

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

20 MARCH 2023

(7.15 pm - 8.12 pm)

PRESENT Councillors Councillor Ross Garrod (in the Chair),
Councillor Eleanor Stringer, Councillor Stephen Alambritis,
Councillor Billy Christie, Councillor Caroline Cooper-Marbiah,
Councillor Brenda Fraser, Councillor Natasha Irons,
Councillor Andrew Judge, Councillor Sally Kenny and
Councillor Peter McCabe

ALSO PRESENT Hannah Doody (Chief Executive), Graham Terry (Assistant
Director Adult Social Care), Lewis Addlington-Lee (Head of
Leader's Office), Adrian Ash (Interim Director, Environment and
Regeneration), Zara Bishop (Communications Manager), Roger
Kershaw (Interim Executive Director of Finance and Digital),
Calvin McLean (Interim Assistant Director Public Protection),
Jane McSherry (Executive Director of Children, Lifelong
Learning and Families), Louise Round (Interim Executive
Director of Innovation and Change), Wendy Edwards (Senior
Consultant, Children Schools and Families) and Amy Dumitrescu
(Democracy Services Manager)

ATTENDING REMOTELY Lesley Barakchizadeh (Lead Programme Consultant – Corporate
Projects)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies 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 20 February 2023 are agreed as an accurate record.

4 REFERENCES FROM SCRUTINY PANELS (Agenda Item 4)

This item will be taken at a future meeting.

5 COUNCIL PLAN (Agenda Item 5)

The Leader of the Council presented the report which had been developed with consultation with residents and stakeholders and was built around the three Strategic themes – Nurturing Civic Pride, Building a Sustainable Future and Borough of Sport. The Plan outlined what the administration’s ambitions for the Borough and how progress on these would be measured over the next three years.

In response to questions from Cabinet Members, the Leader advised that a Corporate Performance Framework was being developed and would go forward to Scrutiny. The Council would work with partners to deliver on the priorities.

RESOLVED :

That Cabinet

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

B. Noted the proposed approach to internal and external communications to launch and communicate the plan with staff, residents and partners

C. Reviewed and approved the accompanying Corporate Performance Framework 2023/24

6 COST OF LIVING UPDATE (Agenda Item 6)

The Cabinet Member for Finance and Corporate Services presented the report, thanking officers and the Cost of Living Working Group for their work. Following declaration of the Cost of Living Emergency in July 2022, the Council had allocated the first £1m of funding in Autumn 2022 and the second £1m and the action plan for the following two years was detailed within the report being presented. The Cabinet Member provided an overview of how the funding would be spent and noted that there would be face to face events taking place and that additional potential funding pots would be kept under review.

In response to questions from Cabinet Members, the Cabinet Member for Finance and Corporate Services responded that the Council would be working with the Croydon Merton and Sutton Credit Union to help setup junior saver accounts for all Year 7 children this year and would provide £20 to each account, and £10 to every adult that opened a trustee account. The Council would use the data the Council held to ensure that support was targeted.

RESOLVED:

A. That Cabinet agreed the Merton Council Cost-of-Living Strategy and Action Plan 2023-25, attached at Appendix I.

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.

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.

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.

E. That Cabinet noted further work to support residents since the last update report to Cabinet in January

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' (Agenda Item 7)

The Cabinet Member for Housing and Sustainable Development presented the report which followed extensive consultation and recommended confirmation of the Article 4 direction for the listed wards, following the introduction of an immediate direction introduced in those wards in November 2022. This and other channels had produced significant data which had been gathered and analysed and had demonstrated that those wards were likely to have more HMOs causing harm to the area and that were an immediate threat to the local amenity. The Cabinet Member gave an overview of the recommendations within the report.

In response to questions from Cabinet Members, the Cabinet Member responded that there would be an uplift in living conditions and standards in those wards and the recommendations, if approved by Council would enable the Council to employ housing officers to inspect HMOs before they were granted licences and require landlords to take remedial action before the licence was granted. The Leader thanked the Cabinet Member, officers and Councillors for their work.

RESOLVED:

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.

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

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.

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.

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.

8 LONDON BOROUGH OF MERTON ALCOHOL RELATED PUBLIC SPACES PROTECTION ORDER (PSPO) (Agenda Item 8)

The Cabinet Member for Civic Pride presented the report. The Borough currently had a PSPO which covered the Mitcham Town area and following a formal consultation, 79% of respondents supported expanding the area covered by this. The report therefore recommended discharging the current PSPO and enacting a new Borough-wide PSPO. The Cabinet Member thanked officers and Councillors for their work.

In response to questions from Cabinet Members, the Cabinet Member advised that there would be a broader strategy for those where alcohol was a problem and that a street drinking task and finish group had been established on this issue.

RESOLVED:

A. That Cabinet noted the contents of the Evidence Report, the Public Consultation 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 (Agenda Item 9)

The Cabinet Member for Health and Social Care presented the report, proposing an extension of the current contract, noting that the Council was happy with the service provided. The Council hoped to time the following contract in line with other Boroughs.

In response to questions from Cabinet Members, the Cabinet Member advised that extending the contract would continue to develop a community based model for another year and then the Council would look at recommissioning and that it was clear the contract so far had been a success, following extensive consultation with the current users and stakeholders.

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 (Agenda Item 10)

The Cabinet Member for Health and Social Care presented the report and gave an overview of the recommendations.

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 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.

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

11 AWARD OF CONTRACT FOR SEND INDEPENDENT AND NON-MAINTAINED SPECIAL SCHOOLS PLACEMENTS (Agenda Item 11)

The Cabinet Member for Education and Lifelong Learning presented the report and thanked officers for their work, noting that some out of borough placements would also be required for children with complex needs which could not be met in Borough.

RESOLVED :

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.

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.

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)

12 JANUARY FINANCIAL MONITORING REPORT (Agenda Item 12)

The Cabinet Member for Finance and Corporate Services presented the report noting that the net position had continued to move in a favourable position with a £2.7m favourable variance at the end of the finance year.

RESOLVED:

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 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)	

13 EXCLUSION OF THE PUBLIC (Agenda Item 13)

RESOLVED: That the public are excluded from the meeting during consideration of the following report on the grounds that it is exempt from disclosure for the reasons stated in the report.

14 INVESTMENT STRATEGY (Agenda Item 14)

RESOLVED:

That the recommendation within the report was agreed.