



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
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Date: 22 March 2023

Dear Councillor

Notification of Cabinet Decisions

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

The call-in deadline is Monday 27 March 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 March 2023
Call-in deadline – Monday 27 March 2023 at Noon

5	Council Plan	<p>RESOLVED :</p> <p>That Cabinet</p> <p>A. Reviewed and approved the draft Council Plan – Building A Better Merton Together for submission to Council for adoption at its meeting on the 19th of April 2023</p> <p>B. Noted the proposed approach to internal and external communications to launch and communicate the plan with staff, residents and partners</p> <p>C. Reviewed and approved the accompanying Corporate Performance Framework 2023/24</p>
6	Cost of Living Update	<p>RESOLVED:</p> <p>A. That Cabinet agreed the Merton Council Cost-of-Living Strategy and Action Plan 2023-25, attached at Appendix I.</p> <p>B. That Cabinet agreed the indicative proposals for the second tranche of the Cost-of-Living Emergency Support Fund, as set out in Table 1 and at paragraphs 3.10-3.31, including further development of proposals around the CroydonPlus, the Credit Union for Merton, Sutton and Croydon, set out at 3.20.</p> <p>C. That Cabinet agreed to delegate authority to the Interim Executive Director for Innovation and Change, in consultation with the Cabinet member for Finance and Corporate Services to make the final decisions relating to this second tranche of funding.</p> <p>D. Following receipt of the Household Support Fund guidelines on 20 February, that Cabinet delegated authority to the Interim Executive Director for Innovation and Change, in consultation with the Cabinet member for Finance and Corporate Services to make allocations of this fund.</p> <p>E. That Cabinet noted further work to support residents since the last update report to Cabinet in January</p>

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7	Confirmation of the Immediate Article 4 Direction in 7 Wards - Results of Consultation and Update on Proposed Introduction of Landlord Licensing and Empty Homes Project'	<p>RESOLVED:</p> <p>A. Following review of the consultation responses as well as consideration of legal advice from an external barrister, that Cabinet agreed to recommend to Council that the Immediate Article 4 Direction for small HMOs be Confirmed for the following wards: Figge's Marsh; Graveney; Longthornton; Pollards Hill; Colliers Wood; Cricket Green and Lavender Fields.</p> <p>B. Cabinet noted that there is an ongoing risk of compensation claims being submitted for any small HMOs (6 person and under) that relied on the permitted development rights that have been removed in the 7 wards, and note that claims are only valid if a planning application is submitted within 12 months from the introduction of the Immediate Article 4 (17th November 2022) and then subsequently refused; or if additional Planning Conditions are applied that reduce the development's value</p> <p>C. Cabinet noted the update on Landlord Licensing and Empty Homes, including the proposed charges and conditions appended, and note that once the full consultation report has been provided to the Council by ORS, a further report will be brought back to Cabinet in June to agree the way forward for Landlord Licensing, following consideration of representations received.</p> <p>D. Cabinet agreed that the additional cost of £75,000 for project management, housing staffing; and external legal fees up to Oct 23 (date of implementation) be funded by a transfer from the corporate contingency fund.</p> <p>E. Cabinet delegated Authority to the Executive Director for Housing and Sustainable Development in consultation with the Cabinet Member for Housing and Sustainable Development to Approve the draft Supplementary Planning Document on HMOs for at least 6 weeks of public consultation and to approve any amendments required by proposed changes to the National Planning Policy Framework.</p>
8	London Borough of Merton Alcohol Related Public Spaces Protection Order (PSPO)	<p>RESOLVED:</p> <p>A. That Cabinet noted the contents of the Evidence Report, the Public Consultation</p>

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		Findings, and the Equalities Impact Assessment (Appendices 1-3). B. That Cabinet agreed the proposal to make a borough wide PSPO for alcohol related ASB and make Merton a responsible drinking borough.
9	Extension of Community Dementia Services	RESOLVED: A. That Cabinet approved the modification of the contract to allow extension of Community Dementia Services provided by Alzheimer’s Society for a further 2 1/2 years (From 1 October 2023-31 March 2026)
10	Public Health commissioned services contract extensions report	RESOLVED: A. That Cabinet agreed to extend the children and young people’s 0-19 health services contract for 12 months (from April 2024 to March 2025) where we have already used the extension options contained within the original contract (see D below). B. That Cabinet agreed to extend the Adult Substance Misuse contract for a period of 12 months (from April 2024 to March 2025) which builds on the previously agreed 12 month extension which has not been enacted so will require to extend as a single 24 month extension. We have already used the extension options contained within the original contract. C. That Cabinet agreed to extend the Integrated Sexual Health (ISH) service contract by 6 months (April 2024 to September 2024) allowable within the existing contract and a further period of up to 6 months (October 2024 to March 2025) where the extension options within the existing contract have been used (see D below) D. That Cabinet approved for these contract extensions to be made under Regulation 72 of the Public Contract Regulations (PCR 2015) without substantial changes to these named contracts as there are no remaining options for extending the existing contracts. E. That Cabinet noted that the purpose of the three service contract extensions is to align to a large South West London primary and community health services model and

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		<p>pathways being developed in partnership with NHS SWL Integrated Commissioning Board (ICB), to allow the opportunity to explore an integrated system with the potential for integrated service models, pathways and joint commissioning options.</p> <p>F. That Cabinet delegated authority to the Executive Director Adult Social Care, Integrated Care and Public Health to finalise and approve terms and conditions for the contract extensions, within existing public health grant budget and compliant with public health duties</p>
11	Award of Contract for SEND Independent and Non-Maintained Special Schools Placements	<p>RESOLVED :</p> <p>A. That Cabinet agreed to award a new contract for the placement provision of Non-Maintained and Independent Special Schools for Merton’s vulnerable children and young people with an Education Health and Care Plan (EHCP) for a period of five (5) years (until 31 March 2028) with no potential of an extension. The contract value is set out in Appendix A.</p> <p>B. That Cabinet agreed the providers as listed in Confidential Annex A of this report are awarded a place on the new ‘Pseudo DPS’ as they have passed the accreditation and enrolment evaluation process, whilst recognising that further organisations will be able to join throughout the duration of the ‘Pseudo DPS’ if they pass both the accreditation and enrolment stages.</p> <p>C. That Cabinet delegated its authority to the Director of Children, Schools, and Families to implement the ‘Pseudo DPS’ and make the decision to award all contracts where the selection criteria has been followed under the ‘Pseudo DPS’ during its term validity of 5 years (until 31 March 2028)</p>
12	January Financial Monitoring Report	<p>RESOLVED:</p> <p>A. That Cabinet noted the financial reporting data for month 10, January 2023, relating to revenue budgetary control, showing a forecast net favourable variance at 31st January on service expenditure of £2.739m when corporate and funding items are</p>

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included.

- B. That CMT note the contents Section 5 and appendices 5a to 5d of the report and approve the amendments in Appendix 5b

That Cabinet noted the contents of Section 5 and appendices 5 a to 5d of the report and approve the adjustments to the Capital Programme in the Table below:

	Budget 2022-23	Narrative
	£	
<u>Environment and Regeneration</u>		
Borough Regeneration - Haydons Rd Shop Front Impr	(49,000)	Adjustment to Levelling Up Grant Coding
Wimbledon Area Regeneration - Wimbledon Hill Road	45,000	Adjustment to Levelling Up Grant Coding
Total	(4,000)	

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Investment Strategy

RESOLVED:

That the recommendation within the report was agreed.

Merton Council - call-in request form

1. Decision to be called in: (required)

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

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

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

3. Desired outcome

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

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

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

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

5. Documents requested

6. Witnesses requested

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

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

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

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

The form and/or supporting requests must be sent:

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

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