



**INNOVATION AND CHANGE DEPARTMENT**  
Louise Round – Interim Executive Director

To all Members of the Council

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

**Tel:** 020 8545 3357  
**Email:** [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk)

***Date: 22 February 2023***

Dear Councillor

**Notification of Cabinet Decisions**

The decisions of the Cabinet meeting held on Monday 20 February 2023 are attached.

The call-in deadline is Monday 27 February 2023 at noon

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

Yours sincerely

Democracy Services



**Decisions of the Cabinet held on Monday 20 February 2023**  
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4	Reference from the Sustainable Communities Overview and Scrutiny Panel – Clarion Housing	<p>RESOLVED:</p> <p>That Cabinet noted the reference set out in paragraph 2.5 to 2.12 of the report</p>
5	Waste & Street Cleansing Contract	<p>RESOLVED:</p> <ul style="list-style-type: none"> <li>- That Cabinet noted the reference of the Sustainable Communities Overview and Scrutiny Panel set out in paragraph 2.5 to 2.12 of the report</li> </ul> <p>A. That Cabinet noted the Best Value Assessment of the four identified service delivery models for both waste and recycling collection, and the street cleansing service.</p> <p>B. That Cabinet noted the findings from the Resident Engagement survey undertaken by the service which identifies high satisfaction with waste and recycling collection along with identifying areas of required improvement within the street cleansing service.</p> <p>C. That Cabinet agreed, based on the Best Value Assessment and Resident Engagement findings, to a model of securing service delivery that disaggregates the street cleansing service from the waste and recycling service.</p> <p>D. That Cabinet agreed that a competitive procurement offers the Best Value approach to securing a waste and recycling service; authorise the publication of a Prior Information Notice to notify the market of the intention to tender for a waste and recycling service; and confirm that officers can proceed to prepare all necessary tender documentation.</p> <p>E. That Cabinet agreed with regards to the waste and recycling service that the tender opportunity is advertised on the basis that the successful bidder will be required to ensure all employees who are wholly or substantially engaged in delivering the contract have terms and conditions of employment that are equivalent to the Council's.</p> <p>F That Cabinet noted the implications for the Medium-Term Financial Strategy, from 2025/26, of agreeing to tender on the basis of equivalency of employment terms and</p>

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		<p>conditions and the rationale for making this recommendation.</p> <p>G. That Cabinet noted the Greater London Authority’s (GLA) role, under the Greater London Authority Act 1999, to issue directions to London boroughs in relation to waste management procurement and note the impact this has on the procurement timeline.</p> <p>H. That Cabinet agreed that the setting up of a Direct Service Operation offers the Best Value approach to securing a street cleansing service and authorise the Waste and Street Cleansing Project Board to undertake further detailed work on a service specification that responds to residents’ concerns about the current service.</p> <p>I. That Cabinet noted that further Cabinet decisions will be sought as necessary with regards to the various components of the proposed service specifications for the waste and recycling, and street cleansing services.</p> <p>J. That Cabinet noted that the recommended model, and underpinning rationale, for securing service delivery of waste and recycling, and street cleansing services, has been subject to pre-decision scrutiny by the Sustainable Communities Overview and Scrutiny Panel on 13 February 2023, and that any comment or recommendation from the Panel will be referred to Cabinet by the Panel Chair.</p> <p>K. That Cabinet noted that in accordance with the Council’s Contract Standing Orders the proposed procurement strategy for the waste and recycling service will be considered by the Council’s Procurement Board, chaired by the Chief Executive, prior to final approval to proceed to tender</p>
6	Award of Environmental Enforcement and Animal Welfare Services	<p>RESOLVED:</p> <p>A. That Cabinet agreed to award a new contract for the provision of Environmental Enforcement and Animal Welfare Services across the Council’s administrative area for a period of approximately four (4) years with potential extensions of up to 24 months (2 years) to ‘Bidder A’ as referred to in the exempt appendix within the report. B. That Cabinet delegated the decision to award an extension of the awarded contract to the Executive Director of Environment, Civic Pride &amp; Climate in consultation with the Cabinet Member, for any period up to 24 months (2 years) in accordance with CSO 27.</p>

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7	Climate Delivery Plan - Year 3	<p>RESOLVED:</p> <p>A. That Cabinet adopted the Climate Delivery Plan – Year 3.</p> <p>B. That delegated authority was given to the Executive Director for Environment, Civic Pride &amp; Climate in consultation with Cllr Natasha Irons, the Cabinet Member for Local Environment, Green Spaces and Climate to make minor amendments to the Climate Delivery Plan – Year 3.</p> <p>C. That Cabinet noted the proposed allocation of Merton’s latest round of Climate Funding allocated by Cabinet in June 2022.</p> <p>D. That Cabinet considers and provides feedback on the Draft Climate Engagement Strategy.</p> <p>E. That delegated authority is given to the Executive Director for Environment, Civic Pride &amp; Climate in consultation with Cllr Natasha Irons, the Cabinet Member for Local Environment, Green Spaces and Climate to make amendments to the Draft Climate Engagement Strategy and for its adoption.</p>
8	Neighbourhood CIL and Merton's Civic Pride Fund - Investing in Neighbourhoods bid approvals	<p>RESOLVED:</p> <p>1. That Cabinet agreed to allocate £1,324,209 Neighbourhood Community Infrastructure Levy money to 22 individual projects received through the 2022 Civic Pride Fund - Investing in Neighbourhoods bidding round as set out in Appendix A in line with Merton Council’s approved criteria;</p> <p>2. That Cabinet approved the award of funding is subject to: (a) any conditions shown against each bid recommended for approval in Appendix B and the (b) due diligence being carried out to ascertain if grants do fall under the UK Subsidy Control Regime which came into effect on the 4th January 2023 and where necessary to comply with the regime and the Subsidy Control Act 2022;</p> <p>3. To delegate authority to the Interim Executive Director of Environment, Civic Pride &amp; Climate in consultation with the Cabinet Member for Civic Pride to make any amendments to funding bid amounts recommended for approval, in line with Merton</p>

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		<p>Council's approved criteria;</p> <p>4. That Cabinet noted the review of the implementation of the Ward Allocation Scheme from 2019 to 2022 included at Appendix C;</p> <p>5. That Cabinet endorsed the implementation of a further Ward Allocation Scheme from April 2023 to March 2026 in accordance with paragraph 2.28 of the report.</p> <p>6. To delegate authority to the Interim Executive Director of Environment, Civic Pride &amp; Climate in consultation with the Cabinet Member for Civic Pride to allocate Neighbourhood Community Infrastructure Levy Funding to support the implementation of a further Ward Allocation Scheme to March 2026 in accordance with paragraph 2.29 of the report.</p>
9	Scrutiny of the Business Plan; comments and recommendations from the overview and scrutiny panels	<p>RESOLVED:</p> <p>That Cabinet, in taking decisions relating to the Business Plan 2023-27, consider the recommendations made to the Overview and Scrutiny Commission (set out in paragraphs 2.4 to 2.5 below) by the other Overview and Scrutiny Panels.</p>
10	Business Plan 2023-27	<p>RESOLVED:</p> <p>1. That Cabinet considers and agrees the response to the Overview and Scrutiny Commission;</p> <p>2. That the Cabinet resolves that, having considered all of the information in this report and noted the positive assurance statement given by the Interim Executive Director, Finance and Digital based on the proposed Council Tax strategy, the maximum Council Tax in 2023/24, equating to a Band D Council Tax of £1,449.68, which is an increase of below 5% be approved and recommended to Council for approval.</p> <p>3. That the Cabinet considers all of the latest information and the comments from the scrutiny process, and makes recommendations to Council as appropriate</p> <p>4. That Cabinet resolves that the Budget and Medium Term Financial Strategy 2023-27 including the General Fund Budget and Council Tax Strategy for 2023/24, and the</p>

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		<p>Medium Term Financial Strategy (MTFS) for 2023-27 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;</p> <p>5. That the Cabinet resolves 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, including the detailed recommendations in that Section, incorporating the Prudential Indicators and the Capital Strategy as submitted and reported upon be approved and recommended to Council for approval, subject to any proposed amendments agreed at this meeting;</p> <p>6. That Cabinet notes that the GLA precept will not be agreed by the London Assembly until the 23 February 2023, but the provisional figure has been incorporated into the draft MTFS</p> <p>7. That Cabinet request officers to review the savings proposals agreed and where possible bring them forward to the earliest possible implementation date</p> <p>8. That Cabinet note that there may be minor amendments to figures and words 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.</p> <p>9. That Cabinet consider and approve the Risk Management Strategy</p>
11	December Financial Monitoring Report	<p>RESOLVED:</p> <p>A. That Cabinet noted the financial reporting data for month 9, December 2022, relating to revenue budgetary control, showing a forecast net favourable variance at 31st December on service expenditure of £0.875m when corporate and funding items are included.</p> <p>B. That Cabinet noted the contents of Section 5 and Appendix 5b of the report and approve the adjustments to the Capital Programme in the Table below:</p>

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	Budget 2022-23	Budget 2023-24	Budget 2024-25	Budget 2025-26	Narrative
	£	£	£	£	
<b><u>Corporate Services</u></b>					
Customer Contact- Customer Contact Programme	(144,190)	(516,910)			Virement in accordance with the 2022-23 Budget - Capitalised Spend
Customer Contact- Active Directory	235,700				Virement in accordance with the 2022-23 Budget - Capitalised Spend
Customer Contact- Data Security and Control	289,700				Virement in accordance with the 2022-23 Budget - Capitalised Spend
Customer Contact- End Use Device	53,100				Virement in accordance with the 2022-23 Budget - Capitalised Spend
Customer Contact- Virtual Desktop	82,600				Virement in accordance with the 2022-23 Budget - Capitalised Spend
Invest to Save- De-Carbonisation Scheme	12,110				Funding from grant to cover the cost of retention payments
<b><u>Children, Schools and Families</u></b>					
CSF Safeguarding - Children's Safeguarding	165,000				Contrib to House Purchase for child going into SEN Residential Placement
<b><u>Environment and Regeneration</u></b>					
Street Trees - Harris Academy & High Path Street Trees	50,000				New S106 Project
Highways and Footways - Accessibility Schemes	(5,000)	5,000			TfL Approved Slippage Scheme
Highways and Footways - Casualty Reduction	(47,000)	34,000			TfL Approved Slippage Scheme - £13k moved to 2023-24
Cycle Route Improvements - Cycle access/parking	(114,000)	114,000			TfL Approved Slippage Scheme
Cycle Route Improvements - Cycle Improve Residential Streets	(123,000)	116,000			TfL Approved Slippage Scheme - £7k moved to 2023-24
Mitcham Regeneration - SMCA Springboard		87,000			Successful Bid for Civil Society Investing in Neighbourhoods 2024
Mitcham Regeneration - Mitcham Cricket Green		54,000			Successful Bid for Civil Society Investing in Neighbourhoods 2024



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Mitcham Regeneration - The Small Quarter Phase 2		22,000			Successful Bid for Civic Investing in Neighbourhoods 24
Mitcham Regeneration - Chapter House		33,000			Successful Bid for Civic Investing in Neighbourhoods 24
Wimbledon Regeneration Parks Investment - Kenilworth Green Pocket Park		65,000			Successful Bid for Civic Investing in Neighbourhoods 24

C. That Cabinet approved the 8 Revenue Civic Pride – Investing in Neighbourhoods Bids below as contained in Appendix 5d – these are summarised below:

### Proposed 8 Civic Pride – Investing in Neighbourhoods Revenue Allocations 2023-24

Bid ID	Project name	2023-24 Revenue £
2&3	Repairs to Grade II Listed Tudor Wall St. Mary's Merton Park Churchyard	20,000
4	Community Champions, more sustainable Merton	51,836
5	Merton Garden Streets 2023	35,373
6	Merton Sports Coaching Academy	144,275
8	Towards Employment	74,960
32	Uptown Youth Services	15,000
40	Vestry Hall - Mitcham Arts Collective	12,000
45	Ready Steady Cook CR4 Community Cooking Classes	42,750
46	The Wheel	63,615
<b>Total</b>		<b>459,809</b>

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<p><b>12</b></p>	<p>Future Homecare Arrangements for Merton (New Framework and Procurement Process)</p>	<p>RESOLVED:</p> <p>A. That Cabinet approves the commissioning of Future Homecare Arrangements for a term of five (5) years without the option to extend.</p> <p>B. That Cabinet approves the inclusion in the terms and conditions of the contract a requirement to pay London Living Wage for all staff engaged in delivering services under the contract.</p> <p>C. That Cabinet delegates authority to the Executive Director for Adult Social Care, Integrated Care and Public Health, in consultation with the Cabinet Member for Social Care and Health, the award of contracts to the successful bidders at the conclusion of the tender process.</p> <p>D. That Cabinet notes the Fair Cost of Care Annex B: Merton domiciliary care report and Annex C Market Sustainability Plan which are being published on the Council’s website and will be submitted to the Department of Health and Social Care by the 31 March 2023 in order to comply with the Government’s requirements.</p>
<p><b>13</b></p>	<p>Supply of Electricity to London Borough of Merton</p>	<p>RESOLVED:</p> <p>A. That Cabinet agreed to award a 2+2+2-year contract to bidder A for the supply of electricity to sites covered by the corporate utility contract, starting from 1st April 2023.</p> <p>B. That authority to take up the 2 optional 2-year extensions on the contract be delegated to the Executive Director of Innovation and Change in consultation with the Cabinet Member for Finance and Corporate Services.</p>

## Merton Council - call-in request form

### 1. Decision to be called in: (required)

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

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

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

### 3. Desired outcome

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

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

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

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

**5. Documents requested**

**6. Witnesses requested**

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

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

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

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

The form and/or supporting requests must be sent:

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

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