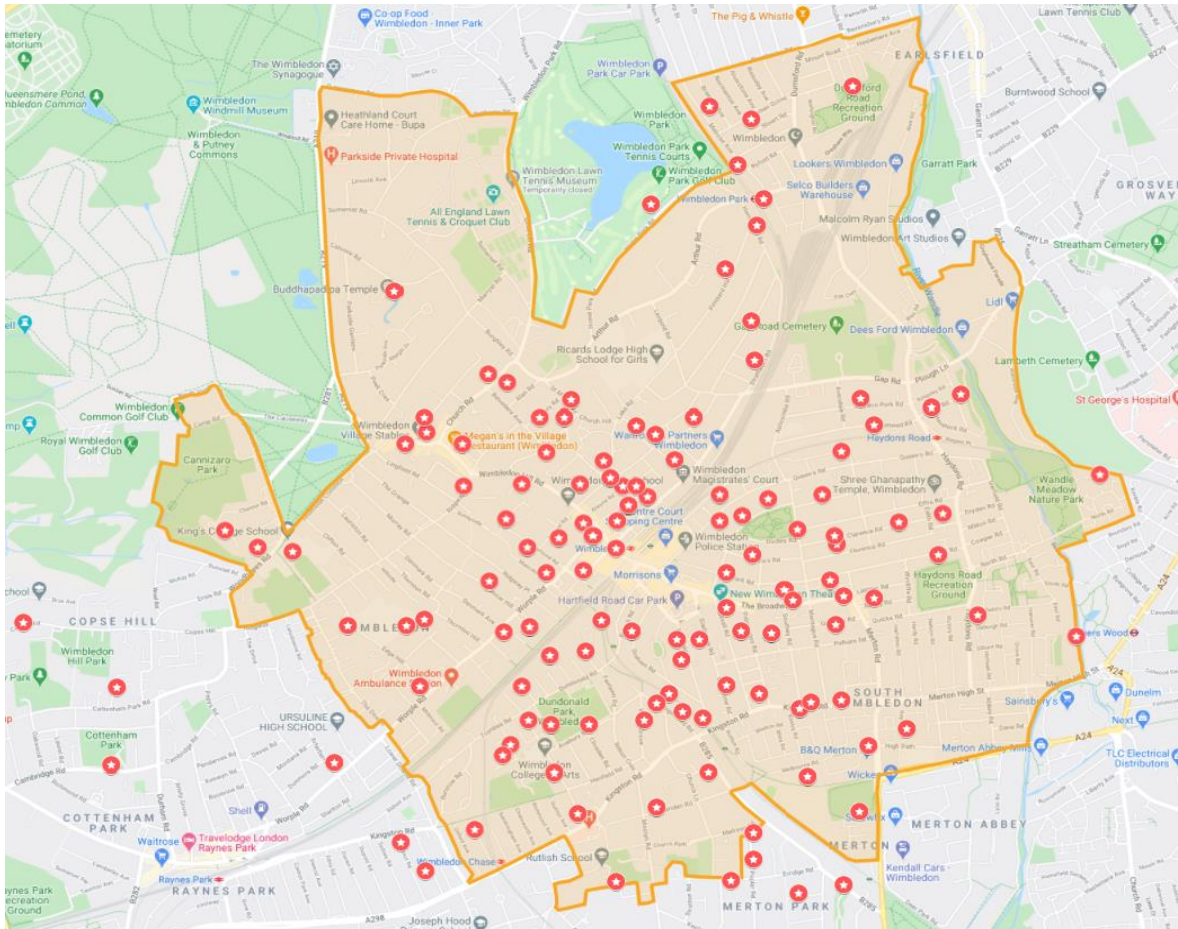
8. Appendices

8.1. Initial one mile radius vector map



Appendices

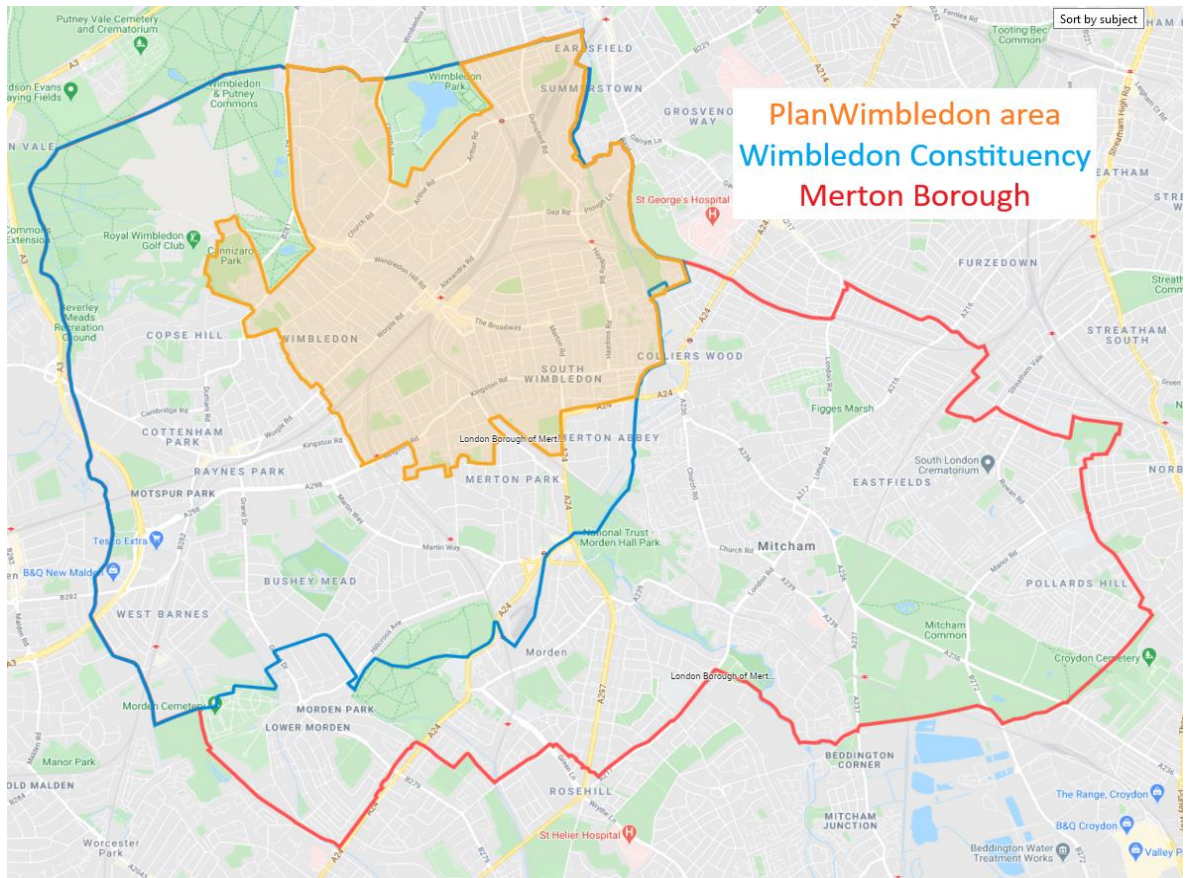
8.2. PlanWimbledon Area with Members



Note: As at 11th of February 2021.

Appendices

8.3. PlanWimbledon area, Wimbledon Constituency, Merton Borough



Appendices

8.4. Constitution



Constitution of PlanWimbledon

(formerly known as **Wimbledon Neighbourhood Planning Group**)

The name of the Group shall be **PlanWimbledon**

1. DEFINITIONS:

In this document certain word(s) shall have the meaning ascribed to them as below:

1.1 **"Group"** means PlanWimbledon (formerly known as the Wimbledon Neighbourhood Planning Group).

1.2 **"Neighbourhood Plan"** and **"Neighbourhood Forum"** have the meanings ascribed to them in the Localism Act 2011, Schedule 9 Neighbourhood Planning.

1.3 **"The Wimbledon Area"** and **"Area"** is the proposed area for which the Group will develop a Neighbourhood Plan post designation.

1.4 **"General Meeting"** is a meeting of members properly arranged as described in this constitution.

1.5 **"Conflicts of interest"** A conflict of interest is a situation in which an individual has competing interests or loyalties because of their duties to more than one person or organisation.

2. OBJECTIVES:

2.1 The Group is established with the key objective to form an authorised Neighbourhood Forum which would prepare a Neighbourhood Plan for the Wimbledon Area. The aims of this are:

- To promote / improve the balance of the social, economic, and environmental wellbeing of the Area
- To ensure full community involvement, from all sections of the community.

- To provide opportunities for local people to inform and influence local decisions.
- To improve democratic participation by local people.
- To establish all necessary sub-groups to enable progress on and completion of all sections of the Neighbourhood Plan.
- To make necessary arrangements for the publication of the Neighbourhood Plan, including publicising the Plan.
- To liaise with the Local Authority, its relevant Committees, and its representatives on preparation of specific aspects of the Plan.
- To establish a process to monitor the implementation and effectiveness of the Plan

3. AFFILIATIONS, OPERATIONS, AND INDEPENDENCE:

3.1 The Group shall be politically independent.

3.2 All members of the Group shall act in the best interests of the Group and the Area and shall follow the good governance guidelines set out in the attached guidance (and any subsequent updates): <http://www.goodgovernancecode.org.uk>.

3.3 The Group shall also act in accordance with best practice in the preparation of the Neighbourhood Plan and in accordance with Government guidance for such preparation and shall seek to work collaboratively with the Local Planning Authority to achieve this.

4. MEMBERSHIP:

4.1 Membership of the Group shall be open to all who are interested in actively furthering the purposes of the Group, specifically, those who live or work in the Wimbledon Area. The composition of the Membership should reflect the scope and character of the geographical Area covered by the Group and also the different sections of the community. The Group shall operate without distinction or discrimination on the grounds of sex, disability, sexual orientation, race, or of political, religious, or other opinions.

4.2 A Member is someone who has provided the necessary information to the Secretary and has been accepted as a Member to attend General Meetings, by submitting satisfactory evidence of eligibility along with contact details which may be used by the Group for its lawful purposes.

Only members over the age of 18 are permitted to vote at Meetings. Members must declare any conflicts of interest. An individual can only exercise one vote. There shall be a minimum of 21 Members.

4.3 Full Membership shall be open to:

- i. individuals who live in the area.
- ii. individuals who work in the area.
- iii. community organisations which operate in the area, through their duly nominated and appointed representative.
- iv. businesses, educational establishments or other entities which operate in the area, through their duly nominated and appointed representative.

4.4 Associate Membership shall be open to:

i. individuals who are elected members of Merton Council, where any part of the ward they represent falls within the Area.

ii. organisations of residents and businesses may join as Associate Members.

iii. associate members will be ex officio members i.e. attending but non-voting members

4.5 New members may join by applying via the website.

4.6 The decision to accept an application of new individual membership is the responsibility of the Officers, to be determined by majority vote. Refusal to accept an application for membership must be given to the applicant, along with a full and valid reason.

4.7 The Secretary shall be responsible for the maintenance of an up-to-date list of membership.

4.8 Lists of members and contact details are the sole ownership of the Group.

5. DISCIPLINARY PROCEDURE:

The Group has the right not to accept an individual or organisation into Membership and may terminate the Membership of any Member whose behaviour is not in the best interests of the Group. Any such decision to terminate a Membership shall be taken by the Steering Committee and there shall be a right of appeal at a General Meeting.

6. STEERING COMMITTEE:

6.1 The Steering Committee shall consist of all Officers and not more than eight other Members, at least one of whom must be representative of business interests in the Area and shall be responsible for running the affairs of the Group and may take decisions on its behalf. A decision to consult or to submit a Neighbourhood Plan shall be taken by a General Meeting.

6.2 A quorum for Meetings of the Steering Committee shall consist of five Members, one of whom must be an Officer. In the event of an equality in the votes cast on any issue to be decided, the Chairman shall have a second or casting vote. In the event that the Chair (and Vice Chair) are not able to attend a Meeting of the Steering Committee, its Members shall agree a Chair for the Meeting.

6.3 Nominations for election to the Steering Committee shall be made at or before the Annual General Meeting. They must be supported by a seconder and require the consent of the proposed nominee. If the nominations exceed the number of vacancies, a ballot shall take place in such manner as the Chair of the Meeting may direct.

6.4 The Steering Committee shall have the power to co-opt further members (who shall attend in an advisory and non-voting capacity). The consent of the proposed nominee must first have been obtained.

7. OFFICERS:

7.1 The Group will include the following official positions, hereinafter referred to as “the Officers”, with the roles set out below: Chair, Secretary and Treasurer to be elected annually by simple majority vote.

7.2 The Officers’ role descriptions are as follows:

i. Chair.

- Shall be the principal presiding officer and chairperson for the Group and meetings.
- Shall possess a casting vote on occasions where voting is tied.
- Shall lead the Group in all communication and business with external organisations and individuals, including being the Forum's spokesperson.
- Shall have the power to take urgent decisions for the interim in between meetings on the Group. These will then be reviewed at the next Forum meeting.
- Shall enforce the Constitution.

ii. Secretary:

- Shall be responsible for maintaining all records and notes.
- Shall be responsible for all correspondence with Group members.
- Shall be responsible for maintaining an up-to-date list of members.

iii. Treasurer:

- Shall be responsible for keeping all budgeting records.
- Shall be responsible for monitoring expenditure.
- Shall be responsible for the publication of a statement of accounts.
- Shall be responsible for applying for available grants.

Officers shall be determined from time to time at a General Meeting of the Group.

7.3 Nominations for the election of Officers shall be made at, or before, the Annual General Meeting. Such nominations shall be supported by a seconder and require the consent of the proposed nominee who must be present at the General Meeting. The election of Officers shall be completed prior to the election of Members to form the Steering Committee.

7.4 All Officers and Steering Group members shall relinquish their office every year and shall be eligible for re-election at the Annual General Meeting. If a vacancy is not filled at a General Meeting or becomes vacant during the course of the year, the Steering Committee shall have the power to elect a Member, or Members, to fill such position(s). The consent of the proposed nominee must first have been obtained.

7.5 The Officers may co-opt further officers to assist them in carrying out their duties. These co-opted officers should have clear, agreed job descriptions.

7.6 The Steering Group will elect a Vice Chair from amongst their number.

8. GENERAL MEETINGS:

8.1 An Annual General Meeting shall be held each year to receive and approve the Steering Committee's report, the audited accounts and to elect Officers and other Members to form the Steering Committee. The Steering Committee shall decide when General and other Meetings of the Group shall be held and shall give at least 14 days' notice of such meetings to all Members. The Secretary shall compile the minutes of such Meetings which will be made available to all Members, after approval by the Steering Committee.

8.2 Ten Members, personally present, including at least one of the Officers of the Group, shall constitute a quorum for a General Meeting of the Group.

8.3 Meetings can take place either in person or online. Members attending a meeting online shall be deemed to be attending in person.

9. FINANCES:

9.1 The Group may raise such funds as may be necessary to carry out its activities, from donations, grants and other appropriate sources. The Group shall have its own Bank Account post designation. The Group will not own any premises.

9.2 The Officers of the Group, on behalf of the Steering Committee shall, out of monies received by the Group, pay all proper expenses of administration and management of the Group. After the payment of the administration and management expenses and the setting aside to reserve of such sums as may be deemed expedient, the remaining funds of the Group shall be applied, by the Steering Committee, in furtherance of the purposes of the Group.

9.3 The Treasurer will present an annual report of income and expenditure to the Annual General Meeting.

10. CONFLICT RESOLUTION WITHIN THE GROUP:

At all times, the Group will recognise the primary need to encourage community involvement in, and support for, the Neighbourhood Plan. If it proves not possible for the Group to reach agreement during any stage of preparing the Plan, every effort shall be made by the membership of the Forum to resolve the difference by negotiation. Where this does not resolve the situation, the Group will ensure that the alternative view is included in the relevant stage of community engagement.

11. CONFIDENTIALITY:

It is understood, and agreed to, that the disclosure of confidential information may provide certain information that is, and must be kept, confidential. To ensure the protection of such information and to preserve any confidentiality necessary, it is agreed that all committee members will adhere to the specific confidentiality guidance notes which will be issued by the Steering Group from time-to-time.

12. AMENDMENTS:

The terms of this Constitution may be amended by a two-thirds of Members present voting in favour at a General Meeting, provided that 14 days' notice of the proposed amendment has been given to all Members.

13. NOTICES:

Any notice required to be given by these Rules shall be deemed to be duly given if left at, sent by prepaid post, addressed, or emailed to the address of that Member, last notified to the Secretary

14. DURATION:

When designated as a Neighbourhood Forum, the Group shall endure for five years unless renewed. If the group wishes to renew then prior notice of at least one year should be given.

15. DISSOLUTION:

In the event of the winding-up of the Group, the available funds of the Group shall be transferred to such one or more bodies having objects similar, or reasonably similar, to those herein before declared as may be chosen by the Steering Committee and approved by the Meeting of the Group at which the decision to dissolve the Group is confirmed.

January 2021

Appendices

8.5. Minutes from the inaugural meeting of 25th of January 2020

MINUTES FROM THE INAUGURAL MEETING OF THE WIMBLEDON NEIGHBOURHOOD PLANNING GROUP ON THE 25TH OF JANUARY 2020 AT HILLSIDE CHURCH, 37, WORPLE ROAD, SW19 1EL

1. List of Attendees: (56 in total)

2. Opening Business:

- Agenda attached
- Presentation from Tony Burton attached and notes from Rob Cowan and Suzanne Grocott and Jonathan Parker attached.
- Link to proposed area attached
- Questions were raised on the cohesion of the area given its size and how the Forum would relate to other local groups such as Friends of Wimbledon Town Centre and local Residents' Associations

3. Official Business:

- The Draft Constitution was adopted – copy attached
- The following officers were elected:
 - (i) Chair: Vince Harris
 - (ii) Secretary: Jonathan Parker
 - (iii) Treasurer: Suzanne Grocott
- The following members were elected to the Steering Committee:
 - (i) Rob Cowan
 - (ii) Tim Day
 - (iii) Regina Denton
 - (iv) Lynne Gordon
 - (v) Sara Sharp
 - (vi) Leigh Terrafranca
 - (vii) Deborah Crosby
 - (viii) Ghigo Berni - Business member

4. Closing Business

VH closed the meeting. He thanked everyone for coming and encouraged all to register as members of the group so they could be kept informed of progress.

5. Next Meeting:

tbc

Appendices

8.6. Minutes from the general meeting of 14th of December 2020



Plan Wimbledon - Wimbledon Neighbourhood Planning Group (“WNPG”) - General Meeting Minutes

Date: Monday, 14th of December 2020, *remotely via Zoom. 8pm*

Chair: Suzanne Grocott (SG) Minutes: Lynne Gordon (LG)

Attendees: 39

Chair’s Welcome:

SG welcomed everyone. She reported that there had not been a meeting for all members of the group since the inaugural AGM held on the 25th of January 2020. Covid had impacted the progress of the group as it had limited its ability to consult widely, nevertheless a great deal of work had been taking place which would be detailed at the meeting.

SG reported that several people had left the Steering Group since its inauguration and several people had been co-opted for assigned tasks, this was to be expected in a volunteer group as people’s personal circumstances change. She thanked everyone for their contribution, in particular, Jonathan Parker who had been the driving force behind achieving inauguration.

Planning Overview:

Rob Cowan gave an overview of what the new Government White Paper means for planning and the key developments outlined in Future Merton’s draft Local Plan for Wimbledon (presentation attached).

PlanWimbledon: An Overview of Developments in 2020:

Purpose/Strategy/Area/Membership map/Name/ Logo/Team/The Path to Designation (presentation attached)

Approval of the New Constitution:

LG explained that as the group progresses towards designation, it will require a more detailed constitution, therefore, a new draft constitution for the group had been circulated with the invitation to the meeting. There had been feedback on three points:

1.1: Greater clarity on definition of the new name

4.8: Giving access to the group's membership list would contravene GDPR guidelines so this would need to be removed

11.0: The confidentiality clause was felt to be too draconian and this would be replaced by a code of conduct which could be updated on a regular basis.

LG would circulate a revised constitution in the next few days and would ask for approval from members.

Getting Involved:

AM made a call for help from members. In particular, help was urgently needed in the following areas:
Database Development and Management: Software; Digital Mapping; Social Media; Legal; Financial;
Community Liaison (several); Online Surveys.

Questions:

Following the presentation, the following points were made/ questions were asked:

1. Clarification on the London Plan proposals for the various areas of Wimbledon. Wimbledon Town Centre was earmarked for more office/business development with housing development being centred on South Wimbledon, Colliers Wood.
2. There was concern about current proposed building heights, notably the Centre Court sales brochure and those in Colliers Wood.
3. Level of membership required to achieve designation. It was explained that there was an absolute minimum of 21 but many more would be needed for an area of our proposed size. Members also need to be spread across the whole area and represent the diversity of the area. The final plan will be subject to a referendum, so awareness and support of the process/plan needs to be high.
4. The plan should encompass as wide a number of issues as possible e.g., the South West Waste Plan since these impact greatly on planning within the area
5. It would be good to bring together all the planners who are active within the various RAs and community groups to provide a central resource and prevent duplication of effort. The Wimbledon Society should be part of this.
6. Since the Neighbourhood Plan has to be in line with the Local Plan, what could it add? This needs to be explored further as the new proposals are just being published but it was thought that it could add much more detail / determine precise standards on design codes, building standards; sustainability etc.
7. Timetable for Designation: It was hoped that the group would apply for designation by the end of March, the LBM Planning Department would then have a three-month consultation period and, if successful, would probably go to Full Council in September and we would get their decision by November.
8. Several members present congratulated the group on the progress made and many offered their help and active support in the future.
9. Jonathan Parker asked if "when the Group applies to the Council for designation, in order to show competence to the planning officers being asked to endorse the application, will this year's SteerCo meeting minutes be made available?" It was confirmed that the SteerCo minutes would be available for inspection by the Council if required during the designation process.

Next Meeting:

This would be the AGM scheduled for the end of January 2021. Date and time tbc.

Committee: Cabinet

Date: 22 March 2021

Wards: All

Subject: Local Restriction Support Grants

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Tobin Byers, Cabinet Member for Finance

Contact officer: David Keppler, Head of Revenues and Benefits

Recommendations:

1. For Cabinet to review and agree the Additional Restrictions Grant Policy for Phase two
 2. To agree the Expanded Retail Relief Policy for 2021/22 (1 April 2021 to 30 June 2021 and give authority to agree any future Section 47 business rates discretionary policies to the Director of Corporate Services in consultation with the Cabinet Member for Finance
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. To update Cabinet on phase one of the Discretionary Additional Restrictions Grant scheme.
- 1.2. For Cabinet to identify if any changes to the phase two policy are required.
- 1.3. For Cabinet to note that demand for this discretionary scheme is likely to outweigh the funding available and the council will not be able to help all businesses and business sectors with this funding.
- 1.4. For Cabinet to note the window required to assess all applications before any grants can be paid.
- 1.5. To update Cabinet on the 2021/22 Expanded Retail Relief Policy.
- 1.6. For Cabinet to agree to delegate all future Section 47 business rates relief policies to the Section 151 Officer.

2 DETAILS

- 2.1. On the 22 October 2020 the government announced additional funding to businesses under restrictions in Local Covid Alert Level High (LCAL2) and Very High (LCAL3).
- 2.2. National restrictions were announced on 31 October 2020 to come into force from 5 November 2020. From this date the Local Restrictions Support Grants (Closed) Addendum 5 November to 2 December scheme was introduced for businesses.

- 2.3. When the national restrictions were announced the Government announced further support for businesses. The scheme is the Additional Restrictions Grant (discretionary scheme) and can be used across financial years 2012/21 and 2021/22.
- 2.4. Merton was allocated funding of £4,130,960 for this discretionary scheme.
- 2.5. On 7 December 2020 Cabinet agreed phase one of the discretionary scheme. The scheme targeted businesses that pay business rates and had received no support and also businesses run from home that employ staff.
- 2.6. Phase one of the scheme was allocated £2 million to be awarded in grants. As at the 10 March 2021 £1,095,000 had been paid to 57 businesses. Although the application window closed on 19 January 2021 there are still a small number of applications to be finalised where additional information is still required.
- 2.7. As the Council used one on line application form for all the different grant schemes it is not possible to accurately state the number of applications received specifically for the discretionary scheme. However, 642 applications were received and all assessed for the different grant schemes including the discretionary scheme.
- 2.8. A large number of applications were received and rejected as they failed to meet the criteria. The main reasons for these rejections were: businesses run from home by individuals, businesses in shared office or accommodation space, businesses that had previously received business rates relief and or grants. Providing they meet the lower rate of 40% or more loss of income they would be eligible under the scheme for phase two.
- 2.9. In early January 2021, when further national restrictions were announced, the Government allocated the Council a further £1,834,777 funding for the discretionary scheme. This took the total funding to £5,965,737.
- 2.10. Phase two of the discretionary scheme will consist of two streams.
- 2.11. Stream one will be outward facing wider business support initiatives administered by the Future Merton team.
- 2.12. This support will include:
 - Improvements to broadband connectivity in the boroughs black spots
 - Services and comms activities to continue the message on re-opening safely and inspiring residents to shop locally through wider promotional campaigns with local business groups.
 - Supporting opportunities around additional affordable local workspace and pop ups in empty premises.
 - Enhancing Merton's business spaces, High Streets and town centres.
- 2.13. Up to £1 million of funding will be allocated to the Future Merton team to procure support for businesses that will help ensure sustainability, development and enhance the high streets and our business premises offer. The focus will be on developing infrastructure which will support outcomes rather than activities aimed at individual businesses.
- 2.14. This funding will include the cost of employing new staff for the sole purpose of providing outward facing business support/development projects.

- 2.15. Future Merton will investigate procurement options for delivery of this stream.
- 2.16. Stream two will be targeted at businesses run from home and micro and small businesses that are business rate payers or in shared office/accommodation and do not pay business rates. All remaining funding will be allocated to this stream.
- 2.17. Applicants will be awarded points based on three criteria, accommodation costs, number of employees that are Merton residents and number of employees that are not Merton residents. There will be point weightings for Merton residents and the value of the monthly accommodation costs.
- 2.18. Each application will be calculated a point score based on the criteria. After all applications have been reviewed and scored the total number of points for all applications will be calculated and based on the exact level of funding available each point will be awarded a monetary value. Successful applications will then receive a grant to the value of their points score multiplied by the value per point.
- 2.19. The scheme will be application based and businesses will be expected to complete web forms and provide relevant evidence and information to validate applications.
- 2.20. It is proposed to have an application window from 8 April 2021 for 21 days for phase two of the scheme.
- 2.21. It is estimated that grant payments will commence in mid-July 2021. All applications will have to be reviewed before any payments are made.
- 2.22. The discretionary policy for Additional Restrictions Grant Phase Two is detailed in Appendix 1
- 2.23. For all grant schemes the Government expects the Council to undertake pre and post payment validation. Validation measures will be implemented prior to payment and the Fraud service will be engaged to assist with post payment assurance.
- 2.24. The Government also requires Council's to collate and report data for all businesses receiving grants. Performance returns are required.
- 2.25. The Chamber of Commerce and MVSC will be asked to promote the scheme and application process.
- 2.26. The Council will undertake a communication strategy to reach businesses in the borough to encourage applications. This will include using the Chamber of Commerce and BIDS to reach businesses.
- 2.27. The Revenues and Benefits team will review all applications. A decision making panel will sit and agree applications. The Director of Corporate Services will make final decisions on grants.
- 2.28. The Government have indicated that further funding will be available for discretionary grants. However, this funding will not be distributed as previously and the early indication is that authorities will have to bid for the funding.

- 2.29. It is implied that bidding can only take place once all existing ARG funding has been spent.
- 2.30. Authorities were initially told that the funding was to be used up to 31 March 2022.
- 2.31. The Policy allows for the Director of Corporate Services to agree to divert the funding allocated to the Wider Business Support into the direct grants fund if it is proving difficult to spend or so that a further bid for funding can be made.
- 2.32. The formal Government guidance on this has not been released.
- 2.33. **Expanded Retail Relief Policy**
- 2.34. Following the budget announcement on 3 March 2021 the Government amended the existing Retail Relief for qualifying businesses.
- 2.35. As this relief is granted as a discretionary scheme and the funding is over £2 million Cabinet need to agree the policy.
- 2.36. For 2021/22 the initial relief will be 100% for the period 1 April 2021 to 30 June 2021 only.
- 2.37. Merton's policy is attached at Appendix 3.
- 2.38. The Council will have to adopt a revised policy from 1 July 2021 once the full guidance is provided by Government.
- 2.39. **Section 47 Discretionary Rate Relief Policies.**
- 2.40. Under section 47 of the Local Government Finance Act 1988 local authorities have the power to award discretionary rate relief to businesses.
- 2.41. The Government introduce new rate reliefs and instruct local authorities to award these reliefs under this power. They also provide local authorities with funding to reimburse them and guidance for the policies.
- 2.42. Last year the Government introduced Expanded Retail Relief and also Nursery Relief in this manner.
- 2.43. In addition to the Expanded Retail Relief policy being recommended for agreement in this report the Council will need to implement a new Nursery Relief policy from April 2021 until 30 June 21. The Section 151 Officer can approve this policy as the cost of the relief will be below £1 million.
- 2.44. The Council will then need to agree further Expanded Retail Relief and Nursery Relief policies from 1 July to 31 March 2022.
- 2.45. Given the need to act swiftly as the Government announces new and updated grant funding, it would seem prudent to delegate decisions on future schemes and criteria to the Corporate Director of Corporate Services as the Council's Section 151 Officer
- 2.46. This report seeks approval of Cabinet to delegate all future Section 47 reliefs policies to the Section 151 Officer in order not to delay further the rollout of reliefs.

3 ALTERNATIVE OPTIONS

- 3.1. The Council could look to implement different local priorities for the policy.
- 3.2. Any unspent funding will need to be returned

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Consultation has been undertaken with the Chamber of Commerce.

5 TIMETABLE

- 5.1. Estimated time frame for implementation of schemes

Task	Time frame
Policy agreed Cabinet	22 March 2021
Call in period ends	29 March 2021
Communications with businesses	29 March 2021
Application window opens	8 April 2021
Application window closes	27 April 2021
Payments to commence – estimated	14 July 2021

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The Council initially received £4,130,960 Additional Restrictions Grant funding. A further £1,834,777 funding for the discretionary scheme. This took the total funding to £5,965,737 This discretionary scheme runs from 3 December 2020 to 31 March 2022. As this is a discretionary scheme if the Council pays out more than the funding the Council will have to meet the shortfall.
- 6.2. The Council's business rates system supplier have provided a solution to administer and award all grants. The cost of the new software is £17,500.
- 6.3. Staffing levels to administer the scheme will come from existing resources.
- 6.4. The Government have indicated that New Burdens funding will be provided to all Council's for the administration of the grants

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Section 47 of the Local Government Finance Act 1988 enables the Council to award discretionary rate relief and implement new Government discounts/reliefs without new legislation.
- 7.2. In keeping with the Council's duties for transparency and to ensure that the Council is not subject to any judicial review challenge of its decisions the application criteria, application process and decision making process should transparently be available and all decisions on grants should be based solely on the criteria and clearly evidenced in any decision letter.
- 7.3. Given the level of expenditure likely to be involved in future schemes, notwithstanding the fact that it is funded by Government grant, decisions on the criteria for making grants would normally be a matter for Cabinet decision. However, given the need to make such decisions quickly in order

to make payments swiftly, it is logical and lawful for the Cabinet to delegate decisions to the Council's Section 151 Officer.

- 7.4. The Council are reimbursed the cost of any new Government discount/relief scheme.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. An Equalities Analysis has been completed. (Appendix 2)
- 8.2. The web form that has been designed links automatically to the business rates system. This enables the payments of the grants to be automated. Therefore, the web form will not enable the capture of equalities data.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. The Government expect pre-payment checking and have stated they will pursue and prosecute fraudulent awards.
- 9.2. The Government have provided an online tool to help with verification.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. Plans must be made to ensure the service is not overwhelmed by the number of applications received.
- 10.2. The Council will need to monitor and ensure that applications can be reviewed, financially vetted and decisions made within the timeframes indicated above.
- 10.3. Additional resource should be made available if required.

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

- Appendix 1 – Additional Restrictions Grant Policy Phase Two
- Appendix 2 – Equality Analysis
- Appendix 3 – Expanded Retail Relief Policy

12 BACKGROUND PAPERS

- 12.1. Government Guidance and FAQ's

Additional Restrictions Grant (ARG) – Discretionary Grant Policy 2020/21 to 2021/22

Government Guidance

Introduction

This support was announced on the 31 October 2020 for Local Authorities under national and Local Covid Alert Level 3 restrictions. It is not retrospective and the Council cannot vary this.

Local authorities can use this funding for business support activities. We envisage this will primarily take the form of discretionary grants, but LAs could also use this funding for wider business support activities.

Local Authorities can determine how much funding to provide to businesses from the ARG funding provided, and exactly which businesses to target.

However, we encourage Local Authorities to develop discretionary grant schemes to help those businesses which – while not legally forced to close – are nonetheless severely impacted by the restrictions put in place to control the spread of Covid-19. This could include – for example – businesses which supply the retail, hospitality, and leisure sectors, or businesses in the events sector.

Local Authorities may also choose to help businesses outside the business rates system, which are effectively forced to close – for example market traders.

Finally, Local Authorities could use ARG funding to provide additional support to larger local businesses which are important to the local economy, on top of the funding provided to those businesses via the LRSG (Closed) scheme, with due reference to State Aid.

In taking decisions on the appropriate level of grant, Local Authorities may want to take into account the level of fixed costs faced by the business in question, the number of employees, whether they are unable to trade online and the consequent scale of coronavirus losses.

Managing the risk of fraud and payments in error

Local Authorities must continue to ensure the safe administration of grants and that appropriate measures are put in place to mitigate against the increased risks of both fraud and payment error. In this respect, grant administrators should consider supplementing existing controls with digital tools to support efficient, appropriate and accurate grants awards.

Pre- and post-event assurance

The general principle applies that Local Authorities are responsible and accountable for the lawful use of funds under Section 151 of the Local Government Act 1972. The Section 151 Officer within the Local Authority is required to exercise their duties in line with the Chartered Institute of Public Finance and Accountancy (CIPFA)

guidance, ensuring their oversight of the proper administration of financial affairs within the Local Authority, including these grants.

To deliver this assurance requirement, Local Authorities should develop pre and post-payment assurance plans for the grant scheme.

The volume and depth of checks that a Local Authority undertakes as detailed in these plans should be proportionate to the grant value versus the cost of the check, and informed by a Fraud Risk Assessment of the likelihood of error and/or fraud in the payments they have made.

The full guidance is available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/935130/additional-restrictions-grant.pdf

Merton's Phase One Update

Cabinet agreed on 7 December 2020 phase one scheme for the ARG grants. This prioritised businesses that pay business rates that had not received any previous business rates reliefs or grants. It also prioritised businesses run from home that employ staff in addition to the director/owner. Grants of £5,000, £10,000 and £25,000 would be awarded

Cabinet allocated £2 million to phase one. A large number of applications were received, many from businesses that did not meet the qualifying criteria, the most common being:

- Sole traders or directors working from home that did not employ staff
- Businesses that had received the initial business support grants or retail, hospitality and leisure grants
- Businesses in shared accommodation (not the rate payers but renting offices or space)

As at 10 March £1,095,000 had been awarded in grants to 57 businesses. There are still a small number of applications outstanding where further information is due.

The scheme awarded grants up to £25,000 grants to businesses that have so far not had any support, including those that support the hospitality and events sector and the language schools.

Merton's Funding

The Council has received £4,130,960. This funding is available to support sustainable businesses between 3 December 2020 and 31 March 2022. In early January 21 the Government announced a further £1,834,777 in funding, taking Merton's total funding to £5,965,737 of which approximately £4,870,737 is available for Phase 2.

Merton's Policy

Which businesses will benefit from the discretionary grant phase two?

Phase two of the scheme will consist of two elements detailed below:

- Wider business support initiatives administered by Future Merton
- Direct grants for home based businesses and micro and small businesses with accommodation costs (either business rates or rent/licence fees)

Wider Business Support Initiatives

Up to £1 million of funding will be allocated to the Future Merton team to procure support for businesses that will help ensure sustainability, development and enhance the high streets and our business premises offer. The focus will be on developing infrastructure which will support outcomes rather than activities aimed at individual businesses.

To develop a programme of outward facing business support activities to run to March 2022 for example:

- Improvements to broadband connectivity in the boroughs black spots
- Services and comms activities to continue the message on re-opening safely and inspiring residents to shop locally through wider promotional campaigns with local business groups.
- Supporting opportunities around additional affordable local workspace and pop ups in empty premises.
- Enhancing Merton's business spaces, High Streets and town centres.

The funding will include the cost of employing new staff up to £100,000 for the sole purpose of providing outward facing business support/development projects.

The Director of Corporate Services can divert any of this funding into the second stream if it's proving difficult to spend the allocated amount or to ensure future bids for discretionary funding can be made.

Direct Grants to Home Based Businesses and Micro and Small Businesses

All remaining funding (not less than £3.5 million) will be allocated for direct business grants reflecting the criteria set out below

Home Based Businesses

- Minimum turnover of £15,000 per year – turnover is the amount of sales for a given period
- Business run from a Merton residential address

Micro and small businesses

Definition of micro business

To be a micro business, under the Companies Act 2006, a business must satisfy two or more of the following requirements—

- Turnover: Not more than £632,000
- Balance sheet total: Not more than £316,000
- Number of employees: a headcount of staff of not more than 10

Definition of small business

To be a small business, under the Companies Act 2006, a business must satisfy two or more of the following requirements in a year—

- Turnover: Not more than £10.2 million
- Balance sheet total: Not more than 5.1 million
- Number of employees: a headcount of staff of less than 50

Eligibility Criteria

- Trading prior to 1 January 2020
- Evidence a 40% loss of income for period April 2020 to March 2021 compared to previous year
- Micro and Small Businesses have accommodation costs – either business rates and/or rent/mortgage/licence fees. (Businesses in shared office/spaces are included)
- Not national run companies operating a number of stores or chains locally or across the UK.
- Businesses that have received previous business rates relief and/or grants can apply (Small and Micro businesses only)
- Not received Government self-employed grant (Home based businesses)

Level of Grants

The level of grants will be based using three factors and each factor will have a points ranking.

- Fixed Business Property/Accommodation Costs
- Number of employees of the business
- Number of Merton residents that are employees of the business

Calculation of Level of Grant

Each application will be calculated a point score based on the criteria. After all applications have been reviewed and scored the total number of points for all applications will be calculated and based on the exact level of funding available each

point will be awarded a monetary value. Successful applications will then receive a grant to the value of their points score multiplied by the value per point.

For example, if after all applications have been reviewed the total points calculated for all was 3,500. As the total funding was £3,500,000 each point would be worth £1,000 grant (£3,500,000 fund divided by total points 3,500)

If a business scored 20 points from their application they will be awarded £20,000 in grant, subject to the cap.

This approach will ensure that all the funding will be spent in phase two of the scheme.

Grants will be capped at 100% of the total loss of income

Points Ranking

Accommodation costs

- Monthly accommodation costs are £500 or less – 1 point awarded
- Monthly accommodation costs are £501 to £1,000 - 2 points awarded
- Monthly accommodation costs are £1,001 and over – 3 points awarded

Accommodation costs are calculated as rent and businesses rates combined. If the business has more than one property in Merton accumulated costs will be taken. If in 2020/21 the business has received business rates relief then the rates charge per month will be zero.

Accommodation costs for properties outside of Merton will not be included

Number of employees of the business

- For each non Merton resident employed by the business – 1 point awarded
- Number of Merton Residents employed by the business – 3 points awarded

Loss of Income

All applicants must evidence a 40% or greater loss of income for the period April 20 to March 21 compared to the same period in the previous year. Loss of profit will not be considered)

If a business does not have a full years trading records for 2019/20 the Panel will extrapolate income for the part of year over the whole 12 months

Additional Information

Only one grant per business can be awarded and the level of grant will be capped to the amount of income lost for the year

A business run from home would be awarded three points as the application must be a Merton resident. Additional points would be for any staff employed. Property costs for the home will not be taken into account.

If a business has more than one site in Merton accumulative accommodation costs and employees for both sites will be calculated.

If a business has one or more sites located outside of Merton then the accommodation costs and employees associated with these sites will be excluded.

Employees need to be salaried and not contractors or self-employed staff.

Merton's approach

The Council will invite applications for a 21 day period to be made via an online form on the Council's website. Businesses will be required to provide information and evidence to support the claim via the online form.

All applications will need to have been received and assessed before any grants are paid.

Evidence will be required to validate the claim and captured to provide to the Government. This information will include, evidence of property costs, bank details for the business, evidence of loss of income, number of employees of the business, number of Merton residents employed by the business, type of business, proof of trading since 1 January 2020.

Businesses must have been trading prior to 1 January 2020

Businesses will be required to confirm that they meet the criteria of one of the three elements of the scheme, and that the amount of relief is not in excess of State Aid limits. (See the De Minimis Regulations (1407/2013))

There will be pre and post payment checks undertaken.

Exclusions from the discretionary grant

Businesses that are in administration, are insolvent, struck off or where a striking-off notice has been made are not eligible for funding under these schemes

Businesses that were not trading at 1 January 2020

Businesses/Charities that received funding through Merton Giving will not be considered for a grant.

Decision making

If the information requested is not provided, after working with the applicants, the application will be refused.

Decisions on applications and awards will be made at a panel consisting of:

- Director of Corporate Services
- Chief Executive of Merton Chamber of Commerce
- Chief Executive of MVSC
- Head of Revenues and Benefits
- Economy Manager

Final decision will be made by the Director of Corporate Services.

The applicant will be notified of the decision by email.

The progress and results from the scheme will be reported to Cabinet and BEIS and successful applicants published on our website

Appeals

Merton is not required to provide a right of appeal against any decision as this is because grants awarded under the Additional Restrictions Grant scheme are discretionary awards.

However, Merton will work with applicants to make sure they provide the necessary evidence to support a successful application.

The Council operates a complaints process for dissatisfied service.

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Equality Analysis



Please refer to the guidance for carrying out Equality Analysis (available on the intranet).
Text in blue is intended to provide guidance – you can delete this from your final version.

What are the proposals being assessed?	Local Authority Additional Restrictions Grants Policy
Which Department/ Division has the responsibility for this?	Corporate Services / Resources

Stage 1: Overview	
Name and job title of lead officer	David Keppler, Head of Revenues and Benefits
1. What are the aims, objectives and desired outcomes of your proposal? (Also explain proposals e.g. reduction/removal of service, deletion of posts, changing criteria etc)	<p>Policy to enable award of discretionary grants to businesses. Funding of £4.1 million provided by Government. Local policy agreed by Cabinet.</p> <p>The aim of the Government grant is to help support businesses following the national lockdown. A further £1.834 million was allocated to the Council in January 2021</p>
2. How does this contribute to the council's corporate priorities?	This addresses some concerns with the impact of small businesses and others in the community that have been affected by the pandemic economically and have not received any business support
3. Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.	<p>Local authorities are asked to identify local priorities although the Government state that Council's should look to support businesses that have not had any of the previous business support. Local authorities may choose to make payments to other businesses based on local economic need. The allocation of funding will be at the discretion of local authorities.</p> <p>The Council will implement at least two phases for this support. Phase one was allocated £2 million in support and Phase two the remainder of the funding</p>
4. Is the responsibility shared with another department, authority or organisation? If so, who are the partners and who has overall	None – the Council has responsibility for delivering this scheme – the council will look to include MVSC and Chamber of Commerce in the decision making process

responsibility?

Stage 2: Collecting evidence/ data

5. What evidence have you considered as part of this assessment?

Provide details of the information you have reviewed to determine the impact your proposal would have on the protected characteristics (equality groups).

This is a very recent addition to economic packages announced by Central Government to address the financial impact on business as a result of the pandemic.

We have used the guidance issued by Central Government as the underlying principles of the scheme although we have the discretion to modify to address any known local issues.

Consultation has taken place as outline in 4 above to inform the best model to impact on those most at need. There is no equality data available for businesses that will be potentially be applying for the grants. Many SMEs are run by women and BAME residents.

Applications will be assessed against the Council's criteria and policy by the decision making panel.

The grants may have a positive impact on businesses or organisations in the borough. Those that meet the criteria and receive grants will benefit.

The level of funding available will not match the likely demand and therefore there will be a negative impact on the businesses and organisations that do not benefit from the grants.

The council will engage with the chamber of commerce and MVSC to promote the scheme and invite applications to businesses and organisations meeting the criteria.

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Stage 3: Assessing impact and analysis

6. From the evidence you have considered, what areas of concern have you identified regarding the potential negative and positive impact on one or more protected characteristics (equality groups)?

Protected characteristic (equality group)	Tick which applies		Tick which applies		Reason Briefly explain what positive or negative impact has been identified
	Positive impact		Potential negative impact		
	Yes	No	Yes	No	
Age		N		N	All local specialist businesses will be able to apply if they meet the criteria.
Disability		N		N	All local specialist businesses will be able to apply if they meet the criteria.
Gender Reassignment		N		N	
Marriage and Civil Partnership		N		N	
Pregnancy and Maternity		N			
Race		N		N	All local specialist businesses will be able to apply if they meet the criteria.
Religion/ belief		N		N	
Sex (Gender)		N		N	All local specialist businesses will be able to apply if they meet the criteria.
Sexual orientation		N		N	
Socio-economic status		N		N	All local specialist businesses will be able to apply if they meet the criteria.

7. If you have identified a negative impact, how do you plan to mitigate it?

The decision making panel will not have knowledge of the protected characteristics prior to the application and award stage.

Stage 4: Conclusion of the Equality Analysis

8. Which of the following statements best describe the outcome of the EA (Tick one box only)

Please refer to the guidance for carrying out Equality Impact Assessments is available on the intranet for further information about these outcomes and what they mean for your proposal

Outcome 1 – The EA has not identified any potential for discrimination or negative impact and all opportunities to promote equality are being addressed. No changes are required.

Outcome 2 – The EA has identified adjustments to remove negative impact or to better promote equality. Actions you propose to take to do this should be included in the Action Plan.

Outcome 3 – The EA has identified some potential for negative impact or some missed opportunities to promote equality and it may not be possible to mitigate this fully. If you propose to continue with proposals you must include the justification for this in Section 10 below, and include actions you propose to take to remove negative impact or to better promote equality in the Action Plan. You must ensure that your proposed action is in line with the PSED to have ‘due regard’ and you are advised to seek Legal Advice.

Outcome 4 – The EA shows actual or potential unlawful discrimination. Stop and rethink your proposals.

Stage 5: Improvement Action Pan

9. Equality Analysis Improvement Action Plan template – Making adjustments for negative impact

This action plan should be completed after the analysis and should outline action(s) to be taken to mitigate the potential negative impact identified (expanding on information provided in Section 7 above).

Negative impact/ gap in information identified in the Equality Analysis	Action required to mitigate	How will you know this is achieved? e.g. performance measure/ target)	By when	Existing or additional resources?	Lead Officer	Action added to divisional/ team plan?
Potential negative impact if the grant criteria excludes local specialist companies, particularly Community Interest Companies.	Collect local data at the application stage	Attempt to collect data at the application stage although it may be challenging as web form does not capture equalities data	April 21 to June 21	Existing	D Keppler	No

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Note that the full impact of the decision may only be known after the proposals have been implemented; therefore it is important the effective monitoring is in place to assess the impact.

Stage 6: Reporting outcomes

10. Summary of the equality analysis

This section can also be used in your decision making reports (CMT/Cabinet/etc) but you must also attach the assessment to the report, or provide a hyperlink

This Equality Analysis has resulted in an Outcome 2 Assessment

There is potential negative impact on the SMEs that do not meet the Government criteria. Local equality data needs to be collected at the application stage to give a better picture of the types of businesses applying for the grant or may be ineligible for the grant.

Stage 7: Sign off by Director/ Head of Service

Assessment completed by	David Keppler – Head of Revenues and Benefits	Signature: D Keppler	Date: 4.3.21
Improvement action plan signed off by Director/ Head of Service	Roger Kershaw – Assistant Director Resources	Signature: R Kershaw	Date: 4.3.21

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Expanded Retail Discount Policy 2021/22

The Government announced in the Budget on 3 March 2021, that it will provide a business rates Expanded Retail Discount scheme for occupied retail, hospitality and leisure properties. The discount is only for the period 1 April 2021 to 30 June 2021. The discount will be 100% reduction for qualifying businesses. This will be applied after mandatory reliefs and other discretionary reliefs have been applied.

The relief will apply for the period 1 April 2021 to 30 June 2021 only. A new and revised scheme will be implemented from 1 July 2021

Which properties will benefit from relief?

Properties that will benefit from the relief will be occupied hereditaments that are wholly or mainly being used:

- a). as shops, restaurants, cafes, drinking establishments, cinemas and live music venues,
- b). for assembly and leisure; or
- c). as hotels, guest & boarding premises and self-catering accommodation.

In the Government guidance – the following is detailed:

We consider shops, restaurants, cafes, drinking establishments, cinemas and live music venues to mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- *Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)*
- *Charity shops*
- *Opticians*
- *Post offices*
- *Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)*
- *Car/caravan show rooms*
- *Second-hand car lots*
- *Markets*
- *Petrol stations*
- *Garden centres*
- *Art galleries (where art is for sale/hire)*

ii. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- *Hair and beauty services (such as: hairdressers, nail bars, beauty salons, tanning shops, etc)*
- *Shoe repairs/key cutting*
- *Travel agents*
- *Ticket offices e.g. for theatre*
- *Dry cleaners*
- *Launderettes*
- *PC/TV/domestic appliance repair*
- *Funeral directors*
- *Photo processing*
- *Tool hire*
- *Car hire*

- *Employment agencies*
- *Estate agents and letting agents*
- *Betting shops*

iii. Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:

- *Restaurants*
- *Takeaways*
- *Sandwich shops*
- *Coffee shops*
- *Pubs*
- *Bars*

iv. Hereditaments which are being used as cinemas

v. Hereditaments that are being used as live music venues:

- *Live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).*
- *Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).*
- *There may be circumstances in which it is difficult to tell whether an activity is a performance of live music or, instead, the playing of recorded music. Although we would expect this would be clear in most circumstances, guidance on this may be found in Chapter 16 of the statutory guidance issued in April 2018 under section 182 of the Licensing Act 2003.*

We consider assembly and leisure to mean:

i. Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities).

- *Sports grounds and clubs*
- *Museums and art galleries*
- *Nightclubs*
- *Sport and leisure facilities*
- *Stately homes and historic houses*
- *Theatres*
- *Tourist attractions*
- *Gyms*
- *Wellness centres, spas, massage parlours*
- *Casinos, gambling clubs and bingo halls*

ii. Hereditaments that are being used for the assembly of visiting members of the public.

- *Public halls*
- *Clubhouses, clubs and institutions*

We consider hotels, guest & boarding premises and self-catering accommodation to mean:

i. Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:

- Hotels, Guest and Boarding Houses
- Holiday homes
- Caravan parks and sites

To qualify for the relief the hereditament should be wholly or mainly being used for the above qualifying purposes. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief. For the avoidance of doubt, hereditaments which have closed temporarily due to the government's advice on COVID19 should be treated as occupied for the purposes of this relief.

How much relief will be available?

The total amount of government-funded relief available for each property for the period 1 April 2021 to 30 June 2021 under this scheme is 100%. The relief will be applied against the net bill after all other reliefs.

The discount will be apportioned if there is a change of ratepayer during the period.

Eligibility Criteria

Properties that are being used for the provision of services to visiting members of the public. Please see the information under "Which properties will benefit from relief?" above.

Ineligible businesses/organisations

The following types of uses are **not** eligible for Retail relief:

Properties that are being used for the provision of the following services to visiting members of the public:

Hereditaments that are being used for the provision of the following services to visiting members of the public

- Financial services (e.g. banks, building societies, cash points, bureaux de change, short-term loan providers)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers)
- Post office sorting offices

ii. Hereditaments that are not reasonably accessible to visiting members of the public

Properties which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

Refusal of Discount

Businesses have the option to refuse the discount and must put these requests in writing or by email, in respect of each eligible property. Refusals cannot be withdrawn for either all or part of the financial year.

Application Process

No formal application form is necessary. From 1 April 2021, we will identify all retail properties we consider to meet the criteria and apply the discount.

If there is a change of ratepayer during the period, the eligibility for a discount will be reviewed with regard to the new occupier's use of the property.

Decision Making and Appeals

The Head of Revenues and Benefits will be responsible for approving all applications, with a monthly review by the Director of Corporate Services. There will be no right of appeal.

Budget

Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003) as it expects authorities to grant relief to qualifying ratepayers.

Committee: Cabinet

Date: 22 March 2021

Agenda item:

Wards: All Wards

Subject: Award of Contract for School Meals Catering Service 2021

Lead officer: Hannah Doody - Director of Community & Housing and Interim Director of Children, Schools and Families

Lead member: Cllr Eleanor Stringer – Joint Deputy Leader and Cabinet Member for Children and Education

Contact Officer: Murray Davies, murray.davies@merton.gov.uk, 020 8545 3069

Recommendations:

Members are asked to approve the recommendation that:

- A. The council award to Bidder A (as detailed in the Confidential Appendix to this report) a contract for provision of the school meals catering service at Merton primary and special schools for a period of 3 years from 1 August 2021 with an option to extend for up to two further years at the discretion of the council.
- B. That authority be delegated to the Director of Children, Schools and Families to exercise, in consultation with the Cabinet Member for Children and Education, the council's option to grant one or more extensions of the contract term for any period up to two further years beyond the expiry of the initial contract term on 31 July 2024.
- C. Members are asked to note the new price charged for a school meal from 1 September 2021 will be £2.23 (currently £2.18) so that the estimated total value of this contract over the initial three year term will be approximately £11.5 million and over the extended term up to £19.2 million.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to seek the approval of Cabinet for the award of the contract for the provision of school meals at Merton Primary and Special Schools to Contractor A following a single stage tender process.
- 1.2. This new contract will be for an initial period of 3 years from 1 August 2021, with an option at the discretion of the council to extend the term for a further period or periods of any duration up to a maximum two years in total.
- 1.3. Members are further advised that the new daily charge to parents and schools for a school meal for the 2021-22 academic year will be £2.23.

- 1.4. Under the new contract, an allowance for the cost of schools' energy, waste charges and the council's cost of monitoring the contract will be passed to the contractor, providing a saving to schools and the council.

2 DETAILS

- 2.1. The school meals catering contract provides a school meals service on a discretionary 'buy back' basis for all Merton primary and special schools with the exception of one maintained school, one free school and three primary academies, which have chosen to make their own arrangements outside of the council's central contract.
- 2.2. Following consultation with head teachers in the autumn term of 2019, the current contract with Chartwells was extended for a further year and now expires on 31 July 2021. No further contract extension is permissible.
- 2.3. Due to COVID 19 restrictions, meal numbers are much reduced but, in normal circumstances the school meals caterer provides in excess of 9,000 meals per day across the 44 school sites within the borough.
- 2.4. Currently, the charges for meals provided for pupils eligible for free school meals are paid for by schools. This includes children in Key Stage One eligible for a free meal under the conditions of the Universal Infant Free School Meal grant. The charge to parents and carers of pupils in Key Stage Two who are not eligible for a free school meal is £2.18.
- 2.5. The contract awarded is for the provision of school meals during term time and does not govern the delivery of catering services during school holidays.

Tender Process

- 2.6. A single stage 'open' procedure, as set out in the Public Contract Regulations 2015 (SI 2015/102) ("PCR 2015"), was used for the purpose of this tender exercise.
- 2.7. In accordance with the requirements of that procedure, potential contractors were requested to bid for the proposed contract following the publication of a Contract Notice in the Official Journal of the European Union in December, before the Brexit transitional arrangements ended on 31 December 2021. The tender opportunity was also advertised to interested bidders via the Contracts Finder website and through the London Tenders Portal - the tender process was conducted electronically using the portal.
- 2.8. Organisations were invited to submit a proposal based on a price per meal for the provision of school meals along with detailed method statements explaining how they would deliver the catering service. The information requested to support the price proposal required potential contractors to detail the breakdown of their costs.
- 2.9. The council stipulated that the contract would be awarded to the bidder whose tender was judged to be the most economically advantageous based on price and quality criteria. The relative weighting of criteria as between quality and price was determined in accordance with the previous discussions with schools – affordability of the school meal is a significant consideration for head teachers and, accordingly, 50% of the evaluation was based on pricing considerations and 50% on the assessment of qualitative criteria as set out in

table 1 overleaf. It should be noted that the minimum requirements for school meals are mandated by the National School Food Standards - <https://www.gov.uk/government/publications/standards-for-school-food-in-england>

- 2.10. The qualitative criterion was further broken down into sub-criteria to take account of the priorities of schools in relation to the quality of service. The invitation to tender detailed the agreed scoring methodology for potential bidders.
- 2.11. Bidders were required to submit as part of their tender submission a proposal in regard to adding Social Value.
- 2.12. Bidders were also advised of the focus of the council on achieving the commitments under its Climate Emergency Action plan and that they would be expected to detail in their bids how they proposed to assist the council in doing so. Among other issues, bidders were specifically asked to detail their proposals for promoting sustainable dietary choices, measuring and limiting greenhouse gas emissions, and reducing waste across the catering service. The scoring methodology incorporated the evaluation of sustainability across all the quality sub-criteria detailed below.
- 2.13. Contractors were also informed that in the event of a tenderer other than the current contractor being awarded this contract, the terms of the Transfer of Undertakings (Protection of Employment) Regulations 2006 were likely to apply (“TUPE Provisions”).
- 2.14. Bidders were advised that the contract would be awarded in accordance with the assessment of bids against the criteria and weightings detailed below.

Criteria	Weighting
Quality*	50%
Based on assessment of written submissions verified by site visits and interviews in the following areas:	
Quality of Product: High Quality Food/ School Food Plan	10%
Quality of People: Competent People	12%
Quality of Organisation: Clear Standards/ Regulatory Compliance	12%
Quality of Operation: Dinner Money Collection/ Supply Chain Management	12%
Quality of Plans: Increasing Take Up	4%
Price	50%
Based on lowest meal price and ratios of food and direct staffing costs to overall meal price	
Total Quality & Price Scores	100%

Table 1 - Contract Award Criteria

- 2.15. The return date for tenders was 5 February 2021. A number of potential bidders expressed an interest in Merton's contract and, by the date set for delivery of tenders, the council received bid submissions from six organisations.
- 2.16. Of these tender submissions, one from Bidder F was simply a sales brochure and its bid was, therefore, immediately discounted as not complying with the requirements of the council's Invitation to Tender having failed to submit any of relevant documentation.

Tender Evaluation

- 2.17. The evaluation of bids received was undertaken in three stages – an initial review of the bids to check completeness and to review grounds for exclusion, a detailed consideration and scoring of written quality and prices submissions followed by a final interview which was used to verify the written proposals received.
- 2.18. The evaluation process was supported and overseen by an officer from the council's Commercial Services team, acting in a quality assurance role to ensure EU procedures were complied with in full, and that the approach of the team to testing and scoring against the evaluation criteria was rational and consistent for all elements of the tender. This officer was responsible for overseeing the moderation of tender scores and attended the final interviews.
- 2.19. As the first stage of the evaluation, bids were checked for completeness. At this point, it was noted that Bidder E had failed to submit a Pricing Schedule detailing its bid in terms of a proposed school meal price. The Council's Invitation to Tender specifically stipulated that a failure to submit a Pricing Schedule would mean that the tender submission could not be considered. Regrettably, therefore, this company was excluded from the tender evaluation having not submitted a compliant tender.
- 2.20. At this juncture, the remaining four bidders were also assessed against the mandatory and discretionary grounds for exclusion and on their turnover and experience of delivering a school meals service. All four bidders passed these threshold requirements.
- 2.21. In the second stage of the evaluation process, the evaluation team assessed each tender against the pre-set evaluation criteria as detailed in Table 1 and marks were awarded to each bidder. Following a moderation exercise, to arrive at a consensus score for each bidder, final scores based on written submissions were confirmed. The bidders' proposals were further verified through an interview during which each bidder was asked to clarify and support their bid proposals.
- 2.22. Following the conclusion of this process, the evaluation team determined that Bidder A scored best against the published criteria so it is recommended the council awards the contract to this company.

3 ALTERNATIVE OPTIONS

- 3.1. The making of arrangements for school meals is a legal requirement but, as budgets are delegated to schools, it is not essential that there is one borough-wide contract. However, all but one maintained school, one free school and

three primary academies are part of the current borough-wide contract and have agreed to continue to do so.

- 3.2. A centrally managed contract avoids the necessity for a school to spend extensive amounts of time making arrangements to procure and monitor their own services. It also ensures that primary and special school meals are to a consistent quality and healthy standard across the borough. The council's cost in procuring and monitoring the contract are met through a charge of £64,000 per year payable by the contractor – accordingly, the council's management costs are fully covered without placing an extra financial burden on schools or the council.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. School headteachers have been extensively consulted in relation to their views about the school meals catering service. The feedback from surveys and monitoring visits to schools helped inform the development of the revised specification for the school meals contract and the award criteria and weightings used within the tender process.
- 4.2. A school bursar participated in the evaluation process and, in addition, a nominated head teacher representative was invited to participate in the evaluation of tenders and sat on the interview panel at the last stage of the tender process. The council's Climate Change Project Officer also participated in the evaluation of bids.
- 4.3. The Corporate Procurement Team has been consulted at all stages throughout the process to ensure probity existed at all times and to ensure we are able to fulfil our obligations at a later date in the event of a Freedom of Information Enquiry.

5 TIMETABLE

- 5.1. It is anticipated that the new contract which will commence on 1 August 2021.
- 5.2. Although school catering services fall under the "light touch regime" of the PCR 2015, the council proposes to make approval of the award of this contract subject to it observing a 'standstill' period of 10 days from notification to all tenderers of the council's intention to award to the successful tenderer. The standstill period will run from 30 March until 12 April 2021.
- 5.3. Provided no legal objection to the intended award has been raised with the council by any unsuccessful tenderer during this standstill period the contract will be formally awarded.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The value of the existing contract in 2018/19 financial year was approximately £3,625,000 based on meals provided to both pupils and staff.
- 6.2. During the latter period of 2019/20 and throughout the current financial year, the take up of meals was severely affected by pupils not attending school due to COVID 19 restrictions. Consequently, the current expenditure under the school meals contract is difficult to estimate accurately. However, for the purposes of tendering, the council estimated that the value of the new contract

is likely to be of the order of £3,725,000 per year assuming that school attendance will have returned to normal by September 2021.

- 6.3. The cost of the service is determined by the numbers of meals provided as against the meal price. The cost of meals provided is paid for in two different ways:
 - (i) by the parent/carer of the child consuming the meal, or;
 - (ii) by the school, if the child is in receipt of a free school meal
- 6.4. Pupils may have an entitlement to a free school meal by reason of their family circumstances or under the government's universal infant free school meal scheme launched in September 2014. The scheme provides a free meal for all pupils in reception year and Key Stage 1 (up to the age of 7).
- 6.5. Schools receive an allocation of funding for free school meals from within the Dedicated Schools Grant - the schools' funding formula is used to calculate the payment as part of their delegated budgets. In addition, funding for universal infant free school meals is paid by central government as a separate grant.
- 6.6. It is evident from the census data that eligibility for free schools in schools within the council's central contract has risen during the period of the COVID 19 pandemic. There was an increase from 16.6% of pupils on roll eligible for free school meals in the January 2020 census numbers to 20% of pupils in the October 2020 census. This equates to just under 400 extra children who are now eligible for a free school meal by reason of their families' financial circumstances although those under 7 would in any event have been entitled to a free meal under the Universal Infant Free School Meal scheme.
- 6.7. For pupils not eligible for free school meals, parents or carers at present pay £2.18 per meal.
- 6.8. The council is not responsible for payment of the costs of school meals except in the event of a school failing to make payment. Individual schools are invoiced for all meals consumed (both paid and free school meals for pupils and staff) on their sites. Schools are responsible to collect any debt incurred by parents and no liability is borne by the council.
- 6.9. The council's sole direct expenditure in relation to the school meals contract is limited to purchase of replacement for any kitchen equipment which is beyond repair, the cost of which is met from the Dedicated Schools Grant and not the council's core budget. For 2020/21, the Schools' Forum agreed for the council to retain £40,000 from the Dedicated Schools Grant for this purpose.
- 6.10. As now, the staff cost and other costs incurred by the council to procure and manage the contract will be met by the catering contractor creating a continued saving for schools of £64,000 per year.
- 6.11. Under the new contract the caterer will credit schools 7p for each meal sold to meet their utility and waste costs.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The procurement process has been undertaken in accordance with Contract Standing Orders and as this is over the EU threshold, in compliance with the

requirements for the open procedure set out at Regulation 27 of the PCR 2015.

- 7.2. The procurement has been conducted transparently in accordance with the published methodology and by applying the evaluation criteria. Therefore there should be no risk of challenge. A 10 day standstill period will be run in accordance with the Public Contract Regulations 2015.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. The tender documentation submitted by all selected tenderers was assessed against the threshold requirement to ensure bidders comply with current equalities legislation. This will ensure that contracts are awarded to organisations that have an equalities and diversity policy and practices which can impact positively on the delivery of the service.
- 8.2. As part of the tendering process the council developed within its specification a formal requirement for providers to reflect the need to cater for an increasingly diverse child population in delivering the school meals service. Bidders' submissions were assessed as to the extent their proposals address these issues.
- 8.3. The criteria considered meal price at 50% to ensure school meals could be affordable for families that do not meet the threshold for free school meal eligibility.
- 8.4. The council also stipulated that bidders should submit tenders on the basis that the contract awarded would require the caterer to pay all staff a rate not less than the UK Living Wage (currently £9.50). Schools have agreed to this approach in general but may opt to ask the successful contractor to pay its staff the London Living Wage if so desired but at increased cost per meal.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. There are no substantive crime and disorder implications arising from the recommendations contained within this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. All organisations that are awarded contracts must have a health and safety policy and procedures for effective health and safety and risk management. Particular attention was given to assessing food hygiene procedures as part of the tender assessment.
- 10.2. The contract award is subject to the successful bidder agreeing to provide, if required, a guarantee undertaking from any parent company in order to mitigate any risks associated with a failure of performance by the council's chosen contractor.
- 10.3. During the current pandemic, in line with HM Treasury and Department for Education guidance, the Council arranged to pay the incumbent contractor on behalf of schools an agreed sum to cover its continued operating costs during the period of the lockdown. Schools remained open for pupils who are deemed vulnerable or are the children of key workers throughout this period. The

Council's expenditure was recharged in full to the schools participating in the central contract.

- 10.4. Similar arrangements would apply in the event of such events affecting the new contract and specific provisions to cover this eventuality have been included in the terms and conditions of contract issued to potential bidders.
- 10.5. The EU procurement regulations allow a company to challenge a contract decision from a public body, especially on matters of procedure. To mitigate this risk a separate quality assurance role was established for an officer from Commercial Services to monitor the tender procedures.

11 BACKGROUND PAPERS

Contract Standing Orders

Exempt Annex to Report

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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