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OVERVIEW AND SCRUTINY COMMISSION

17 FEBRUARY 2021

(7.15 pm - 10.00 pm)

PRESENT: Councillor Peter Southgate (in the Chair),
Councillor Peter McCabe, Councillor Ben Butler,
Councillor Brenda Fraser, Councillor Edward Gretton,
Councillor Paul Kohler, Councillor Nick McLean,
Councillor Aidan Mundy, Councillor Geraldine Stanford,
Councillor Billy Christie, Mansoor Ahmad and Roz Cordner

ALSO PRESENT: Councillors

Ged Curran (Chief Executive), Caroline Holland (Director of Corporate Services), Chris Lee (Director of Environment and Regeneration), Louise Round (Managing Director, South London Legal Partnership and Monitoring Officer) and Ben Stephens (Head of Parking Services)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies received.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

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

4 COVID 19 - VERBAL UPDATE FROM CHIEF EXECUTIVE (Agenda Item 4)

The Chief Executive presented the Commission with an overview on how Merton has been reacting to the Covid-19 pandemic, including case numbers, community testing and how the Council is supporting those residents that are shielding.

Sadly there have been over 400 deaths in Merton, for which the Chief Executive gave his sincere condolences.

- Positive cases have fallen – Current figures show there are 150 cases per 100,000 tests, compared to 1000 cases per 100,000 at the peak.
- Everybody must continue with the measures - Hands, Face and Space.

In response to Commission Members questions, the Chief Executive further explained;

In light of the declining take up of lateral flow tests, alternative distribution models are being considered, such as direct posting of testing kits to homes, together with distribution hubs where people can collect their test and use it at home.

With regards to the mistaken inclusion of the CR4 postcode, details of the outbreak of a South African variant in Pollards Hill were received as part of national communications, which created an impression that in all of the test areas mentioned, the variant of concern was a more dangerous version. The information wasn't as clear as it could have been and was also picked up by national news and media including Public Health England. The Council also bears some responsibility for the confusion as for the first six hours, we referenced the CR4 site. Once the correct information was received, we replaced the incorrect previous information with a map that clearly defined that it was only the Pollards Hill area that was affected.

Data on the number of people in Merton that have received their first and second vaccination is held by Public Health colleagues and will be circulated once it is available.

Although we have received a large amount of funding from the government, in response to the 'spend what is necessary' adage, there is still a £7m imbalance due to costs we have not yet been reimbursed for. This includes things such as PPE supplies for care homes, additional cost of care and support through community contracts, providing food to those residents shielding at the beginning of the first lockdown, an increase in care packages and extra costs for enforcement and communication.

Another area of budget shortfall arises when we identify the losses the Council has incurred due to Covid (income forgone and the ability to implement certain changes that would have happened prior to the outbreak).

Presentation slides will be circulated to Commission Members after the meeting.

The Chair thanked the Chief Executive for his time tonight.

5 BUDGET AND BUSINESS PLAN 2021-25 (Agenda Item 5)

The Director of Corporate Services gave an introduction to the final savings report provided to the Commission.

The Commission looked at the proposed savings and capital programme relating to its remit. Members also discussed the references from the other scrutiny panels to inform discussion of its reference back to Cabinet.

The Commission RESOLVED to forward to Cabinet the comments and recommendations made by the overview and scrutiny panels (These are detailed in Item 6).

Councillor Nick Mclean raised a motion that recommended to Cabinet "The Overview and Scrutiny Commission supports the hard work of Merton Council staff during the pandemic, especially frontline staff working with our most vulnerable residents.

However, the current administration has chosen to spend £316,000 on an extra day off for staff members, when that money could have been used to support local businesses and aid Merton's economic recovery. Therefore, commission requests cabinet to look again at offering additional financial support to local businesses to the level of £316,000". This was seconded by Councillor Ed Gretton. There were three votes in favour and six against. Motion fell.

The Commission RESOLVED (eight votes for, two abstentions) to forward the following comments and recommendations to Cabinet:

1. "Commission Members welcome the opportunity to scrutinise the final Budget and Business Plan 2012-25, and recognise the exceptional difficulties officers have faced in finalising it while so much uncertainty remains around central government funding.
 2. Covid-19 has created unprecedented financial pressures on Merton's budget. As these are addressed in the coming months and the recovery programme gets underway, clarification of the issues may ease the financial pressure while revealing underlying socio-economic problems. Merton post-Covid will be a very different place.
 3. Resolution of two outstanding financial pressures would greatly improve the council's position:
 - Payment of the remaining tranches of compensation for lost income from sales, fees and charges
 - Settlement proposal for the deficit on the Dedicated Schools Grant (£27m)
 4. This would allow the reserves being used to balance the budget for 2021/22 (£6.6m) and for 2022/23 (£5.3m) to be repaid.
 5. Although the infection rate is falling, Covid-19 will leave a long term legacy for Merton:
 - Physical and mental damage to the most vulnerable members of the community, especially children who have lost schooling, those who are isolated, disabled or with mental health issues
 - Exacerbation of existing inequalities between the east and west of the borough
 6. The MTFs must expect to accommodate an increase in demand from the most vulnerable for a wide range of council services; it will not be "business as usual"
 7. The Commission endorses the LGA call for central government support to be maintained":
"It is vital that funding dedicated to Covid-19 in both the current financial year 2020/21 and in 2021/22 is kept under review to ensure councils are fully compensated for the financial impact of the pandemic"
- 6 SCRUTINY OF THE BUSINESS PLAN: RECOMMENDATIONS FROM THE SCRUTINY PANELS (Agenda Item 6)

References/Comments received from the scrutiny panels re; Business Plan 2021-25;

1. The **Healthier Communities and Older People Overview and Scrutiny Panel** ask Cabinet to reconsider saving CH100 (Review of in-house day-care provision) for the following reasons:
 - The engagement process may cause some anxiety to vulnerable groups who are already facing mental health challenges during the pandemic.
 - Social distancing will make it difficult to conduct an effective engagement process
 - The Community and Housing Department is already managing significant workload pressures due to the pandemic.

2. The **Sustainable Communities Overview and Scrutiny Panel** commends Merton's Environment and Regeneration workers on their hard work, expertise and positive attitude during the Covid pandemic. Noting in particular that they have worked within current limited resources to deal with necessarily increased duties and expresses the hope they will be suitably rewarded as soon as conditions permit.

3. The **Sustainable Communities Overview and Scrutiny Panel** welcomes the department's efforts for digital innovation, particularly the use of a GIS system, and recommend, given increase in internet use, taking advantage of such innovation in full to support residents and service provision where resource and funding is available.

7 CALL IN: EMISSIONS BASED CHARGING (Agenda Item 7)

The Chair introduced the Conservatives call-in on Emissions Based Charging and reminded Commission Members to please conduct this investigation in a disciplined and professional manner. We must decide whether the matter should be referred back to Cabinet for consideration.

Councillor Daniel Holden was invited to speak in support of the call in and outlined the Conservatives' reasons for the call-in which are:

- Proportionality
- Respect for human rights and equalities
- A presumption in favour of openness;
- Clarity of aims and desired outcomes;
- Consideration and evaluation of alternatives

Councillor David Dean added further points:

- Pollution does not exceed legal limits in areas that are due to be the most expensive in the scheme.
- Commercial vehicles and large combustion engines need addressing but is not achieved through this policy.

- Residents in Wimbledon and Raynes Park have responded by ripping up their gardens, which will result in dramatically diminished greenery, which is the worst thing for air quality and climate change.

The Commission discussed the points raised and asked questions of clarification.

In response to a question on possible alternatives, Councillor Daniel Holden suggested that incentives to encourage behaviour such as a low mileage rebate, discounts on parking permits to those who make a switch to electric vehicles within a certain time period and cheaper visitor passes for the elderly have been suggested at scrutiny panels, but not taken up.

In response to points raised the Director of Environment and Regeneration replied with further information;

- Air pollution is top of the agenda nationally and across London and evidence suggests 4000 deaths a year are caused by toxic air/air pollution.
- There have been numerous opportunities for engagement over the year including scrutiny and consultations and adjustments have been made to the policy following recommendations to Cabinet.
- Policy is not geographically focused, it is vehicle focused. High polluting vehicles are owned across the borough.

Councillor Nick McLean raised a motion, seconded by Councillor Ed Gretton, which recommended to Cabinet “The Overview & Scrutiny Commission has heard the feedback of the call-in and is minded to refer back to Cabinet that the emissions-based-parking tax be cancelled”. There were three votes in favour and six against. Motion fell.

Councillor Nick McLean raised a second motion that recommended to Cabinet “The Overview & Scrutiny Commission refers back to the Cabinet that emissions-based-parking charges be postponed until at least May 2022 pending amendments to the policy to mitigate the negative impacts on the elderly, families and poorer residents. This was seconded by Councillor Ed Gretton. There were three votes in favour and six against. Motion fell.

Councillor Paul Kohler raised a motion to refer back to Cabinet to “consider the implementation of a low mileage/low use discount or rebate, on the basis that it is the driving of vehicles that reduces air quality and increases carbon emissions. This would encourage less driving, and would particularly mitigate the impact of higher parking costs for those on low/fixed incomes who can’t afford to switch to newer and more environmentally friendly vehicles”. This was seconded by Councillor Nick McLean. There were three votes in favour and six against. Motion fell.

The Head of Parking Services confirmed work is being undertaken on making the application process for a permit easier.

There was no agreement to refer the matter back to Cabinet for reconsideration.

8 WORK PROGRAMME (Agenda Item 8)

The work programme was agreed.