



INNOVATION AND CHANGE DEPARTMENT
Polly Cziok – Executive Director

To all Members of the Council

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

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Date: 21 June 2023

Dear Councillor

Notification of Cabinet Decisions

The decisions of the Cabinet meeting held on Monday 19 June 2023 are attached.

The call-in deadline is Monday 26 June 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 19 June 2023

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4	Reference from the Sustainable Communities Overview and Scrutiny Panel - Electric Vehicle Charging Task Group report	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That Cabinet considered the report and recommendations (attached in Appendix A) arising from the scrutiny review of Electrical Vehicle Charging in Merton. 2. That Cabinet agreed to the implementation and inclusion of the recommendations through the Electric Vehicle Strategy due to be written by Future Merton working with the Cabinet Member for Transport
5	Reference from the Sustainable Communities Overview and Scrutiny Panel - School Streets	<p>RESOLVED: That as per the Sustainable Communities Overview and Scrutiny Panel request, Cabinet noted its reference set out in paragraph 2.6 to 2.8 of the report</p>
6	Reference from the Sustainable Communities Overview and Scrutiny Panel – Active Travel	<p>RESOLVED:</p> <p>That as per the Sustainable Communities Overview and Scrutiny Panel request, Cabinet responded to its reference set out in paragraph 2.6 to 2.7 of the report</p>
7	Reference from the Sustainable Communities Overview and Scrutiny Panel - Call in: Travellers site	<p>RESOLVED:</p> <p>That as per the Sustainable Communities Overview and Scrutiny Panel request, Cabinet noted its reference set out in paragraph 2.11 of the report</p>
8	Reference from the Sustainable Communities Overview and Scrutiny Panel – Development Control reporting	<p>RESOLVED:</p> <p>That as per the Sustainable Communities Overview and Scrutiny Panel request, Cabinet responded to its reference set out in paragraph 2.6 to 2.8 of the report</p>
9	Reference from the Sustainable Communities Overview and Scrutiny Panel - Homelessness	<p>RESOLVED:</p> <p>That as per the Sustainable Communities Overview and Scrutiny Panel request,</p>

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		Cabinet responded to its reference set out in paragraph 2.6 to 2.7 of the report
10	Borough of Sport Blueprint	<p>RESOLVED:</p> <p>That Cabinet:</p> <p>A. Agreed the proposals to make Merton London’s Borough of Sport.</p> <p>B. Noted the estimated costs associated with the plans and agree the final costs are allowed for in the Council’s Medium Term Financial Strategy between 2023-26.</p> <p>C. Noted the creation of a public forum to gain support and combine effort, and the creation of a cross sector advisory group to guide and steer actions.</p> <p>D. Noted London’s Borough of Sport will be formally launched towards the end of the summer with stakeholder and community events, with preparatory activities taking place across the summer.</p>
11	Council delivery of Affordable Housing	<p>RESOLVED :</p> <p>A. That Cabinet provided approval to enter into a Collaboration Agreement with L&Q carry out the development management and delivery of 93 Council Homes for the Council.</p> <p>B. That Cabinet delegated the decision on the final terms of this Collaboration Agreement to the Executive Director of Housing and Sustainable Development, in consultation with the Cabinet Member for Housing and Sustainable Development, and for the Council to enter into this final form of the Collaboration Agreement.</p> <p>C. That Cabinet approved expenditure of up to £176,500 to cover the reasonably incurred costs in implementing project activity to tender stage.</p> <p>D. That Cabinet noted the ambition to create exemplar, sustainable, low or zero carbon homes. This will include a materials-led approach to assure sustainability and reduced energy costs for residents. Various options will be investigated in terms of innovation, value for money and best practice from other councils and house builders.</p> <p>E. That Cabinet noted the update on the creation of a strategy for the remainder of the housing delivery programme, with the aim of a sustainable pipeline, either self-funding or minimising capital subsidy.</p> <p>F. That Cabinet noted that no arrangement has yet been made for the future letting and</p>

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		<p>management of the completed units. This will be the subject of a future report and recommendation.</p> <p>G. That Cabinet delegated to the Executive Director of Housing and Sustainable Development, in consultation with the Cabinet Member for Housing and Sustainable Development, authority to enter into agreements documenting the planning obligations for the four sites on such terms as are considered reasonable to the Council as landowner.</p>
12	Update on Consultation and Proposed Introduction of Selective and Additional Licensing	<p>RESOLVED:</p> <p>A. Following review of the consultation responses, Cabinet Designated (Confirm) Selective Licensing for the following 4 wards: Figge’s Marsh; Graveney; Longthornton; Pollards Hill; with proposed Go Live in Sept 23</p> <p>B. Following review of the consultation responses, Cabinet Designated (Confirm) Additional Licensing for the following 7 wards: Figge’s Marsh; Graveney; Longthornton; Pollards Hill; Colliers Wood; Cricket Green and Lavender Fields, with proposed ‘Go Live’ in September 2023</p> <p>C. Cabinet approved the Selective and Additional Licensing Fees as set out in Appendix D</p> <p>D. That Cabinet Delegated Authority to the Executive Director of Housing and Sustainable Development, and the Executive Director of Environment, Civic Pride, and Climate, in consultation with the Cabinet Member for Housing and Sustainable Development to increase the Licence Fees should this be required following the annual review of fees to ensure that costs are being covered</p> <p>E. Cabinet noted that following Confirmation at Council in April 2023, the Article 4 Direction has now been made permanent in the 7 wards: Figge’s Marsh; Graveney; Longthornton; Pollards Hill; Colliers Wood; Cricket Green and Lavender Fields.</p> <p>F. That Cabinet noted that the timescale for the risk of Legal Challenge to the Article 4 Direction has now passed but there is still a risk of Legal Challenge to the introduction of Selective and Additional Licensing for 3 months from Designation</p> <p>G. Cabinet noted that the Secretary of State has considered the evidence provided by the Council for the Article 4 Direction and has confirmed they will not be intervening</p> <p>H. 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</p>

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		<p>2022) and then subsequently refused; or if additional Planning Conditions are applied that reduce the development's value</p> <p>I. Cabinet noted the update on the Article 4 Direction and the Empty Homes Project</p>
13	Merton Event Management and Safety Advisory Groups (SAG)	<p>RESOLVED:</p> <p>That Cabinet:</p> <p>A. Established a single events application and tracking process, associated fees and charges and clear responsibility for processing of applications and administration of meetings including Safety Advisory Group meetings.</p> <p>B. Approved the schedule of fees and charges shown in Appendix E.</p> <p>C. Adopted the new Events Policy and SAG (Safety Advisory Group) Terms of Reference.</p> <p>D. Allocated the responsibility for Charing SAG meetings to the Assistant Director for Public Protection (or suitable delegate) and mandate that sports ground safety and associated events are to follow the same processes and procedures for other events as recommended by this report.</p> <p>E. Delegated to the Executive Director of Environment, Civic Pride and Climate, in consultation with the Cabinet Member for Civic Pride, amendments to the application process and associated fees and charges</p>
14	Tree Strategy	<p>RESOLVED:</p> <p>A. That Cabinet reviewed Appendix 1 London Borough of Merton Tree Strategy 2023- 2029 (Part 1), Management of council-owned trees and agreed to adopt the Tree Strategy.</p> <p>B. That Cabinet noted Appendix 2 Collated feedback for Tree Strategy Initial scoping consultation that took place between (17th January 2022 - 28th February 2022) (466 responses received) Appendix 3 Collated feedback from the Draft Tree Strategy Consultation that took place between 20th October 2022- 30th November 2022 (10 responses received).</p>
15	Breast cancer screening, childhood immunisation and reducing self-harm	<p>RESOLVED:</p> <p>A That Cabinet noted the performance and progress, identified actions and the</p>

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		<p>governance arrangements for the three programmes covered by the report.</p> <p>B That Cabinet request that NHS England provides a breast cancer screening site in Merton as a matter of urgency. This would improve access to important services and contribute to reducing health inequalities.</p> <p>C That Cabinet agreed to continue to use Council channels to increase uptake of immunisations, screening and to promote services that support the mental health of children and young people</p>
16	Community Opportunities Framework for People with a Learning Disability	<p>RESOLVED:</p> <p>A. That Cabinet approved commissioning of a Community Opportunities Framework for provision of community-based activities in Merton for people with a Learning Disability and/or Autism; Mental Health needs; Physical Disabilities; and People whose behaviours may challenge for an initial term of 5 years with an option to extend for a further period of up to two years at the Council's sole discretion.</p> <p>B. That Cabinet noted that the procurement route is a framework with an indicative initial annual value of £800,000 per annum and a total framework value over the potential full term of 7 years estimated at £ 5,956,758 including inflationary uplift; the tender opportunity will be advertised on Find a Tender, Contracts Finder, and the Council's e-tendering system (London Tenders Portal). The process will widen competition and ensure the Council gets best value for money for this service.</p> <p>C. That Cabinet delegated 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 and on occasions when the framework is reopened to admit more providers on specific lots or varied to include additional Lots as may be required to continue meeting residents' needs.</p>
17	Award of the contract for provision of the Disabled Facilities Grant (DFG) Funded Disabled Adaptations Service	<p>RESOLVED:</p> <p>A. That Cabinet approved the award to Bidder A (as detailed in the Confidential Appendix to this report) a contract for provision of the Disabled Facilities Grant (DFG) Funded Adaptations Service for a period of 3 years from 4th September 2023, with an option to extend for up to two</p>

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		<p>further years at the discretion of the Council.</p> <p>B. In accordance with Contract Standing Orders (CSO 24.3) that authority be delegated to the Executive Director of Housing & Sustainable Development to exercise, in consultation with the Cabinet Member for Housing and Sustainable Development, 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 3rd September 2026.</p>
18	Civic Pride: High Streets Programme (reserve fund allocations)	<p>RESOLVED:</p> <p>A. That Cabinet agreed the Civic Pride programme funding allocations.</p> <p>B. That Cabinet noted that a proportion of the programme remains unallocated in order to respond to in-year ad-hoc projects.</p> <p>C. That Cabinet agreed that any in-year funding requests are delegated for decision by the Executive Director, in discussion with the Cabinet Member</p>
19	Merton Treasury Management Strategy - Annual Review 2022-23	<p>RESOLVED:</p> <p>That Cabinet noted the update on the Merton Treasury management activity during 2022-23 and details any difference in activity from the Treasury management strategy approved in March 2022</p>
20	Outturn 2022/23 Report	<p>RESOLVED:</p> <p>1. That Cabinet considered the outturn position on Capital and approve the Slippage into 2022/23 and other adjustments detailed in Appendix 2C, 2C1 and Section 7 of the report</p> <p>2. That Cabinet approved the establishment of a renewals and repairs fund of circa £80k for 10 years required as part of the grant conditions for the Lawn Tennis Association Capital Grant of £708,650</p> <p>3. That Cabinet considered the outturn position on revenue and approve the proposed appropriation of the £2.392m favourable variance to reserves</p>
21	Budget 2024/25 and MTFS 2024-28	<p>RESOLVED :</p>

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| | | <ol style="list-style-type: none">1. That Cabinet noted the approach to rolling forward the MTFS for 2024-282 That Cabinet noted the initial reallocation of budgets to reflect the new Council structure into six directorates3 That Cabinet agreed the approach to strengthening transparency in financial management, and the revised process for the 2024/25 budget round. |
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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 & Electoral Services, 1st floor, Civic Centre, London Road, Morden SM4 5DX.

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