

# Merton Council

## Cabinet Agenda

### Membership

#### Councillors:

Ross Garrod (Chair)  
Eleanor Stringer  
Stephen Alambritis MBE  
Billy Christie  
Caroline Cooper-Marbiah  
Brenda Fraser  
Natasha Irons  
Andrew Judge  
Sally Kenny  
Peter McCabe

**Date:** Monday 18 December 2023

**Time:** 7.15 pm

**Venue:** Committee Rooms DE Merton Civic Centre, London Road, Morden  
SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed.  
For more information about the agenda please contact  
[democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone [020 8545 3357](tel:02085453357).

All Press contacts: [communications@merton.gov.uk](mailto:communications@merton.gov.uk), 020 8545 3181

# Cabinet Agenda

## 18 December 2023

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8	Exclusion of the public <i>To RESOLVE that the public are excluded from the meeting during consideration of the following report(s) on the grounds that it is (they are) exempt from disclosure for the reasons stated in the report(s).</i>	
9	Exempt Appendix - Item 6	Exempt Agenda

### Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

# Agenda Item 3

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](http://www.merton.gov.uk/committee).

## CABINET

16 NOVEMBER 2023

(7.16 pm - 8.07 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 Andrew Judge, Councillor Sally Kenny and Councillor Peter McCabe

ALSO PRESENT Hannah Doody (Chief Executive), Polly Cziok (Executive Director of Innovation & Change), Dan Jones (Executive Director, Environment, Civic Pride & Climate), Roger Kershaw (Assistant Director Finance and Digital), Jane McSherry (Executive Director of Children, Lifelong Learning and Families), John Morgan (Executive Director, Adult Social Care, Integrated Care and Public Health), Lucy Owen (Executive Director of Housing & Sustainable Development), John Scarborough (Managing Director, South London Legal Partnership), Zara Bishop (Communications Manager) and Amy Dumitrescu (Democracy Services Manager)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Irons.

### 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 16 October 2023 are agreed as an accurate record.

### 4 BUSINESS PLAN 2024-2028 (Agenda Item 4)

The Cabinet Member for Finance and Corporate Services presented the report, thanking officers for their work. The proposals projected a balanced budget for next year and the papers would be considered by the Scrutiny panels later in the month.

The Cabinet Members for Housing and Sustainable Development commented on the report noting the difficult budget process for the area and that £377k of savings had been proposed and having to find an additional £185k of income. £375k had been proposed for the next year to help with the empty homes strategy.

The Cabinet Member for Transport commented on the report noting that the growth bids proposed would enable delivery of plans and that external funding would continue to be sought.

RESOLVED:

1. That Cabinet considered and agreed the new capital proposals for 2024/25 to 2027/28 and the draft Capital Programme 2024-2028 (Appendix 1) and refers them to the Overview and Scrutiny panels and Commission in November 2023 for consideration and comment.
2. That Cabinet agreed the approach to setting a balanced budget outlined in the report
3. That Cabinet agreed the financial timetable for the Budget 2024/25 and MTFS 2024-28 (Appendix 5)
4. That Cabinet considered and agreed the draft growth proposals for 2024/25 to 2027/28 (Appendix 2) put forward by officers and refers them to the Overview and Scrutiny panels and Commission in November 2023 for consideration and comment.
5. That Cabinet considered and agreed the new savings proposals for 2024/25 to 2027/28 (Appendix 3) and refers them to the Overview and Scrutiny panels and Commission in November 2023 for consideration and comment.
6. That Cabinet considered and agreed the Equalities Impact Assessments for each saving, where applicable, and refers them to the Overview and Scrutiny panels and Commission in November 2023 for consideration and comment.(Appendix 3)

5 QUARTER 2 FINANCIAL MONITORING REPORT (Agenda Item 5)

6 COUNCIL TAX SUPPORT SCHEME 2024/25 (Agenda Item 6)

The Cabinet Member for Finance and Corporate Services presented the report which recommended the same level of support as previously.

In response to questions from the Cabinet, the Cabinet Member responded that this year the scheme was expected to benefit just over 9800 households within the Borough. It was noted that, if agreed the scheme would then be considered by Full Council in February 2024.

RESOLVED:

1. That the updating revisions for the 2024/25 council tax support scheme detailed in the report be agreed, in order to maintain low council tax charges for those on lower incomes and other vulnerable residents.
2. That Cabinet agreed the proposed revisions to the 2024/25 scheme

7 TREASURY MANAGEMENT MID-YEAR REVIEW REPORT 2023/24  
(Agenda Item 7)

The Cabinet Member for Finance and Corporate Services presented the report noting that all activities were within the parameters of the strategy and a refreshed strategy would come to Budget Council in March 2024.

RESOLVED:

- A. That Cabinet noted the update on Treasury Management performance for the half year to 30 September 2023 and agrees to submit this update to Full Council
- B. That Cabinet agreed to recommend to Council that it delegates authority to the Executive Director of Finance and Digital (S151 officer) to make short term treasury investment decisions not otherwise currently authorised by the Council's Treasury Management Strategy based on current market conditions/interest rates movements and funds availability to maximise the investment returns. The Annual Treasury Management Strategy for FY2024/25 will be presented to the Council in March 2024.

## 8 COUNCIL HOUSING DELIVERY UPDATE AND PIPELINE (Agenda Item 8)

The Cabinet Member for Housing and Sustainable Development presented the report, thanking officers for their report, noting that the report had identified the next tranches of sites and agreement was now sought to progress those. The Cabinet Member gave an overview of the tranches and the proposals. The Cabinet Member outlined proposals for a New Homes Steering Group which would guide decisions which would then go to Cabinet and Council and a Merton New Homes Board which would include officers from the legal, finance and others.

In response to questions from the Cabinet, the Cabinet Member responded that the decision on who would be responsible for managing the homes would be for a future date, likely in 12-18 months time.

RESOLVED:

- A. That Cabinet noted the update and recommendations arising from the externally led asset review on how the Council's ambition to deliver 400 new council homes can be met.
- B. That Cabinet agreed not to dispose of the next tranche of sites, as previously agreed, and instead allocates the sites for the affordable homes programme either through Council led delivery or development partnership.
- C. That Cabinet approved design and viability work to being on the following three sites: Worsfold House, Chaucer Centre and Gifford House.
- D. That Cabinet approve the commencement of soft market testing with the private sector on a partnership arrangement to deliver homes at the land at Battle Close.
- E. That Cabinet approved the allocation of the expected capital receipt from the sale of the land at St George's Rd to support the design work for the three sites highlighted above in C, and to support procurement for development through a partnership for the land at Battle Close, if soft market testing is positive.
- F. That the land at 111-127 The Broadway SW19 (also known as P4) be brought to the market and that the Executive Director of Housing and Sustainable Development, in consultation with the Cabinet Member for Housing and Sustainable Development, be authorised to agree terms for a disposal.

- G. That the capital receipt from the sale of the land at 111-127 The Broadway SW19 is ringfenced to support the delivery of the Council's affordable homes programme.
- H. That Cabinet noted the finance, timescale and officer resource implications for the continuing programme, including the conclusions from a report into the viability and timing of setting up a new Council Housing Revenue Account
- I. That Cabinet noted the proposed Governance arrangements for ensuring oversight of the housing programme moving forward

## 9 EXPANSION OF COST OF LIVING FUND (Agenda Item 9)

The Cabinet Member for Finance and Corporate Services presented the report, following a Cost of Living Emergency declared by the Council in 2022 and the creation of a £2m emergency fund and Cost of Living Strategy and Action Plan. The Cabinet Member advised that the report recommended an additional £1m be added to the fund to provide more help to residents and businesses, with the report outlining what would be done with the funding, including expanding the young savers scheme. The Cabinet Member thanked officers for their work.

In response to questions from the Cabinet, the Cabinet Member responded that the intention was to continue to hold Cost of Living Advice days as these had been very well attended and had received positive feedback.

### RESOLVED:

- A. That Cabinet noted progress in delivering the Merton Council Cost of Living Strategy and Action Plan 2023 – 2025.
- B. That Cabinet agreed to further expand the Merton Council Cost of Living Fund by allocating a further £1million, to be funded from the Strategic Priorities Fund reserve, in recognition of the ongoing challenges faced by local residents and businesses as a consequence of the cost of living emergency.
- C. That Cabinet agreed the five broad areas of focus identified in the report against which the additional funds will be allocated.
- D. That Cabinet delegated authority to the Cabinet Member for Finance and Corporate Services, in consultation with the Chief Executive and Corporate Management Team, to agree the financial allocations against each of the five broad areas of focus along with a detailed delivery plan

## 10 ST HELIER & NEW HOSPITAL PROGRAMME (Agenda Item 10)

The Cabinet Member for Health and Social Care presented the report, thanking officers for their work and gave an overview of the contents. The Cabinet Member also noted the report produced by the National Audit Office on the New Hospitals Programme and its contents.

In response to questions from the Cabinet, the Cabinet member responded that journey times for those within Ravensbury, St Helier and Cricket Green wards would significantly increase.

RESOLVED :

A. That Cabinet noted the content of the report and associated appendices, documenting the independent analysis undertaken by Newton Europe on behalf of the Council

#### 11 LONDON BOROUGH OF CULTURE BID (Agenda Item 11)

The Cabinet Member for Civic Pride presented the report noting that Merton was applying for the 2027 bid, the paper outlined the ambitions around this particularly around sporting heritage. The Cabinet Member thanked officers for their work and noted that the bid used the theme of connection. The bid would be submitted later in the month, and would be advised in the new year if the bid was progressing to further stages.

In response to questions from the Cabinet, the Cabinet Member stated that the consultation had tried to involve as wide a range of voices as possible including charities, heritage organisations, businesses and others. If the bid was successful, the Council would work further with communities to ensure it was accessible and attractive to all.

The Leader thanked the Cabinet Member and officers for their work.

RESOLVED:

A. That Cabinet noted the progress in developing the bid for Merton to become the London Borough of Culture in 2027.

B. That Cabinet reviewed the emerging themes and agree the direction of travel for the bid to be submitted to the Greater London Authority (GLA) by 30 November 2023 deadline

#### 12 PROVISION OF EXTRA CARE AND HOUSING RELATED SUPPORT SERVICES AT PANTILES HOUSE AND TRELIS HOUSE (Agenda Item 12)

The Cabinet Member for Health and Social Care presented an overview of the report and noted that the proposal was to ensure that providers would pay the London Living Wage.

RESOLVED:

A. That Cabinet approved re-tendering Extra Care and Housing Related Support Services at Pantiles House and Trellis House for a period of 5 years at an estimated total cost of £5,748,780 without the option to extend.

B. That the new service is commissioned under the light touch regime in a one stage procurement process. 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 that the Council gets best value for money for this service.

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

#### 13 CASHLESS PARKING SOLUTION (Agenda Item 13)

The Cabinet Member for Transport presented the report, thanking officers for their work.

#### RESOLVED:

A. That Cabinet approved the award of a contract for the provision of Cashless Parking Solution to RingGo Ltd (our incumbent supplier of the cashless parking service), by a 'Call-off without Competition' (Direct Award) for a 5 year period with a no fault break clause from year 3.

#### 14 EXCLUSION OF THE PUBLIC (Agenda Item 14)

The meeting proceeded entirely in public and therefore this item was not required.



## **Committee: Cabinet**

**Date: 18 December 2023**

Wards: Borough-wide

**Subject: Reference from the Children and Young People's Overview and Scrutiny Panel - Task Group Review of Eating Disorders and Self Harm affecting young people in Merton**

Lead Director: Jane McSherry, Director of Children, Lifelong Learning and Families

Lead member: Councillor Brenda Fraser

Contact officer: Elizabeth Fitzpatrick, Assistant Director, Education and Early Help

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### **Recommendations:**

- A. The Children and Young People's Overview and Scrutiny Panel requests that Cabinet note the Task Group's report and approve its recommendations (paragraphs 2.4 – 2.15).

#### **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. During the 21 June 2023 meeting of the Children and Young People's Overview and Scrutiny Panel, members were asked to consider the findings of a Task Group, undertaken in April 2023, which sought to understand how well young people with eating disorders and/or self-harm have been, and are, supported in Merton.

#### **2 DETAILS**

##### **Scrutiny process**

- 2.1. Councillor Linda Kirby, as the chair of the Task Group, gave an overview of the report and its recommendations. Councillor Hall and Councillor McArthur, as members of the Task Group provided further commentary, including the need to focus on preventative work and raising awareness, and enabling parents to access support and advice.
- 2.2. The Young Inspector in attendance said that young people want to get involved in decision making and services need to respond to their needs.
- 2.3. Councillor Hayes commented that this work was a good example of cross party working and commended the commitment of the task group.

##### **Scrutiny response**

- 2.4. The panel resolved that the report and recommendations will be subject to some minor amendments, following discussions with the task group and Children, Lifelong Learning and Families Department, then forwarded to Cabinet for approval.
- 2.5. Recommendation 1: Through the CAMHS board request that records be kept by providers of services at all stages of the ITHRIVE assessment levels, and provided to the board for monitoring.
- 2.6. Recommendation 2: Through the CAMHS Partnership Board, request that, for children and young people with an Eating Disorder, CAMHS referral

numbers, waiting list times and staffing information are made available so that they can be regularly reported to Children and Young People Overview and Scrutiny Panel.

- 2.7. Recommendation 3: in order to support parents:
- Promotion of good practice guidance apps.
  - Information resource pack made available.
  - Specific point of contact at schools or CAMHS to offer ongoing support or advice.
- 2.8. Recommendation 4: through the CAMHS Partnership Board, request that a flexible approach to providing a counsellor is ensured, as matching the right counsellor to the young person is vital for a successful outcome.
- 2.9. Recommendation 5: provide training for primary schools to identify the early signs of eating disorders.
- 2.10. Recommendation 6: provide ongoing training to secondary schools on how to support self-harming young people.
- 2.11. Recommendation 7: South West London Eating Disorders, who diagnose conditions, should be invited to speak to Merton Schools' Mental Health Forum.
- 2.12. Recommendation 8: Merton's Social Media should publish information on these issues and support available.
- 2.13. Recommendation 9: My Merton – Double page spread on these issues and information on what support is available.
- 2.14. Recommendation 10: to lobby for social media platforms to address the issues of self harm and eating disorders.
- 2.15. Recommendation 11: Emotionally Based School Avoidance (EBSA)– research reasons behind this phenomenon; publicise iThrive guidance on EBSA.

### **3 ALTERNATIVE OPTIONS**

- 3.1. N/A

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. A range of stakeholders were consulted for the purposes of the Task Group:
- Parents and Young People, including Young Peers Educators at their Health information event Keith Shipman
  - Officers in CLLF
  - Merton's Public Health team
  - Merton's Integrated Care Board
  - SW London and St George's Mental Health NHS Trust
  - Mental Health in Schools Team
  - STEM4

- Merton Schools' Mental Health Forum representatives

## **5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

5.1 There are no financial implications arising from this report.

## **6 LEGAL AND STATUTORY IMPLICATIONS**

6.1. There are no specific legal implications.

## **7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

7.1. No direct implications, although children and young people who self harm and/or have an eating disorder are amongst the most vulnerable people in our communities.

## **8 CRIME AND DISORDER IMPLICATIONS**

8.1 There are no crime and disorder implications as a result of this report.

## **9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

9.1 There are no risk management and health and safety implications as a result of this report.

## **10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

10.1 Appendix A Task Group Review of Eating Disorders and Self-Harm affecting young people in Merton. Final report and recommendations.

## **11 BACKGROUND PAPERS**

11.1. None

Department Approval	Name of Officer	Date of Comments
Legal	Lucy Craig	27.11.23
Finance	A M Good	27.11.23
Executive Director	Jane McSherry	28.11.23
Cabinet Member	Cllr Brenda Fraser	28.11.23

Task Group Review of Eating Disorders and  
Self-Harm affecting young people in Merton  
FINAL REPORT AND RECOMMENDATIONS

Merton's Children and Young People's  
Overview and Scrutiny Panel, April 2023

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## Task group membership:

### Councillors:



Linda Kirby



Jil Hall



Samantha MacArthur

### Acknowledgments:

The task group would particularly like to thank everyone who contributed to the task group's work and shared their experiences with us.

Keith Shipman, Merton's Social Inclusion Manager,  
Denise Dyer, Merton's Strategic Manager VBS, Children, Schools  
and Families  
Paul McGivern Merton School Improvement Adviser  
Julia Groom, Merton Public Health Consultant  
Vikki Cameron NHS Lead Integrated Children's Senior Transformation  
Manager  
Jacqui Wilson &  
Rosemary Ajibulu, NHS South West London ICB and (NHS South West  
London ICB) CAMHS's commissioners for Merton.  
Joshua Eldridge, Clinical Psychologist, Merton's NHS Education  
Wellbeing Service  
Priya Samuel, Integrated Partnership Manager, SW London and St  
George's Mental Health NHS Trust  
Dr Nihara Krause, Chief Exec of STEM4  
Merton Schools' Mental Health Forum representatives  
Parent and Young Person Case study contributors.

Young Peers Educators at their Health information event.

## **FOREWORD BY THE CHAIR – Cllr Linda Kirby**

The impact of Covid on our society was, for many, very difficult. Our young people, in particular, had their education disrupted for almost two years. Many of those that had good support at home and school managed to cope well. Sadly, a lot of young people did not. Additional anxiety about health, Climate Change, the Cost of Living's impact on family budgets and for some the complex influence of social media also took their toll. The level of young people experiencing mental health issues rose dramatically throughout this period.

As a task group, we felt it was important to find out how well young people with Eating Disorders and/or Self Harm have been and are being supported in Merton. We hope our findings and recommendations will offer support to those experiencing these difficult issues and throw a light on what good practice and support there is for preventative action.

In September 2019, a Children & Young People's Scrutiny task group looked at Mental Health of our young people in Merton. It made a number of recommendations. We have included an update on progress made with those recommendations in this report.

### **TERMS OF REFERENCE**

To throw a light on the level of self-harm and eating disorders in young people in Merton with the aim of improving support and preventative action.

Investigate the prevalence of Eating Disorders and Self-Harm in young people in Merton and identify what support there is.

Identify good practice and preventative action.

Report back to C&YP with recommendations



## LIST OF RECOMMENDATIONS

Issue of concern relating to Eating Disorders and Self-harm in young people	Recommendation	Responsible Decision Maker
1. Understanding how widespread the problem is in Merton – not just those at the high end of assessment.	Through the CAMHS board request that records be kept by providers of services at all stages of the ITHRIVE assessment levels, and provided to the board for monitoring.	CLLF
2. Young people with an Eating Disorder cannot be left on a waiting list	Through the CAMHS Partnership Board, request that, for children and young people with an Eating Disorder, CAMHS referral numbers, waiting list times and staffing information are made available so that they can be regularly reported to C&YP Scrutiny panel.	CLLF
3. Good parental guidance is essential	Promotion of good practice guidance apps. Information resource pack made available.. Specific point of contact at schools or CAMHS to offer ongoing support or advice.	CLLF Merton Communications Team
4. Matching the right counsellor to the young person is vital for a successful outcome.	Through the CAMHS Partnership Board, request that a flexible approach to providing a counsellor is ensured.	CLLF
5. Primary school request from Mental Health Forum survey	Provide training for primary schools to identify the early signs of eating disorders	CLLF
6. Secondary School request from Mental Health Forum survey	Provide ongoing training to secondary schools on how to support self-harming young people	CLLF
7. Secondary School request from Mental Health Forum survey	South West London Eating Disorders, who diagnose conditions, should be invited to speak to Merton Schools' Mental Health Forum.	CLLF
8. The community needs to be informed about these issues and what good practice.	Merton's Social Media should publish information on these issues and support available.	Merton Communications Team
9. The community needs to be informed about these issues and good practice.	My Merton – Double page spread on these issues and information on what support is available	Merton Communications Team
10. Social Media is responsible for the promotion and competitiveness of these issues which is dangerous.	To lobby for social media platforms to address the issues of self harm and eating disorders.	Merton Leader
11. Emotionally based school avoidance - Merton's School attendance is running at 2% below pre pandemic levels.	Research reasons behind this phenomenon Promote the I thrive guidance on EBSA	CLLF

## NHS NATIONAL STATISTICS ON YOUNG PEOPLE NEEDING HELP FOR SERIOUS MENTAL HEALTH PROBLEMS

In recent years, there has been a huge increase in the number of children requiring treatment for serious mental health problems including eating disorders and self-harm, figures show.

NHS data reveals a 39% rise in a year in referrals for NHS mental health treatment for under-18s to more than a million (1,169,515) in 2021/22.

By comparison, the figure was 839,570 in 2020/21, and in 2019/20 there were 850,741 referrals.

The England-wide data includes children who are suicidal, self-harming, suffering serious depression or anxiety, and have eating disorders.

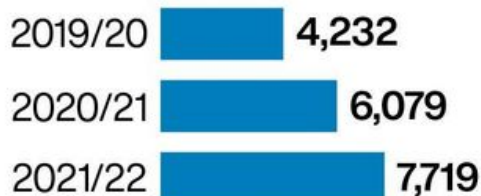
Separately, NHS Digital data also shows hospital admissions for eating disorders are rising among children and young people.

There were 7,719 admissions in 2021/22 among under-18s, up from 6,079 the previous year and 4,232 in 2019/20 - which is an 82% rise across two years.

### Hospital admissions in England for eating disorders

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#### Under 18s



#### All ages



The most recent data available, from April to October 2022, reveals there were 3,456 admissions, up 38% from 2,508 for the same period in 2019, before the pandemic.

There were also 3,011 admissions from April to October 2020, as well as 4,600 for the same period in 2021 when the full effects of the pandemic were felt.

And the data suggests 2022/23 could see the highest number of hospital admissions for eating disorders, for people of all ages.

From April to October 2022, there were 15,083 admissions, compared with 28,436 for the whole of the previous year (2021/22).

There were 23,351 admissions a year earlier, and in 2019/20 there were 20,650, marking a 38% rise between 2019/20 and 2021/22.

Anorexia is the most prevalent eating disorder which is leading to hospital admissions among all ages, with 10,808 admissions in 2021/22.

The data also shows that bulimia is the next most common, with 5,563, while other eating disorders accounted for 12,893 admissions.

Dr Elaine Lockhart, chairwoman of the child and adolescent psychiatry faculty at the Royal College of Psychiatrists, said the surge of referrals for children and young people reflects a "whole range" of illnesses.

She said specialist services are needed to respond to the "most urgent and the most unwell", including youngsters who have psychosis, suicidal thoughts and severe anxiety disorder.

Dr Lockhart said more staff were needed and that targets for seeing children urgently with eating disorders were sliding "completely".

"I think what's frustrating for us is if we could see them more quickly and intervene, then the difficulties might not become as severe as they do because they've had to wait," she added.

An NSPCC spokesperson said: "These alarming figures are sadly reflected in the conversations we are having through Childline. The service delivers tens of thousands of counselling sessions every year to children and young people who are self-harming, suffering depression or anxiety, experiencing suicidal thoughts and have eating disorders."

## **CASE STUDY 1 – WHAT I LEARNED FROM THE TIME I HAD AN EATING DISORDER.**

I first started dieting when I was 12/13 - at the time many girls at school were talking about their diets and exercise, and I decided that I wanted to start watching what I ate and exercising more (hitting puberty and body changes due to that were possibly also a factor).

At some point it switched from wanting to be a bit healthier to wanting to be extremely thin - I'm not sure exactly what triggered this change (at around the time this happened two close friends moved away, this was likely a factor). I began an extremely restrictive diet. It involved skipping breakfast and lunch whenever I could do so without it being noticed, and just eating dinner. However, I found that I wasn't able to stick to the diet, and would have bingeing episodes, where I ate vast amounts of food in short periods of time. At first my response to the bingeing episodes was to just continue restricting the next day, but soon I began purging after I had binged. At this point the bingeing episodes became much more frequent. Sometimes they were happening because I was incredibly hungry, other times as an emotional release. I continued this for some time, and maintained a healthy weight (although slightly lower than I was before I started dieting I believe).

After some time (between 6 months and a year after I had started purging) my parents became aware of the issue because they realised I was purging. They took me to my GP to get help, and I was put on the wait list to be seen at CAMHS. I believe that after this initial referral it was about 18 months before I received other treatment (other than one appointment with my GP where he tried to help by talking about the issues with me). During this time my eating disorder got significantly worse - the fact that my family knew about it and it had been given a name by my doctor meant that I was no longer trying so hard to hide it from my family (or convince myself that it wasn't serious) and this allowed the disordered behaviours to become much more severe. I was bingeing and purging almost every day, still severely restricting food, and beginning to lose significant amounts of weight.

After this period I received treatment both at CAMHS and the Priory, I don't remember exactly the order in which different things happened, but the types of treatments were:  
- Cognitive behavioural therapy at the Priory for around 6 months. I think this therapy could have been useful - it was very focused around sticking to a regular meal plan to reduce the hunger induced binge-purge episodes, and also on identifying emotional triggers for episodes.

However, I was still obsessed with losing weight, and though I was able to stick to regular eating times, I wasn't willing to eat sufficient amounts in those meal times so there was no significant improvement in my behaviours. Without someone forcing me to eat more this therapy wasn't going to work.

Family therapy at CAMHS. We only had one session of this with my whole family present - it was frankly bizarre and unhelpful. It felt more like an episode of Jeremy Kyle than anything else, with the practitioners seeming to want to cause conflict. At no point had I ever said that family issues were the primary (or any) cause of my eating

disorder, so it wasn't clear to me why family therapy was considered a good way to treat them anyway, and the sort of family therapy which seemed designed to pit people against each other definitely wasn't helpful.

Sessions at CAMHS with just me and my parents. This was with the same practitioners as the family therapy had been. I still didn't find this particularly helpful. As far as I remember there was no concrete advice on steps to take (such as meal plans, or keeping a food diary like I was encouraged to do while receiving CBT). Instead my main memory of the sessions is the practitioners asking my "why won't you just eat". I was receiving weekly weigh ins during this, but I found it very easy to lose weight while hiding it from the practitioners by 'water loading' or carrying weights in my pockets.

Eventually my parents realised that during my sessions with CAMHS I had lost significant amounts of weight while hiding it from them and the practitioners. I was made to do a proper weigh in at CAMHS without artificially increasing my weight at all and at that point I was diagnosed with anorexia and started seeing a doctor at CAMHS. I was also told that unless I started gaining weight I would be treated as an inpatient. This was something I was terrified of, so at that point I did gain weight and get back up to a healthy weight.

However by that point by binge-purge behaviours had become so ingrained that even though I was no longer restricting food, I used them as an emotional release, and I still suffered from bulimia for two more years after recovering from anorexia. At some point in those two years I stopped being seen at CAMHS, and my binge and purge behaviours fluctuated in frequency.

When I turned 18 I took a year out between school and university and focused on fully recovering. As part of this I was diagnosed anti depressants by my GP (high doses of anti depressants for short periods of time are a treatment that is sometimes used for bulimia). And I also saw the adult mental health services. I'm not sure exactly what worked that year, but I was able to recover from the bulimia (except for one relapse while I was at university). The key step in recovery was accepting that even if I binged, I had to stop myself purging. Eventually after forcing myself to do so I naturally stopped bingeing too.

I did gain significant amounts of weight that year (I was already at a healthy weight at the beginning of the year, by the end of the year I was still a healthy weight but a higher healthy weight). This was difficult, but I think gaining weight in bulimia recovery is fairly normal (even when starting at a healthy weight), and something that mental health services and families need to help patients come to terms with.

Eating disorder awareness at school: I didn't receive any treatment at school, and the only time my school was made aware of my eating disorder was when I started going home for lunch so that my parents could check I was eating it. The only time I recall eating disorders being raised at school was in a PSHE lesson (I don't remember what year I was in when it happened - I was experiencing disordered eating at the time, but I don't think the school were aware of it). We watched a video in class about a teenage girl with anorexia. The video was designed to raise awareness of body dysmorphia and the dangers of anorexia, but for me it functioned more like a 'how to guide' of ways to hide disordered eating from family & friends. The video showed a number of

techniques the protagonist used to make it seem like she was eating at family meals and around friends. Some of these I was already using at the time, but others were new and I used many of them later.

Showing a film like this to parents may be useful to guide them on behaviours to look out for, but I think that showing it to students was very harmful, and care should be taken to make sure that no resources are shown to students which could give them ideas on how to hide disordered eating. (Admittedly advice on these kinds of behaviours can be found on the internet, but I think that policing internet use is a separate issue.)

Another issue I'd like to raise about the video is that it was very focused on the idea that people with eating disorders have extremely low body weight, and even showed images of the protagonist in her underwear at a dangerously low weight. While this image was designed to horrify students and make them realise how terrible anorexia is, at the time to me the image was motivational. It is common for people with eating disorders to be obsessed with comparing themselves to other people with eating disorders / people who are very underweight, and I don't think that schools should be encouraging this by showing those sorts of images. Anyone with an eating disorder is very likely to already be obsessed with body weight, and feeding this obsession is dangerous. While many people with anorexia do have very low body weight, those at the early stages of anorexia or with bulimia or binge eating disorder may be a normal weight (or overweight). Schools should be careful not to spread the myth that people need to wait until they are dangerously underweight before they are 'deserving' of treatment. Overall thoughts Early intervention is really important for eating disorder recovery, but often by the time parents / teachers notice a young person has issues they have already been ill for some time. So swift treatment after the initial diagnosis is crucial. This is true even when the patient doesn't present as being significantly underweight. Bulimic patients may never be severely underweight, but they still deserve treatment. And anorexic patients / some bulimic patients who don't initially present as very underweight can deteriorate very fast while waiting for treatment, so long waiting times just lead to more treatment being needed in the long run. I think the time between family first becoming aware of the issue and receiving treatment is a particularly difficult time - both because the eating disorder is likely to be causing significant family conflict which can make the patient feel isolated, and because the problem being out in the open can lead to a loss of inhibition over the disordered behaviours which allows them to become worse. In order to make this time easier I think support for the parents is crucial. Both practical support about what kind of things they should be looking out for (i.e. ways patients might try and 'fake' their weigh ins, or make it look like they've eaten when they haven't) and what they should be doing to help (i.e. should they be forcing the patients to eat, if so how much, what should they do if the patient tries to purge). These kinds of supports for the parents could still be useful after the patient has started treatment. Support groups for the patients can also be helpful, but it's crucial to remember that when people are in the grip of their eating disorder they may not want to get better yet (for me I wanted to try and recover from the bulimia, but I didn't see any problem with being anorexic so I was not willing to stop restricting food). As such they may need the people around them to be actively involved in their recovery, and parents and families will need help with this. I don't think

it necessarily makes sense for this help to be given in front of the patient (if they know what behaviours their parents are looking out for they'll try and find other ones), so I'm not talking about family therapy as much as support groups and information solely for parents. When treatment starts I think in an ideal world the patient & their family should have a say over what treatments are helping. Eating disorders aren't all the same, and what works for one person is not going to be the same as what works for another. It's a waste of NHS time and money to say that people have to sit through sessions which everyone knows aren't helping because the patient & their family know there is no other help available and they don't want to be discharged. I realise this may not be an easy thing to achieve on the NHS with limited resources, but even if there is no choice of practitioner, the practitioner could work with the patient and their family to find what sort of style works for them. Moreover, making sure that patients are getting a mix of emotional & practical support - I found that at some points in my treatment the support was all practical, and other times it was all emotional, but really what was probably needed was a mixture of both.

## **CASE STUDY 2 – PARENT’S OBSERVATION OF THEIR CHILD’S EATING DISORDER AND SELF HARM.**

I have two children.. The younger one has generally breezed along through life but my oldest child has always been more complicated.

At the age of 13, I noticed that she was getting very picky about meals. I put this down to her being a grumpy teenager because she disguised what was really going on so well. However, over time it became clear from her moods and physique that something wasn't right. It wasn't easy to have conversations with her because she had distanced herself from members of the family and was generally quite stroppy. In her company, we were walking on eggshells. Luckily, the cry for help came when her periods stopped and she felt panicked and knew things were out of control.

Both my husband and I were fully supportive and keen to get her the help she needed. We read up on everything there was to read, looked at all the available apps for support and organised for her to get medical attention. She took time out from school for these visits. The person we worked with insisted on an eating diary and expected weight to be gained by each of our weekly appointments. There was a level of dominance from this person that installed some fear in my daughter who stuck with the diary and the regular appointments.

However, overseeing how someone eats every day is both intrusive and scary. Too much intervention and the compliance stops; not enough and panic ensued in me. Trying to control another's behaviour is challenging. Trying to control a teenager, dealing with hormone issues, social media and other teenage angst is a 24/7 nightmare that you wonder you'll ever wake from. The problem is you're dealing with a person who's in the grip of something awful; who's mind is locked in negativity; and who has mastered techniques to prevent you helping even though you know she wants your help.

When her periods returned, it felt like we were getting somewhere. She had put on weight too and seemed to be eating better. Her mood fluctuated but was, generally, less grumpy. We had some good times together again when she chose to be included. However, your antenna tells you not to switch off. You've become a detective snooping around looking for clues and when you find razor blades in her room and marks on her arms, your heart breaks. It's impossible to maintain a sense of calm when you're dealing with this. You thought it was an eating disorder but now it's something else as well – self harm.

I spent time looking at myself and how I have behaved with the children to see whether I needed to change and whether I was the cause of some of this. I took up meditation which helped. I softened my line on things; spent time, when she allowed it, to talk things through with her and share ideas I'd read about. Lisa Feldman Barrett's book – *How emotions are made*, particularly kept me sane during this awful period. It is an empowering read that really helped me think about emotions in a completely different and life-changing way.



My husband and I sought counselling sessions for her. However, it had to be the right kind of person. One that she felt comfortable talking about things that concerned her. It can take time to find that person and when you do you are so grateful because it really helps. A stranger telling you what your parents have told you over and over again actually registers. The emotion isn't there. That umbilical chord is never an issue.

I started to notice pleasant changes in my daughter's behaviour and was really impressed when a friend of hers was struggling with her own mental health and she stepped in to assist. It felt good to know she was able to empower another. That she had learned things that she could pass on.

5 years on and my daughter is taking her A levels and will be off to university soon. Am I worried still? She seems in control. She's healthy and seems to be eating well. I've not noticed any more cuts to her body. We can cuddle again. She talks to me a lot now and we've had a couple of holidays together just the two of us to build our relationship. But is it over? Will she be able to cope at University without our support. Time will tell. Fingers crossed.

Love, patience and family support and the earliest intervention that was possible have helped us deal with this. Plus all the amazing advice that support groups have taken time to produce through their apps for both young people, parents and peers. These are serious problems that need to be got on top of quickly. Luckily for us, my daughter recognised she was out of control and asked for help, that meant we were included in finding a solution. Also, we had the money to be able to buy the help we needed.

Knowing what we've been through and how challenging it is, time is of the essence. We have to ensure that no young person experiencing eating disorder or self-harm issues are left on a waiting list. The consequences for that are too awful to think about.

# **FINDINGS ON PREVALENCE OF EATING DISORDERS AND SELF HARM IN YOUNG PEOPLE IN MERTON**

In Merton Self Harm is more common than Eating Disorders and more prevalent with teenagers.

## **Eating Disorders**

Eating disorders can wreck lives, not just of the people experiencing them, but those of their family and friends too. Many of the issues are caused by society's praise of weight loss, celebrity culture, social media, objectification of bodies (both women's and men's but mostly women's and girl's).

Eating disorders are often symptomatic of other mental health issues which could include post-traumatic stress disorder, anxiety, depression, poor self-image, self-harm and OCD. Poor mental health can be the cause of poor attendance and concentration in lessons and can also affect other students as well as the young person's capacity for benefitting from their education at a crucial stage in their lives.

The numbers of children and young people presenting with eating disorders are relatively low in Merton.

By the end of December 2022 (the third quarter as the year runs April to April), the total number of children referred to Merton Single point of access with this as a presenting problem was 15, so unlikely to be much higher than that at the end of the year. It was eleventh in the list of reasons for referrals accounting for 0.8% of all referrals received in this time. However, there has been an increased focus on support for this aspect of children and young people's health.

70% of children with an eating disorder are from high achieving families. Pressure is often the key – they may put pressure on themselves or have pressure put on them to succeed. Not eating gives them a sense of control to prevent failure. An example of that pressure has been evidenced by a significant number of Merton children in Sutton Grammar Schools or independent schools experiencing this problem.

Some children may experience eating disorders that are trauma related or through abuse, severe neglect or triggered by lack of money, a sensory need or anxiety.

## **Self-Harm**

The number of referrals for young people with self harm as the reason for referral was 160. It was six in the list of reasons for referrals, accounting for 8.7% of all referrals received in this timeframe. (These figures are the reason for referral but they will be triaged with all referrals and waiting times would be subject to the triage process for all referrals not by diagnosis.)

Advice on working with the extreme end of self-harm adolescents before hospitalisation. "Young people might take themselves to the medical room with a self-harm wound. It's better for staff not to focus on the wound because that is likely to

escalate the problem but to treat the wound and focus on the fact that the person is going through a difficult time. Offering an hour a week of pastoral support when there is no self-harm is a better way of supporting the young person.

Sadly, self-harm is often a group thing of a competitive nature with social media involvement. "*My wound is worse than yours.*"

## WAITING TIMES

Once a referral is made to the Single Point of Access the referrals are triaged and assessed as to what the best way forward is for each case. It is worth noting that sometimes during this process the reason for referral may prove not to be the whole picture but a symptom of a different mental health need.



(Referrals are sent to triage within the 24 hours, but the 99.6 hours is the average waiting time for contact )

It is worth noting that treatment times are likely to be quite individual as this will depend on the severity of the issue.

**Emotionally-based school avoidance** - Merton's School attendance is running nationally at 2% below the national average. Researching the reasons behind this is ongoing.

## Findings from the two case studies.

**The importance of early intervention.** The situation can quickly deteriorate and other issues like self-harm can arise if left untreated, especially if the initial intervention is unsuccessful.

**The importance of help for the family,** in particular the parents. The parents are on the front line – dealing with the issue every day and often with very little support themselves. They also don't have the professional expertise to know how best to intervene. Questions like: Should they force eating? Oversee mealtimes? Do weigh-ins? need careful thought. Family therapy can be, at best unhelpful and at worst cause further issues. So good accessible guidance and information is essential.

## Getting the right treatment and therapist.

This is so important and is raised in both case studies.

Concern that a *one size fits all* approach still pervades in the NHS. Whilst it is understandable, given cost implications, it can lead to serious failure.

# WHAT SUPPORT IS AVAILABLE IN MERTON FOR CHILDREN AND YOUNG PEOPLE.

## MENTAL HEALTH LEADS

Each of Merton's Schools has a Mental Health Lead (a bit like a Designated Safeguarding Lead but without payment.) The Mental Health Forum meets with these Leads every term.

There is money available to pay for services and training and Merton has a higher than national average coverage of a trained workforce.

**TRAILBLAZER** Ged Curran, SLAM (Croydon) and St George's worked together to set this up

This aims to give advice on how pupil/students and their families can access the latest support for emotional wellbeing.

Each School has a Mental Health Plan

100% of Merton's schools have a link to a team of:

- 2 Senior workers and 5 trainers.
- Extra Senior Therapist working at a low level of entry to Self-harm and Eating Disorders.

## SCHOOL CLUSTERS

Merton operates in clusters:

- Holy Trinity (includes Catholic Schools)
- Cricket Green - Merton & Sutton Special Schools
- The ex CCG funded a cluster for Mitcham and Morden
- Further Education Cluster
- Bishop Gilpin group
- Band A seniors have a separate group to improve delivery.

**ITHRIVE** – is a model for all mental health services that looks at different ways of configuring support:

- THRIVING
- COPING - GETTING ADVICE AND SUPPORT
- GETTING HELP
- GETTING MORE HELP
- GETTING RISK SUPPORT.

There has been 4 years of working on this.

The Integrated Care Board is setting this up across SW London. Currently the language is there but service is not.

## **MELBURY COLLEGE AT THEIR LAVENDER CAMPUS**

Offers high quality, bespoke education provision for highly vulnerable students who live in Merton and who are unable to attend mainstream school because of medical and/ or mental health needs.

## **Merton's NHS Education Wellbeing Services**

This service is linked to and embedded within Merton CAMHS with a role of supporting young people, their parents and schools to think about mental health and wellbeing, and also specifically around self-harm.

In July 2022 a multi-agency group of professionals substantively updated Merton's protocol for supporting young people who self-harm or experience suicidal ideation: this included creating and updating practical guidance for those supporting young people, including decision making flowcharts, available resources locally and nationally for young people, parents and professionals. Attached pdf

Much of the support currently available in Merton for young people who are self-harming is overviewed in this document, page 4 has a decision making flowchart, pages 17-20 resources and key services for young people, parents and professionals. Some of the stated organisations have also been doing lots of work in the area

This service has delivered multi-agency workshops as part of the launch of the policy and has a number of resources on their Youtube channel including around self-harm and workshops for parents (as well as direct work in schools with young people):

<https://www.youtube.com/channel/UCrRKV84Ib8Jr69Z7ZhjSjCg>

## **OFF THE RECORD**

For young people aged 11-25 that live in the London borough of Merton (or have a GP in the Merton borough) they can access emotional support ranging from one-off support through the walk-in counselling sessions and outreach work through to ongoing individual support online counselling and face-to-face counselling. Those under 13 will need the consent of parent/carers.

Young people can self-refer by calling 020 3984 4004 or emailing [merton@talkofftherecord.org](mailto:merton@talkofftherecord.org). 11-17 can also be referred through Merton CAMHS SPA (Child & Adolescent Mental Health Services, Single Point of Access).

Off the Record is an established charity which has been providing free, professional support to young people in Croydon, Sutton, and most recently Merton over the last 25 years. Staff share a vision of "Bringing an end to mental health misery for children and young people in South London".

Off the Record offers young people individual, face-to-face and online counselling across all three boroughs, and last year received over 1,200 referrals and offered young people over 7,000 counselling sessions. Their work

has been recognized through a national award programme with the charity receiving the prestigious 2019 GSK IMPACT award for work to improve young people's health and wellbeing.

#### **STEM 4 - SUPPORTING TEENAGE MENTAL HEALTH**

stem4 is a charity that promotes positive mental health in teenagers and those who support them including their families and carers, education professionals, as well as school nurses and GPs through the provision of mental health education, resilience strategies and early intervention.

This is primarily provided digitally through innovative education programme, pioneering mental health apps, clinically-informed website and mental health conferences that contribute to helping young people and those around them flourish.

Their supportive apps are available on their website <https://stem4.org.uk/>

**BEAT** Contact: [info@b-eat.co.uk](mailto:info@b-eat.co.uk) <https://www.beateatingdisorders.org.uk/>

BEAT has a dedicated helpline for England (0808 801 0677) and a range of services available for people who need support for their eating disorder.

Their national Helpline exists to encourage and empower people to get help quickly, because they know the sooner someone starts treatment, the greater their chance of recovery. People can contact BEAT online or by phone 365 days a year. They listen, help to understand the illness, and support taking positive steps towards recovery.

They also support family and friends, equipping them with essential skills and advice, so they can help their loved ones recover whilst also looking after their own mental health.

BEAT campaigns to increase knowledge among healthcare and other relevant professionals, and for better funding for high-quality treatment, so that when people are brave enough to take vital steps towards recovery, the right help is available to them.

The work they do means that every year lives are saved, families are kept together, and people are able to live free of eating disorders.

**Input from Merton's Young Inspectors** has been valuable – checking out sites to see how they work and pointing out problems.

## TASK GROUP'S CONCLUSION

Adolescence is a crucial time for young people to start defining who they are and role models can lead them into self-destructive behaviours, such as disordered eating and self-harm.

Schools can play a key role in monitoring the mental health of their students.

It is reassuring to know that all Merton Schools have a Mental Health lead and that they are linked in clusters to the Merton Schools' Mental Health Forum which meets termly and has good access to professional support. Also pleased that regular training takes place.

Referrals to CAMHS in Merton are lower than the national average for both these issues at the top end of the IThrive assessment system - *getting risk support level*. However, we are unaware of how many young people in Merton who are not thriving are at the other levels of IThrive i.e. *coping, getting help, getting more help*

It is not always easy to assess whether people with disordered eating or who are self-harming are deteriorating. (Eg. Young people with Bulimia don't necessarily lose weight but can cause significant physical/mental harm to themselves). Hence why record keeping and close monitoring at the "lower levels" of the IThrive assessment system are important.

It is also important to evaluate whether the help being offered at these levels is sufficient. This information would be valuable because, as we have seen from our case studies, early intervention is vital if these serious issues are to be dealt with successfully.

Another concern from both our case studies is ensuring that the person offering counselling has a good rapport with the young person. There needs to be flexibility in who is available to offer support and a range of treatments available. Eg Cognitive Behaviour Therapy might work well for some but not others.

If support at this crucial stage is not working for the young person, it needs to be known. A satisfaction survey or assessment to evaluate what is working after a certain amount of time is needed. Other options available should be on offer. Time is of the essence. Also, we should investigate who is out there in the community that could offer support.

The satisfactory waiting times reported to us from CAMHS are 92%. However, that means 8% of young people with serious problems are not included in that target. It is vital that CAMHS is fully resourced as staff shortages at this crucial stage could be fatal.

We feel Children and Young People's Scrutiny Panel should be requesting regular feedback on staffing levels, satisfaction of support and waiting times from CAMHS.

A great deal is being done in our schools. However, we feel a lot could be done in our communities to promote information and good practice and would suggest the following: Targeted poster campaigns; a double page spread in My Merton focused on these issues and support available; E-Merton promoting these campaigns.

One of the biggest worries we encountered was the impact of social media, particularly with the competitiveness of Self-Harm "*My wound is worse than yours.*" We feel that national media, local authorities and government need to be putting pressure on these platforms to promote positive messages and remove negative material.

We have produced some recommendations in this report that we hope will help to address these important issues.



**Committee: Cabinet**

**Date: 18th December 2023**

Wards: All

**Subject:** Proposed changes to the Council's charging scheme for pre-application advice.

**Lead officer:** Lucy Owen, Executive Director of Housing and Sustainable Development

**Lead member:** Councillor Andrew Judge, Cabinet Member for Housing and Sustainable Development

**Contact officer:** Jonathan Berry – Head of Development Management and Building Control Ext: 3099

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## **Recommendations:**

- a) That Members agree to the adoption and implementation of the changes to the pre application fees system as set out in this report and based on inflation since the last increase with effect from 1st January 2024.
  - b) That Members agree to the proposed charging and remuneration proposals, and the code of conduct and process changes for Merton's Design Review Panel.
  - c) That charges and fees are increased each April in line with the annual rate of inflation.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report sets out a proposal for expanding the existing framework regarding charging for pre-application advice – a chargeable discretionary service under the terms of S93 of the Local Government Act 2003.
- 1.2 Financial assessment is a key part of the review. The fees for the service have not been increased for 12 years, and while supplementary (hourly rate) charges have been introduced more recently, officers consider that there is a need to increase overall charges significantly to ensure they cover costs and are comparable with other London Boroughs.
- 1.3 This local review of discretionary pre-application charges complements initiatives being undertaken by the Government part of which includes a proposed major uplift in statutory planning fees to be introduced in December 2023 as the Government seeks to ensure that planning authorities have the resources they need to deliver effective planning services. ( [Technical consultation: Stronger performance of local planning authorities supported through an increase in planning fees: government response - GOV.UK \(www.gov.uk\)](#) )
- 1.4 The report outlines the current legislative framework, present charging arrangements, provides comparative charging data from other local authorities, along with recommendations for both baseline charges and

supplementary (hourly rate) charges, and a suitable review mechanism to provide a transparent framework against which charges will be levied and increased in the future.

- 1.5 In conjunction with proposed increases to pre-application charges this report also considers the introduction of charging and remuneration measures, a code of conduct and other process changes to deliver the Council's Design Review Panel. The Design Review Panel proposed fees and charges are set out within the body of this report and in Appendix B. Appendix C sets out the proposed Design Review Panel process changes. These were endorsed by the Council's Overview and Scrutiny Panel in February 2022 ([DRP Review - Scrutiny 22-01-22 Report \(merton.gov.uk\)](#))

## **2 BACKGROUND AND CURRENT SITUATION INCLUDING CHARGING ARRANGEMENTS AND FEE INCOME**

- 2.1 Section 93 of the Local Government Act 2003 provided Local Authorities with the power to charge for the provision of certain discretionary services. However, this is limited to the cost of providing the service.
- 2.2 The National Planning Policy Framework (NPPF), the first version of which was published in 2012, recognizes that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community".
- 2.3 The NPPF acknowledges that while "They (Local Authorities) cannot require that a developer engages with them before submitting a planning application" "they should encourage take-up of any pre-application services they offer".
- 2.4 The majority of Local Planning Authorities including Merton have introduced a charging system for the provision of detailed planning advice and this system is firmly embedded in the workings of the Section. It is recognised that pre-application advice can assist in securing major and minor application schemes of sufficient quality and allow them to be processed within their respective timeframe. Officers consider that the introduction of a charging system for pre-application advice has successfully secured the following:
- improvements in the quality of submission of major /minor planning applications; including S106 heads of terms
  - reductions in the time taken to determine major/minor applications following submission;
  - discourage meaningless, time-wasting speculative meetings on large sites;
  - fostering a development team approach which provides the highest standard of service of pre-application advice to the public.
- 2.5 Charges are currently levied against 4 categories of submission:

- A – Large-scale and complex major developments - £3,300 (initial meeting and advice note and £1,056 (follow up meeting and advice note)
- B – Major developments - £1,650 (initial meeting and advice note) and £660 (follow up meeting and advice note).
- C – Minor developments - £990 (initial meeting and advice note) £528 (follow up meeting and advice note).
- D - Small-scale and householder development and lawful development certificates - £99 (initial meeting and advice note).

2.6 For submissions within Categories A, B and C the charge provides for a meeting with the case officer and written report covering:

- information on relevant policies and planning requirements
- the estimated timescale to process your application
- the information you need to provide on your planning application
- Section 106 matters including likely heads of terms
- best practice consultation methods.

While for Category D submission the charge currently provides

- a meeting with the case officer and e-mailed notes.

2.7 The charges determine baseline costs to an applicant. Where inputs from multiple officers may be required on more complex submissions and where an initial meeting may be followed up with separate meetings with in-house specialists, charges will increase and the Council may broker a Planning Performance Agreement (PPA) with the applicant.

2.8 Hourly rates, as published on the Council's web site are currently as follows:

<b>Role</b>	<b>Charge per hour (inclusive of VAT)</b>
Assistant Director/Director	£276
Head of Service	£161
Area Team Leader	£122
Principal Planning Officer	£107
Planning Officer	£71
Administrative Officer	£50

The charges inform supplementary fees where they are deemed appropriate on more complex pre-application submissions and when brokering Planning Performance Agreements.

2.9 Currently the two key fee earning pre-application categories are for proposals that will lead to major or minor category planning applications (proposals for one or more dwellings and above, for 100 q.m of non-residential floorspace and a combination of the above and up to the largest major proposals such as those more recently at the All-England Club in Wimbledon and at Mitcham Gasworks).

- 2.10 The fees in the table below include VAT. The Council is providing a non-statutory/discretionary service unlike planning applications the determination of which is one of the Council's legal requirements. Against a background of general inflation, rising staff costs, increasing complexity on major schemes of technical assessments including those associated with the drive towards zero carbon developments, changing flood risk modelling, promoting biodiversity improvements and air quality neutral objectives there has been no increase in the schedule of fees levied during this period.

**Table 1 – Total pre-app fees charged 2018 to 2023**

<b>Year</b>	<b>Total pre-app fees charged (includes VAT)</b>
2018	£124,674
2019	£157,893
2020	£129, 524
2021	£150,854
2022	£127,116
2023 (1 <sup>st</sup> Jan to 31 <sup>st</sup> October or 0.8 of whole year)	£96,178

- 2.11 The Council's Design Review Panel provides a further strand to the pre-application process with both minor and major submissions being brought before the panel for review and comment. The panel is made up of built environment experts and is serviced by the Council's Urban Design officers who sit within the Future Merton Section. Officers liaise with panel members and applicants and circulate agenda and minutes from the meetings. The feedback from the meetings helps inform discussion with prospective applicants.
- 2.12 A review of the Council's Design Review Panel service was undertaken by officers who reported to councillors on [Merton's Sustainable Communities Overview and Scrutiny Panel in February 2022](#). The review drew from best practice across the country including the London Design Review Charter and involved consultation with Design Review Panel members. In February 2022 Scrutiny resolved to agree all recommendations including a number of process and operational changes including the introduction of fees and charges. The Design Review Panel draft code of conduct, process changes and fees and charges, details of which are set out in Appendix C and B respectively, requires the resolution of Cabinet before they can be introduced and this remains outstanding.
- 2.13 The Government has conducted a review of fees for planning applications and has announced this month (November 2023) that from the 6th December 2023 the Planning Fee's in England will be updated and increased. Fees to be paid in respect of applications, deemed applications,

requests or site visits relating to major development will be increased by 35%. All other existing fees will be increased by 25%. A new provision is added to the 2012 Fees Regulations so that, from 1st April 2025, all fees under those Regulations can be increased annually (new regulation 18A). The amount of any increase will be in line with inflation, or if lower, 10%.

### **3. COMPARISON WITH PRE-APP CHARGES AND ARRANGEMENTS IN NEIGHBOURING BOROUGHES.**

- 3.1 While there are subtle differences in the way in which individual fees are levied an examination of neighbouring boroughs charges for comparable categories of development indicates Merton's charges are light in comparison. Variation in fees charged runs through from the smallest to the largest developments. The categories of development generating the highest proportion of Merton's pre-application fee income are minor through to major developments. For these categories of development Merton's fees are increasingly adrift with those of neighbouring boroughs.
- 3.2 The table below provides an up-to-date comparison with neighbouring boroughs.

**Table 2. Pre-app comparison with neighbouring boroughs.**

	Householder	Minor Works	Concept Meeting	Minor Development (1-4 resi units/commercial 100-499sqm)	Minor Development (5-9 resi units/commercial 500-999sqm)	Major (10-24 resi units/commercial 1000sqm - 1,999sqm)	Major (25-50 units/commercial 2,000-4,999sqm)	Major (50+ units.commercial >5,000sqm)
Merton	£99	£99		£990	£990	£1,650	£1,650	£3,300
Wandsworth	£240 (with 1 hour meeting)  £120 (no meeting)	£240  £240 (additional charge if building is Listed)		£1,196 (up to 2 hour meeting & written advice)  50% fee if written advice only	£1,196 (up to 2 hour meeting & written advice)  50% fee if written advice only	£3,110 (2 hour meeting only)  £1,062 (written advice)  £2,228 (additional meeting)	£5,209 (2 hour meeting only)  £1,062 (written advice)  £2,228 (additional meeting)	£8,098 (2 hour meeting only)  £1,062 (written advice)  £2,228 (additional meeting)
Richmond	£136  £536 (external works to Listed Buildings)  £456 (internal works to Listed Buildings)		£734	£1,156	£1,656	£2,529	£4,634	£7,324
Croydon	£200 + VAT	£200 + VAT		£1,000 + VAT	£2,000 + VAT	£3,500 + VAT	£3,500 + VAT	£3,500 + VAT
Lambeth	£462 (includes site visit)  £239 (written advice only)	£417  £2,460 (All types of dev to Listed Building)		£1,371 (commercial up to 64.99sqm and conversion of 1 unit)  £2,333 (commercial between 65-499.99sqm / 2-3 resi units)	£3,038	£7,725	£12,362	£12,362
Sutton	£230 (formal response, meeting and site visit)  £124 (formal response, meeting but no site visit)  £75 (bullet point summary & meeting)			£450 (commercial <199sqm/1 resi unit)  £600 (commercial up to 299sqm/2 resi units)  £750 (commercial up to 399sqm/3 resi units)  £900 (commercial up to 499sqm/4 units)	£1,800	£3,750 (commercial up to 4,999sqm/10-30 resi units)	£4,750 (commercial up to 9,999sqm/31-75 units)	£5,750 (commercial up to 14,999sqm/76-150 resi units)  £6,750 (151-200 resi units)  £7,750 (commercial over 15,000sqm/251-350 resi units)  £8,750 (over 350 resi units)

#### **4 PROPOSED INCREASE IN PRE-APPLICATION FEES AND THE INTRODUCTION OF CHARGES FOR MERTON'S DESIGN REVIEW PANEL**

- 4.1 The fees charged by Development Management for the service have not been increased for 12 years, a period broadly corresponding with the last increase in fees for planning applications nationally in November 2012. While supplementary (hourly rate) charges provide an enhanced fee along with instances where officers broker Planning Performance Agreements, the fees need to be increased to ensure that they are covering the cost of work undertaken.
- 4.2 Officers have drawn on three key sources in their consideration of the level of uplift in charges.
1. Rate of inflation for the period during which there has been no increase in fees (2011 to end of 2023).
  2. Benchmarking, comparing Merton's charges with those of neighbouring boroughs;
  3. Increases in the Town and Country Planning Fees Regulations scheduled to be implemented in December 2023.
- 4.3 Officers consider the Bank of England inflation calculator is a reliable source to calculate general inflationary costs to the delivery of services. The calculator uses Consumer Price Index (CPI) inflation data from the Office for National Statistics from 1988 onward. Between 2011 and 2023 inflation is calculated to be 41.3%.
- 4.4 Benchmarking exercises between Councils can provide a useful tool to ensure consistency of approach and, in this instance, charging regimes. However, the Planning Advisory Service recognizes that Councils are complex organizations and that while a goal may be to arrive at an accurate comparison, attempting to get to 100% perfect in terms of costs can lead to delay.
- 4.5 Following an announcement by the Government earlier this month (November 2023) fees to be paid in respect of applications, deemed applications, requests or site visits relating to major development are to be increased from 6<sup>th</sup> December, by 35%. All other existing fees are increased by 25% from the same date. Given the increase derives from a formal consultation exercise with local planning authorities in England earlier this year conducted by the Government, and which examined resource implications for the delivery of statutory planning services, officers consider that this too should inform Merton's approach.
- 4.6 Categories of charges. No changes are proposed to the categories of charges which, for the most part, are broadly consistent with those of neighbouring authorities.

- 4.7 Category A and B – Large-scale and complex major developments and other major developments. While baseline costs are likely to be greater than smaller scale submissions with more extensive background work being undertaken by Admin officers to set up a file, a key difference to other submissions is likely to be involvement of specialist technical officers, senior officers including principal planning officers, along with internal meetings, the team leader and potentially the Head of Service in discussion with the Assistant Director. Specialist officers may accompany the case officer at any meeting with the applicant, which may be on site, in addition to providing feedback tailored to individual and more complex submissions. Based on the current hourly rates, and likely work involved, it is considered the fee received does not provide an adequate resource to deliver a suitable level of service for proposals which can have a significant social, economic and environmental impact on the borough.
- 4.8 Categories C and D – Minor development and small scale and householder development. While baseline costs are likely to be lower than large scale submissions with less background work being undertaken by Admin officers to set up a file, Category C submissions are nevertheless likely to involve the input of specialist officers to provide for example design input (a significant proportion of minor pre-apps being for additional dwellings and the development of infill sites), and expertise on arboricultural, flood risk and drainage matters. The assessment is likely to entail input from multiple officers including principal planning officers to guide and assist case officers where necessary, along with internal meetings with senior officers. Specialist officers may accompany the case officer at any meeting with the applicant, which may be on site, in addition to providing feedback, which while on occasion generic, will routinely need to be tailored to individual submissions. As with Category A and B submissions, based on the current hourly rates, and likely work involved, it is considered the fee received does not provide an adequate resource to deliver a suitable level of service.
- 4.9 Effective negotiation to optimise housing output on Category C pre-applications are of particular significance in Merton given the importance attached to the potential for small sites to contribute to delivering Merton's housing targets.
- 4.10 While a relatively light touch approach in terms of resourcing may be applied to some work on Category D, householder and similar small scale proposals, sites in many parts of the Borough will fall within conservation areas where specialist design input may be required. Fee levels again fail to reflect current service costs.
- 4.11 Given the above, officers have considered the impact of applying to pre-application submissions both the yardstick of the Government's proposed increase to fees for planning applications and also a uniform increase for all categories based on inflation.



**Table 3. Merton pre-application charges (1) and fees based on Government proposed increase to Planning Application Fees (2) and cumulative inflation from 2011 to 2023 (42%) (3).**

<b>Category of Pre-app</b>	<b>Category A</b>	<b>Category B</b>	<b>Category C</b>	<b>Category D</b>
Initial meeting and advice note	1. £3,300 2. £4,455 3. £4,653	1.£1,650 2.£2,228 3. £2,343	1.£990 2.£1238 3. £1,406	1.£99 (* plus £99 for conservation officer input. 2.£125(*plus £125) 3.£141 (*plus £141)
Follow up meeting and advice note.	1. £1056 2.£1425 3. £1,500	1. £660 2.£891 3. £937	1.£528 2.£660 3.£750	
Combined fee. Initial meeting and note plus follow up meeting and note	1.£4,356 2.£5880 3. £6,186	1.£2,310 2.£3,118 3. £3,280	1.£1,518 2.£1,897 3.£2,155	1.£99 2.£125 3.£*141 4. £141 (*plus £141)

- 4.10 It should be noted that the service is not permitted to make a profit. A local authority must offset any surplus or deficit in income as a result of any over or under recovery of charges when setting future charges for the discretionary services. In this way, the income generated by the discretionary service should equate to the cost of provision. Officers consider the announcement by the Government to increase planning application fees is both timely and helpful insofar as it helps to inform the pre-application fees review. There is however a significant divergence between the level of inflation since Merton's last fees increase and the level of increase proposed by the government in terms of applications more generally. Given the importance attached by the Government to early engagement in the planning process, as set out in the NPPF, along with the importance of effective pre-application negotiation to optimise development opportunities on both small and large sites in Merton, officers consider that the Council should approach increases in a way that better reflects its resourcing demands more generally. Officers recommend uniform increases for all categories broadly based on general inflation since the last increase.
- 4.11 While the uplift in charges would not come close to those charged for the larger scale pre-applications received by LB Lambeth and LB Wandsworth officers do not have evidence to substantiate increase to a comparable level. The charges would however better align with those levied by LB Sutton and LB Richmond.

- 4.12 Officers consider that the changes would:
- Better align with those charged by neighbouring boroughs with similar spatial characteristics to Merton;
  - Retain the ability for supplementary charges to be levied based on the Council's published hourly rates in the event that topic-based meetings where technical and expert officers are required;
  - Retain the ability for officers to broker bespoke Planning performance Agreements where covering the Council's costs of multiple meetings, and inputs from both in-house and external experts may be required;
  - Not preclude further adjustment subject to a more detailed analysis of internal costs.
  - Be consistent with the general direction and scale of uplifts to fees proposed by the Government following consultation with local authorities in England.
- 4.13 Once the fees have been increased, it is then recommended that they be increased each April, in line with the inflation rate for the previous 12 months, for the year ending in March. Subject to the recommendation of this report being adopted the first increase would take place in April 2025. Review and update would correspond with a further change to the regime for national planning application fees being introduced by the Government which would come into effect at the same time and allow for increases in fees along similar lines.

#### **DESIGN REVIEW PANEL FEES**

- 4.14 In 2021 and 2022, officers conducted a review of Merton's Design Review Panel service and reported to councillors on Merton's Sustainable Communities Overview and Scrutiny Panel in February 2022. The review of Merton's processes ([DRP Review Scrutiny 22-01-22](#)) along with its appendices [DRP Review - Scrutiny 22-01-22 - Appendix 6.pdf \(merton.gov.uk\)](#) drew on best practice across the country including the London Design Review Charter and involved consultation with Design Review Panel members. The report recommended changes to the format of the panel, appointments procedures and the introduction of a code of conduct which are set out in Appendix C to this report. Additionally, and integral to the resourcing of the pre-application service given that pre-application submission are routinely assessed by the Panel, the report proposed introducing both charging for applicants and payment for reviewers thus incurring no cost to the council.
- 4.15 The charging arrangements are based on a thorough survey of the arrangements in other London Boroughs. The report to the Scrutiny Panel confirms that remuneration for Panel members is nominal and very similar across London. Charging for applicants varies widely across similar London Borough design panels and the figures proposed for Merton are set at the lower end of the range. The approach reflects that this is the first time

Merton Council will be charging applicants for this service, that most development sites in Merton are small scale, that attending Design Review Panel is not a statutory requirement and there is a desire to encourage and not discourage applicants from presenting their proposals to an independent panel of experts.

4.16 Tables 4 and 5 below set out the recommended charges which were reported to and endorsed by the Scrutiny Panel in February 2022. Given the spike in inflation in the period since figures were compiled the tables also include an uplift based on inflation up until October 2023.

**Table 4. Merton Design Review Panel - proposed charging to applicants.**

- 1) Charges proposed in Feb 2022 based on data collected in 2021.
- 2) Charges proposed in December 2023 allowing for CPI inflation – 11.8%.

	Full Review (Chair plus 5 reviewers) 1)	Workshop/Early Review (chair plus 3 reviewers)	Desktop review (Chair plus 1 reviewer)
First review	1) £3,000 2) £3,354	1) £2,000 2) £2,236	Not available
Subsequent review	1) £2,500 2) £2,795	Not available	a) £1,000 b) £1,118

**Table 5. Merton Design Review Panel – proposed remuneration to panel.**

- 1) Charges proposed in Feb 2022 based on data collected in 2021.
- 2) Charges proposed in December 2023 allowing for CPI inflation – 11.8%

	Full Review (Chair plus 5 reviewers)	Workshop/Early Review (chair plus 3 reviewers)	Desktop review (Chair plus 1 reviewer)
First review	(Maximum fee charged.) 1) £2,000 2) £2,236	1) £1,400 2) £1,565	Not available

Subsequent review	1) £2,000 2) £2,236	Not available.	(Minimum fee charged.) 1) £800 2) £894
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## **5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 5.1 The pre-application system has the potential to generate significant levels of income and help meet the costs of the service.
- 5.2 Annual uplifts to charges aligned with inflation would be consistent with the Council's approach to uplifts to charges for other discretionary services.

## **6 LEGAL AND STATUTORY IMPLICATIONS.**

- 6.1 The legal background to the system is set out in S.93 of the 2003 Local Government Act. It is important that the pre-application system and Design Review Panel are operated and managed in a fair and transparent manner. The operation of the pre-application system will be monitored by the Head of Development Management , while the operation of the Design review Panel will be monitored by the Head of Future Merton who will both report to the Head of Regeneration.

## **7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 7.1 The pre-application service provided to Merton will ensure that it continues to be accessible to all residents especially those with protected characteristics.

## **8. CRIME AND DISORDER IMPLICATIONS**

- 8.1 None known.

## **9. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 9.1 None known.

## **10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 10.1 A. Schedule of proposed fees and service provided.

## **11 CONSULTATION UNDERTAKEN**

- 11.1 Planning pre-app fees – No consultation has been undertaken.

- 11.2 Design Review Panel fees and remuneration – Consultation with Panel Members. Feedback summarised in Report to Overview and Scrutiny Panel report (2022)

Report to Overview and Scrutiny Panel (2022) proposing the introduction of charges for the Design Review Panel.

## 12 BACKGROUND PAPERS

- 12.1 Planning Advisory Service – Briefing Note – Pre-application services in local authorities. [pre-application-services--bf1.pdf \(local.gov.uk\)](#)

- 12.2 [Technical consultation: Stronger performance of local planning authorities supported through an increase in planning fees: government response - GOV.UK \(www.gov.uk\)](#)

- 12.3 Letter from Government Chief Planner to local authorities (14<sup>th</sup> November 2023) regarding increases planning fees and other changes to the fees Regulations. [Letter about Planning Fees Increase \(14 November 2023\) \(publishing.service.gov.uk\)](#)

- 13.4 Report to Overview and Scrutiny Panel (2022) proposing the introduction of charges for the Design Review Panel.

[Link to Agenda item 7 and minutes – Design Review Panel review - Merton's sustainable communities overview and scrutiny panel \(February 2022\)](#)

- [Link to committee report](#)
- [Link to appendix on fees and charges](#)

## **Appendix A - Merton pre-application service.**

No changes are proposed to the operation of the service including what an applicant is required to provide and what steps the Development Management team will take to undertake its assessment of a pre-application submission. Details are outlined on the Council's Planning web pages:

[Planning pre-application advice service | Merton Council](#)

### **Category of proposal and schedule of charges from 1<sup>st</sup> January 2024.**

#### Category 'A' proposals – large-scale, complex, major development.

- Provision of 50 or more residential dwellings (including conversion)
- Provision of 2000m<sup>2</sup> or more of floor space
- Change of use of buildings or land over 2000m<sup>2</sup>
- Mixed-use developments where the combined floor space is over 2000m<sup>2</sup>
- Development involving a site of 1ha and over
- Developments requiring an Environmental Impact Assessment
- Development requiring the submission of an Environmental Statement under the Environmental Impact Assessment Regulations.
- Planning/ development briefs/ frameworks
- Sites for which the landowner wishes to establish their potential value, or where such briefs for potential developers will expedite the development process.

#### Category 'B' proposals – major development

- Provision of 10 - 49 residential dwellings (including conversion)
- Provision of 1000m<sup>2</sup> - 1999m<sup>2</sup> of floor space
- Change of use of buildings or land between 1000m<sup>2</sup> – 1999 m<sup>2</sup>
- Development involving a site of 0.5ha – 0.99ha
- Composite proposals for telecommunication masts/equipment – 10 or more sites
- Mixed use developments where the combined floor space is between 1000m<sup>2</sup> - 1999m<sup>2</sup>

#### Category 'C' proposals - minor development

- Provision of 1 - 9 residential dwellings (including conversion)
- Provision of 100m<sup>2</sup> - 999m<sup>2</sup> of floor space
- Change of use of buildings or land between 100m<sup>2</sup> -999m<sup>2</sup>
- Individual proposals for telecommunications equipment and masts not being confirmation of permitted development
- Advertisement applications
- Complex listed building applications

#### Category 'D' proposals – small-scale and householder development and lawful development certificates

- Provision of 1m<sup>2</sup> - 99m<sup>2</sup> of floor space

- Change of use of buildings or land between 1m<sup>2</sup> - 99m<sup>2</sup>
- Householder applications (small extensions/alterations)
- Certificates of Lawful development - for non-householder related applications such as confirmation of existing lawful use

NB - All charges are inclusive of VAT.

Category of Pre-app	Category A	Category B	Category C	Category D
Initial meeting and advice note	£4,653	£2,343	£1,406	£141 (*plus £141 for Conservation Officer input)
Follow up meeting and advice note.	£1,500	£937	£750	
Combined fee. Initial meeting and note plus follow up meeting and note	£6,186	£3,280	£2,155	£*141 (*plus £141 for Conservation Officer input)

#### Officer's hourly rates

Role	Charge per hour (inclusive of VAT)
Assistant Director/Director	£276
Head of Service	£161
Area Team Leader	£122
Principal Planning Officer	£107
Planning Officer	£71
Administrative Officer	£50

**Appendix B - Merton Design Review Panel - Charging and remuneration.**  
 Details of new arrangements to be uploaded onto Council's planning web pages.

**Merton Design Review Panel – proposed remuneration to panel.**

	Full Review (Chair plus 5 reviewers)	Workshop/Early Review (chair plus 3 reviewers)	Desktop review (Chair plus 1 reviewer)
First review	(Maximum fee charged.) £2,236	£1,565	Not available
Subsequent review	£2,236	Not available.	(Minimum fee charged.) £894

**Merton Design Review Panel – proposed charges for applicants.**

	Full Review (Chair plus 5 reviewers)	Workshop/Early Review (chair plus 3 reviewers)	Desktop review (Chair plus 1 reviewer)
First review	£3,354	£2,236	Not available
Subsequent review	£2,795	Not available.	£1,118



## **APPENDIX C – MERTON DESIGN REVIEW PROPOSED CODE OF CONDUCT**

### **1. INTRODUCTION**

- a) The Merton Design Review Panel is set-up, organised and managed by the London Borough of Merton, and reviews development proposals within the London Borough of Merton. As a group of independent experts, it is important that the Merton Design Review Panel provides independent and impartial advice according to principles of good practice in public life, and guidelines produced by relevant organisations. This includes Central Government, the Greater London Authority and Design Council CABE. This Code of Conduct applies principally to the conduct of Panel members, but also includes all those attending meetings and involved in the design review process. It also includes guidelines on what is and is not considered a conflict of interest and how this process is managed.

### **2. PANEL MEMBERS**

- a) Panel members are expected to conduct themselves to a high standard and in a professional manner, maintaining the integrity of the Panel, not bringing it into disrepute by their actions as part of their work on the panel, outside the panel or by association through other inappropriate behaviour. They are also expected to adhere to good practice in how they review schemes. Particularly, Panel members are expected to:
  - i) Adhere to the seven Nolan Principles of Public Life, the CABE 10 Principles of Design Review<sup>2</sup>, and the Mayor of London's London Quality Review Charter<sup>3</sup>,
  - ii) Behave in a professional, respectful and courteous manner to all during Panel meetings, including allowing one person to speak at a time and respecting one another's views,
  - iii) Understand and respect that all pre-application proposals are commercially confidential in line with LB Merton pre-application service, and not discuss or disseminate information on them to any third party,
  - iv) Give an informed and open-minded view of a scheme in its context, beyond narrow realms of expertise and not allowing strongly held personal preferences and predilections to dominate or inappropriately influence advice,
  - v) To consider a scheme 'in the round' starting from the big issues, working to the detailed, and remaining focussed on relevant design issues,
  - vi) Give advice and criticism in a constructive, encouraging and non-adversarial manner with a view to encouraging applicants to willingly take comments on board,
  - vii) Have due regard to the planning process, current planning policy and standards within which the Design Review Panel operates and give appropriate comments within this context,
  - viii) Not engage in negotiating on behalf of the local authority, not recommend other designers and not attempt to design schemes themselves, or the projects being reviewed,
  - ix) Not attend Panel meetings as a reviewer to act on behalf of any person or client having their proposals reviewed at that meeting,
  - x) Not engage in separate or independent discussions or give advice – paid or unpaid – with applicants who will be or have previously presented to the Design Review Panel, during the lifetime of the project,

- xi) Following reviewing a scheme, not comment on the proposal in any other formal capacity, eg. through a public consultation exercise,
- xii) Not engage with, or encourage any interested party in attempting to lobby them individually or to the Panel as a whole, or in any way attempting to influence their views, and report this immediately to Panel management as soon as it happens,
- xiii) Not bring the work of the Panel into disrepute by association, through actions and behaviours outside their work on the Panel,
- xiv) Familiarise themselves with the list of companies and employees involved in all schemes being reviewed as identified on the agenda and inform the Panel management of any actual or potential conflicts of interest. Attendance at meetings will be dependent on Panel management receiving confirmation from Members there is no known conflict of interest,
- xv) Familiarise themselves with proposals sites and their context, either by visiting the sites themselves, or researching them on-line,
- xvi) Familiarise themselves with previous reviews for sites where they exist and with previous planning applications where indicated.
- xvii) Punctually attend all review meetings and other meetings they have been scheduled for. If members find they cannot attend, they should ideally give at least 7 days notice, although it is understood this may not always be practical. Continued inability to attend meetings may result in the member being removed from the panel.

### **Conflicts of Interest**

- b) To ensure the Design Review Panel operates in an independent and impartial manner, with high standards of probity, it is essential that conflicts of interest are not allowed. A proper process for ensuring this is also important in policing this and giving confidence that such conflicts do not take place. Firstly, it must be clear what constitute conflicts of interest and what is expected of Panel members in this regard. Panel members must:
  - i) Provide Panel management with a list of interests to be held on a Register of Interests to aid assessment of conflicts of interest. This list should include interests such as development projects members are involved in in Merton, property they own in Merton, membership of local groups and societies, positions held in companies such as directorships, financial stakes and investment interests in relevant companies and organisations, and active political work. Anything that is or could be construed as a potential conflict of interest with the work of the Panel should be identified. This should include members places of residence and of work. Panel members must update panel management in a timely manner of any relevant changes to their circumstances in this respect. In some cases, such interests may bar Members from attending a review.
  - ii) Declare to the Panel management relevant pecuniary and non-pecuniary interests they (or their family) have in relation to the operation of the panel in general, and they have in relation to any specific site, company, development team member in relation to any specific proposal being reviewed. Pecuniary and non-pecuniary interests are defined for councillors on the council website<sup>4</sup> and should form the reference point for Panel members. Pecuniary interests will bar

Members from attending a review and non-pecuniary interests will be assessed on a discretionary basis by Panel management and the Chair.

- iii) Identify to Panel management if they are involved, in any way, with sites that are adjoining, opposite, adjacent or in any other way affected or in close proximity to schemes being reviewed. In cases where such a site will be clearly affected by the proposal under review, this will bar Members from attending the review for that scheme. Make the Panel management aware of any projects they are working on within the borough that are likely to come to the Design Review Panel. The Panel management will decide whether these schemes should be reviewed according to normal procedure. Where a Panel member has a scheme that comes to review, they must step down from their position on the Panel for the duration of the project – from the first submission for pre-application advice to the final discharge of conditions and signing of legal agreements. This is in order to ensure there are no blurred lines between the reviewing role and applicant role of Panel members. A clear distinction is essential to ensure the Panel is impartial and seen to be impartial.
- iv) Not take part in a review where they, in the preceding 12 months, have been personally, professionally or informally involved with the proposal being reviewed, either paid or unpaid or in any other way giving advice on the proposal.
- v) Not become involved in sites personally, professionally or informally, that have been presented to a Panel review that they sat on, for a period of at least 24 months after the Council have determined the scheme.
- vi) Not review any other schemes at a review meeting where they will be involved in any way with one or more of the schemes being reviewed (i.e. they will not be allowed to ‘cross the floor’ during a review meeting).
- vii) State whether, in any other forum, they have objected to or otherwise commented on a proposal to be reviewed, including any other plans, policies or other factors affecting the proposal. Such a connection is likely to bar a member from attending the review for that scheme.
- viii) Not use their participation as a reviewer on the Panel to directly or indirectly promote their own business interests. Approaches should not be made to anyone involved in schemes being reviewed before, during or after a review in order to actively or by default canvass for work. It is accepted that working for the panel, members are enhancing their reputations and public profiles, but the right balance needs to be struck in this regard. Panel members accept that this may affect their ability to conduct their professional business in the borough.

### **Mechanism for avoiding Conflicts of Interest**

- c) Panel members are required to state to Panel management, each time they receive an agenda for a meeting, that they have no known conflicts of interest. This is based on the companies and individuals identified by the applicants and in accordance with this Code of Conduct document. Access to review material will be dependent on this communication. This process may be made electronic in the future.

- d) The above is not an exhaustive list and potential conflicts will be considered on a case by case basis at the discretion of the Panel management and Chair. Where the conflict may not be strong, the panel management may consult with the applicant team to establish whether they are content to proceed with the panel member in question.
- e) Where a member experiences conflicts of interest to a degree that it adversely affects their ability to regularly attend or be chosen for meetings, it may be deemed by panel management that their continued membership of the panel is impractical (through no fault of their own), and that it is brought to an end.
- f) The role of Panel management is important in providing a clear and unbiased notes and aiding in the independence, credibility and professionalism of the Panel. To this end, the following procedures will be applied by the Panel management:
  - i) The Design Review Panel administrator will take notes at meetings and provide a draft set of notes. These will then be distributed to Panel members for comment on the notes. The notes will be passed to the Chair for amendment based on members comments and production of a 'final' set of notes. The Chair will send out the notes to applicants (and other relevant parties), normally within one working week from the review.
  - ii) Notes will be written in prose form, synthesising individual comments into text that broadly comments from the larger scale and fundamental issues first, moving towards details. Notes should include a short introduction and conclusion culminating in the verdict. Notes should not be ambiguous and indicate the strength of opinion of the Panel on issues where there is a clear and strong view.
  - iii) The notes of the panel will be based on a collective view of the panel as a whole, presenting a single point of view, and will provide a consistent, clear and concise report to be as useful a steer as possible to the applicant. They will not be based on individual members' preferences or any formal system of voting.
  - iv) Following this process, the notes are final and not subject to variation or negotiation either by Panel members, council officers, applicants, councillors or any other third party.

### 3. PANEL MANAGEMENT

- a) The role of Panel management is important in providing a clear and unbiased notes and aiding in the independence, credibility and professionalism of the Panel. To this end, the following procedures will be applied by the Panel management:
  - i) The Design Review Panel administrator will take notes at meetings and provide a draft set of notes. These will then be distributed to Panel members for comment on the notes. The notes will be passed to the Chair for amendment based on members comments and production of a 'final' set of notes. The

Chair will send out the notes to applicants (and other relevant parties), normally within one working week from the review.

- ii) Notes will be written in prose form, synthesising individual comments into text that broadly comments from the larger scale and fundamental issues first, moving towards details. Notes should include a short introduction and conclusion culminating in the verdict. Notes should not be ambiguous, and indicate the strength of opinion of the Panel on issues where there is a clear and strong view.
- iii) The notes of the panel will be based on a collective view of the panel as a whole, presenting a single point of view, and will provide a consistent, clear and concise report to be as useful a steer as possible to the applicant. They will not be based on individual members' preferences or any formal system of voting.
- iv) Following this process, the notes are final and not subject to variation or negotiation either by Panel members, council officers, applicants, councillors or any other third party.
- v) Notes of the reviews will be based only on a record of what was said at the review meeting and no other subsequent commentary offered by panel members, council officers or others will be included. The traffic light verdict given at the end of meetings will not change in the final notes from that given at the review.
- vi) The agenda and full set of plans and drawings will be made available to Panel members approximately one week prior to the review meeting to enable Members sufficient time to familiarise themselves with the proposals.
- vii) The agenda/applicant documentation will include a list of companies and employees involved in all schemes being reviewed to aid Members in identifying potential conflicts of interest.
- viii) Council officers will not take part in the review itself but will play a role in factchecking on points of planning policy for the purposes of clarity and accuracy.

#### 4. COUNCILLORS

- a) As elected representatives of the council it is currently considered appropriate that councillors are able to attend panel meetings as observers, whether applications or preapplications. Councillors should, like others, conduct themselves appropriately.
- b) Councillors must abide by their own Code of Conduct as elected representatives as well as this code of conduct.
- c) Councillors are permitted to attend only where they have a relevant ward member or cabinet portfolio interest, do so as observers, and respect this in the same manner as members of the public.
- d) Councillors must also respect the confidentiality of pre-applications and not disseminate any information shown or discussed as part of the review, including the review notes, with any third party. This includes not taking photos of, recording or videoing the meeting or use of social media.

#### 5. THE PUBLIC

- b) The public (including representatives from local groups, societies and organisations) must:
  - i) Adhere to this Code of Conduct and do not attempt to speak or otherwise influence the views of Panel members before, during or after meetings.
  - ii) Not engage in any other behaviour that is likely to disrupt or otherwise hinder the effective and impartial work of the Panel,
  - iii) Not unduly attempt to engage with applicants as they wait to enter the review meeting, nor attempt to record or film applicants without permission. If they wish to speak to the applicant, this should be done outside the design review process, as part of the applicants own consultation in accordance with the National Planning Policy Framework (NPPF).
  - iv) Recording by audio, video or any other means of Panel meetings is not permitted. Anyone found to be secretly filming or recording by any means will automatically be barred from attending any future Panel meetings. Recording will only be permitted by the council, whether meetings are held in person or electronically.
  - v) Not engage in lobbying of panel members by communicating or attempting to communicate with them or, in any other way to attempt to influence their views and decisions on schemes, before, during or after review meetings.
  - vi) When attending, be willing to give their names to the panel management for accurate recording of the meeting attendees. People attending as observers will only be allowed on this basis. Failure to do so may lead to them being excluded from attending public DRP meetings in the future, in person or electronically.

## 6. THE APPLICANT

- a) The way the applicant presents their proposals and responds to the review can have an important impact on how productive and positive the review is for all, including keeping to time and extracting the maximum advice from the Panel. To this end, the applicant team are expected to:
  - i) Be clear and honest in their presentation and do not attempt to misrepresent schemes,
  - ii) Not use the review as an opportunity for the client or architect/designer to directly advertise or promote their company, development or practice,
  - iii) Do their best to keep to time in their presentation and present a clear design-based narrative of their proposals,
  - iv) Understand that their primary role is to absorb the comments of the panel and not feel duty bound to respond to or defend all criticism,
  - v) Feel free to identify any misinterpretations or inaccuracies they feel arise in the review discussion
  - vi) Not approach panel members to in any way become involved in projects that have been or are likely to be reviewed by the panel.
- g) The applicant has a right to expect that Panel members have no conflict of interest when reviewing their proposals. However, it is considered inappropriate to give applicants the opportunity to choose or vet members to review their proposals as this equally could be open to abuse. It would also take away the role of Panel management in choosing the most suitable balance of expertise for the schemes on the agenda. To address this issue, this Code of Conduct has

intentionally been made more comprehensive and robust than the original Terms of Reference. It is considered that this will adequately address concerns applicants may have in this regard.

## 7. THE PRESS

- a) Whilst the Design Review Panel respects the confidentiality of pre-application stage proposals, it is not de-facto a confidential process. Therefore, for schemes that are at the public application stage, the press are also welcome to be present. They should also adhere to this Code of Conduct in the following way:
  - i) Adhere to their own professional codes of conduct and ethics as set out by the Independent Press Standards Organisation (IPSO).
  - ii) Adhere to this Code of Conduct and do not attempt to speak or otherwise influence the views of Panel members.
  - iii) Recording by audio, video or any other means of Panel meetings is not permitted. Anyone found to be secretly filming or recording by any means will automatically be barred from attending any future Panel meetings.
  - iv) They must identify themselves as members of the press to the Panel administration if they are attending in that capacity. If they are attending in a personal capacity then they must adhere to this Code of Conduct as it applies to the public and not subsequently write an article in any publication in their capacity as a member of the press.
  - v) Where they subsequently write a press article they should give the LB Merton communications team the opportunity to check the article for factual accuracy as it may be published before the formal meeting notes, and as a matter of courtesy.
  - vi) Be willing to give their name and employer details to the panel management for accurate recording of the meeting attendees.

## 8. BREACHES OF THE CODE OF CONDUCT

- a) For Panel members, an identified breach of this Code of Conduct will be verified by the panel management and a verbal warning given. Ongoing failure to comply with the Code of Conduct will be followed by a written warning. If the panel member still fails to comply with the code of conduct and cannot offer a satisfactory explanation for their behaviour, they will be dismissed from the Panel by agreement of the Panel Chair and management. Any Panel member should notify the Panel management if they become aware of a breach of the Code of Conduct.

## Summary of Merton Design Review Panel process changes

Please see [report to Merton's sustainable communities overview and scrutiny panel \(Feb 2022 – agenda item 7\)](#) for the consultation feedback from Design Review Panel members and a complete explanation for the justification for these proposals

1. **Format, Charging and Payment.** The council will introduce charging for applicants and payment for reviewers and three review formats – Workshop, Full and Desktop.
2. **Design Expert Chair.** The council will appoint a design expert chair and deputy chairs as set out in the approved recruitment process.
3. **Membership & Review.** The council will refresh membership periodically in order to maintain a workable pool of members with an appropriate and relevant mix of expertise, and this will be undertaken by the Future Merton team and Panel Chair as set out in the approved recruitment process.
4. **Recruitment.** The council will set out a process for recruitment and use it to re-appoint the whole DRP membership according to the newly agreed formal, code of Conduct and new Terms of Reference.
5. **Terms of Reference & Code of Conduct.** The Council will produce a new, up to date Terms of Reference and Code of Conduct.
6. **Timing and number of reviews and reviewers.** Reviews will take place during the working day with a maximum of three reviews per meeting, and a reduction in the number of reviewers, to five plus the Chair.
7. **Meeting format.** The meeting format for a full review will be changed so that reviews for each proposal will take one hour. This will consist of a five minute briefing by the case officer/panel administrator, a 15 minute presentation by the applicant, a 30 minute review session and a 10 minute summary and verdict administered by the chair. Workshop and chair's reviews will have their own formats and chair's reviews are likely to be shorter. The agenda and format for each item will be agreed beforehand by the chair and administrator based on the nature of the proposal.
8. **Web-based meetings.** All full reviews will be held by electronic means using Zoom or similar. They will include the administrator and an additional staff member to manage the meeting. A separate protocol on how this will be done will be included in the terms of reference. The council will also use other means of holding meetings as and when considered suitable, including e-mail and face-to-face meetings. Workshop meetings will be held face-to-face when possible as this involved a smaller number of people and is more practical.
9. **Notes of Meetings.** As set out in the proposed Code of Conduct, notes of Panel meetings will be written as a collective view of the Panel as a whole, which represents an objective summary of the review and is signed off by the Chair. This is in accordance with good practice, and how other independent companies such as Design SouthEast, DC CABE and Frame operate. It provides applicants with clear and unambiguous guidance, and guards against cherry picking by applicants and grandstanding by reviewers.
10. **Permanent Members.** The practice of permanent reviewers who attend all meetings will be discontinued.



11. **Verdict.** The current Red-Amber-Green verdict given at the end of DRP meetings will be changed to a four-stage verdict, namely Red – Amber (towards Red) – Amber (towards Green) – Green.
12. **Scheme Identification.** A new more structured procedure will be set up to identify proposals suitable for review. All pre-applications, when they are received, will be marked as either suitable or not suitable for design review based on a set of agreed parameters.
13. **Timing of reviews.** Proposals at application stage will not be reviewed unless they have previously been reviewed at pre-application stage. Proposals will not be reviewed until after a pre-application meeting has taken place.
14. **Review as part of the Planning Process.** Panel members' comments should sit within the planning policy context. All internal officer comments – where they exist – will be included in the information pack for reviewers
15. **Public Realm Schemes.** Major public realm and highways projects proposed and implemented by the council may be reviewed by the DRP at development stage in the workshop format. A schedule of planned projects will be produced and appropriate schemes selected for review.
16. **Planning Policy Documents.** Design related planning policy documents produced by the council will be reviewed by the Design Review Panel at an appropriate time in their consultation process.
17. **Design Review Panel webpage.** The DRP Webpage will be updated. It will include downloadable copies of the new Code of Conduct, Terms of Reference and Member profiles and a fuller explanation of what the Panel is and does. It will be redesigned to automate and make more efficient the process for applicants submitting documentation for reviews. As the DRP is not a council committee, the DRP webpage will be the single point of contact for all DRP matters.
18. **Review.** The working of the Panel will be reviewed annually in the form of a short annual report. To help in this, forms will be produced to aid presentations and provide feedback and for other purposes where deemed beneficial.

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## **Committee: Cabinet**

**Date: 18 December 2023**

Wards: All

## **Subject: Award of Home Energy Efficiency Loan Contract**

Lead Director: Dan Jones, Director for Environment, Civic Pride and Climate.

Lead member: Councillor Natasha Irons, Cabinet Member for Local Environment, Green Spaces and Climate Change

Contact officer: Tara Butler, Deputy Head of Future Merton

### ***Exempt or confidential report***

*Members and officers are advised not to disclose the contents of the Exempt appendices.*

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### **Recommendations:**

That Cabinet:

1. Award a new contract to Bidder A for the provision of loan brokerage service to administer an energy efficiency loan to Merton homeowners.
- 

## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. The purpose of this report is to recommend that Cabinet approves the award of the contract to the successful bidder contained within the Exempt Appendix A for Merton's Home Energy Efficiency Loan (HEEL).
- 1.2. Following extensive soft market testing in spring and summer 2023, the tender process involved the Invitation To Tender (ITT) being published in September 2023 and the evaluation of bids took place in early November 2023. The entire process was undertaken in line with Contract Standing Orders and the Public Contract Regulations 2015.
- 1.3. One service provider is recommended to be appointed. Due to the commercial sensitivity the details of the assessment results have been circulated as a confidential Appendix to this report.
- 1.4. The recommended service provider was the only bidder for this contract and offers extensive experience in this specific area.

## **2 DETAILS**

- 2.1. The report outlines the key features and benefits of this recommendation and the impact that this will have on the delivery of the loan provision. Cabinet approved funds of £300,000 in February 2023 for initial investment into a community retrofit loan scheme. The loan is intended to assist residents with the upfront costs of retrofitting their homes for energy efficiency/ decarbonisation.
- 2.2. The initial approved budget allocation is £300,000 for this contract. The recommended contract award value is up to £2 million which will allow an

extension to the scheme should additional funding become available, as discussed at Leaders' Strategy Group in September 2023.

- 2.3. The contract is for the provision of a Financial Conduct Authority approved loan brokerage service, which will cover the complete cycle of all loans lent to Merton residents. This includes advertising the loan, taking enquiries and assessing residents' suitability for a loan. Once the borrower and their property has been approved for a loan, the broker will collect all payments, deal with arrears and any other issues for the duration of the loan. They will also conclude the loan and remove the charge from the property.
- 2.4. The KPIs proposed in the contract with the loan broker include the monitoring and reporting of promotion and uptake of the loan, debt management, setting a relevant interest rate, ensuring the money is spent appropriately and customer satisfaction.
- 2.5. Monthly contract review meetings will include a review of the loan book status – a report that details number of loans in place, the repayments and capital still available, as well as the KPIs. The loan broker has to remain Financial Conduct Authority compliant throughout the duration of the contract.
- 2.6. The loan broker will manage the funds for the Council for up to 25 years. This includes receiving the interest payments on loans and reissuing them into the loan fund. These funds will not be returned to the Council until the contract term is reached in 2049.
- 2.7. The Council's contract manager and Finance Team will work with the loan broker to ensure an interest rate is set that will keep borrowing costs low for residents.

### **3 PROCUREMENT**

- 3.1. In researching council loan schemes in England, it was found that at least 40 councils currently offer loans to residents to assist in repairing or adapting their homes. Two councils (Bath and North Somerset and Basingstoke and Deane) offer a loan specifically for energy efficiency works. Nearly all used an external loan broker to administer the funds. All councils continued to invest in the loan fund annually after the initial investment. Many councils have funded this service for more than 10 years.
- 3.2. A soft market test was carried out through the Tenders Portal which identified two interested loan brokers, one of whom has bid for this tender.
- 3.3. The procurement was undertaken outside of a framework, and the ITT was published on 22<sup>nd</sup> September 2023 and closed on 23<sup>rd</sup> October 2023.
- 3.4. One submission was received and the evaluation of the bids was carried out in line with the methodology set out in the ITT.
- 3.5. Bidders were required to answer a set of method statement questions to assess the quality of their bid, along with a completed price list.

- 3.6. The tender evaluation comprised three stages: the first was a tender compliance check, on a pass/fail basis; the second was a quality and technical evaluation in line with the methodology prescribed in the tender and the third was the assessment of price in line with the methodology prescribed in the ITT.
- 3.7. The bids were evaluated by a moderation panel of five Council colleagues. Three colleagues reviewed the entire submission and two were brought into assess specific questions: a colleague from finance assessed the pricing schedule and a colleague from the Climate Team assessed the property evaluation method statement.
- 3.8. The bid evaluations were assessed by: Pass/Fail Compliance Checks; 60% Cost; 35% Technical and Quality and 5% Social Value Charter
- 3.9. The moderation meeting was held on 6<sup>th</sup> November 2023 for the panel of assessors to come together and discuss the individual scores and comments for each section and reach an overall score for the bid submission.
- 3.10. The name of the bidder and their respective score is included in Exempt Appendix A.
- 3.11. The bid was evaluated against the below method statement questions:

<b>Sub criteria</b>	<b>Method statement</b>	<b>Weighting</b>
Relevant experience	Describe your relevant experience of loan administration, including the ability to manage a revolving loan book and setting an interest rate relevant to the area the loan is being lent.	8%
Advertising and promotion	Explain how you will promote the loan to a range of residents from varying socio-economic, ethnic, age and health backgrounds. Include a range of outreach methods.	8%
Management of Loan Process	Describe how you will manage the whole loan process from receiving an enquiry to closing a loan, including assessment of applicants, the charge on the property and managing arrears.	6%
Management of Loan Process	Explain the costs involved in the whole loan process and who will bear these costs for each element listed above (the loanee, the loan fund, the Service Provider).	2%
Performance Management and reporting	How will you manage, monitor and report the status of the loan book to the Authority? Describe information you will provide and the frequency it will be provided.	6%
Property assessment	Describe how you will assess property types and the installation of appropriate low carbon/ energy efficient/ energy generation technologies for each property	5%
Social value	Social Value charter to be completed and returned	5%

- 3.12. The bidder also completed a pricing schedule as part of their tender return. It specified the cost of: contract set up, annual contract management, individual loan costs, and any additional costs. These were scored as part of the evaluation under the 60% cost weighting. Please see Exempt appendix A for the Pricing Schedule from the bidder.
- 3.13. Additionally, three example scenarios were also required from the bidder which gave an indication of how the loan book would be spent and replenished at three different example interest rates chosen by the bidder. These were not scored under the cost weighting due to the inability to directly compare between each potential bidders numbers' as each would have submitted multiple variable figures into the template.
- 3.14. The HEEL KPI handbook submitted as part of the ITT documents outline the proposed KPI's and how the contract will be managed.
- 3.15. The initial main stakeholder department and team for this contract will The Climate Team in Future Merton Team across the Housing and Sustainable Development and the Environment, Civic Pride and Climate departments.

**4 ALTERNATIVE OPTIONS**

- 4.1. This is a new service and contract for the council and there are no reasonable alternative options put forward to consider other than not awarding the contract. This is not recommended as the council has resolved to deliver this service as part of the climate action plan and the procurement process has been carried out correctly.

**5 CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1. Procurement Board approved the Gateway 1 report on 22<sup>nd</sup> August 2023.
- 5.2. On 4<sup>th</sup> September LSG noted that the tender would include an award of up to £2 million contract limit over the lifetime of the contract should further funding become available.
- 5.3. Stakeholder departments including finance, legal and procurement were involved in the drafting of the specification requirements, tender evaluation documents and also in the evaluation of the tender bid.

**6 TIMETABLE**

<b>Stage / Activity</b>	<b>Dates</b>
Evaluation of tenders	24 <sup>th</sup> October to 7 <sup>th</sup> November 2023
Procurement Board	21 <sup>st</sup> November 2023
Leaders Strategy Group	4th December 2023

Cabinet Meeting	18 <sup>th</sup> December 2023
Call in period	19 <sup>th</sup> December 2023 – 12pm 27 <sup>th</sup> December 2023
Notification of the Councils intention to award	3 <sup>rd</sup> January 2024
Confirm award of contract decision	3 <sup>rd</sup> January 2024
Contract Commencement target date	22 <sup>nd</sup> February 2024

- 6.1. Mobilisation stage will start in the new year, immediately after the contract is awarded so that the contract, policies and procedures are in place for 22<sup>nd</sup> February 2024.

## **7 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 7.1. An initial fund of £300,000 has been held in the Future Merton budget for this loan service. The initial split was anticipated to be £20,000 revenue and £280,000 capital to be allocated to individual loans for residents. The confirmed capital and revenue budget for the first five years of the contract will be £56,000 revenue for the set up and running costs of the scheme and £244,000 capital for the loans to residents.
- 7.2. There is potential to invest further into this loan service should the Council make further funds available, up to the value of £2 million.

## **8 LEGAL AND STATUTORY IMPLICATIONS**

- 8.1. The Council has the power to enter into the contract by virtue of section 1 of the Localism Act 2011 and the Local Government (Contracts) Act 1997.
- 8.2. The value of the contract is above threshold and so the route to market has been undertaken in accordance with the provisions of the Public Contract Regulations 2015 (PCR) and Contract Standing Order 19.
- 8.3. Once awarded the contract to the broker will need to be entered on to the Contracts Register in line with the Local Government Transparency Code 2015 and Contracts Finder in accordance with Crown Commercial Services Guidance.

## **9. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.4. None for the purposes of this report.

## **10. CRIME AND DISORDER IMPLICATIONS**

8.5. None for the purposes of this report.

**11. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

11.1 The KPIs address the risks identified in the risk assessment for this loan service.

**12. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT BACKGROUND PAPERS**

12.1 Appendix A: CONFIDENTIAL results of tender evaluation

**13. BACKGROUND PAPERS**

13.1 N/A



## CABINET 18 December 2023

### Subject: Financial Approvals

Lead Officer: Roger Kershaw, Assistant Director Finance and Digital

Lead Member: Councillor Billy Christie, Cabinet Member Finance and Corporate Services

### Recommendations:

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- A. That Cabinet approve £1,126,319 draw down from the Balancing the Budget Reserve to Finance and Digital to fund the Dark Fibre programme of works. The Council was awarded a grant to provide fibre in the borough to CCTV camera and Council buildings. The grant only covered certain areas and additional funding is required to rollout to the other areas. Work has started using the grant but the additional funding is now required to commission the other work.
- B. That Cabinet note the contents of Section 5 and appendices 5a to 5c and approve the adjustments to the Capital Programme in the 4 Tables below:

Cost Centre Narrative	Budget 2023-24 £	Budget 2024-25 £	Budget 2025-26 £	Explanation for the Budgetary Change
<b>Finance &amp; Digital</b>				
Planned Replacement Programme	(600,000)	600,000	0	SAN Reprocedurement will now be in early 2024-25
Social Care IT System - Replacement SC System	(636,930)	636,930	0	Reprofiled in line with projected spend
Business Systems - Parking System	0	(60,110)	0	Funding moved to Revenue
<b>Finance &amp; Digital</b>	<b>(1,236,930)</b>	<b>1,176,820</b>	<b>0</b>	

Cost Centre Narrative	Budget 2023-24 £	Budget 2024-25 £	Budget 2025-26 £	Explanation for the Budgetary Change
<b>Children, Lifelong Learning &amp; Families</b>				
Cricket Green Expansion	(39,040)			Reprofiling and Virement to Perseid Lower Expansion
Perseid Lower Expansion		96,700		
Perseid Upper Expansion	(9,130)			
West Wimbledon ARP	(34,220)			
Hatfeild ARP	(14,310)			
Children's Centres - Family Hubs	167,000	0	0	Second Tranche of Grant
<b>Total Children, Lifelong Learning &amp; Families</b>	<b>70,300</b>	<b>96,700</b>	<b>0</b>	

Cost Centre Narrative	Budget 2023-24 £	Budget 2024-25 £	Budget 2025-26 £	Explanation for the Budgetary Change
<b>Environment, Civic Pride &amp; Climate</b>				
Raynes Park Area Roads - Raynes Park Station Public Realm	1,760	0	0	Additional S106 Funding
Off Street Parking - P&D - Peel House Carpark	(200,000)	200,000	0	Reprofiled in line with projected spend
Fleet Vehicles - Fleet De-carbonisation Infrastructure	0	300,000	0	Funded by Climate Change Reserve
Highways and Footways - Highway Bridges and Structures	14,170	0	0	Additional Section 106 Grant
Sports Facilities - Leisure Centre Plant & Machine	(150,000)	150,000	0	Soft Play Equipment Madiera Hall spend projected in 24-25
Parks - Green Spaces Bridges	23,000	(23,000)	0	To cover the costs of Ravensbury Bridge of £115k
Major Library Projects - Library Video	24,500			New Grant Funding
Climate Change Initiatives - Community Retrofit Loan	214,000	(140,000)	(100,000)	Budget to be paid to contractor in 2023-24
<b>Total Environment, Civic Pride &amp; Climate</b>	<b>(72,570)</b>	<b>487,000</b>	<b>(100,000)</b>	

Cost Centre Narrative	Budget 2023-24 £	Budget 2024-25 £	Budget 2025-26 £	Explanation for the Budgetary Change
<b>Housing &amp; Sustainable Development</b>				
Mitcham Area Regeneration - New Horizon Centre	(21,610)	0	0	Reduction in Civic Pride NCIL Funding
Wimbledon Area Regeneration - Haydons Road Public Realm	(327,060)	327,060	0	Reprofiled in line with projected spend
Wimbledon Area Regeneration - Wimb. Village Heritage Led Public Realm	(50,000)	50,000	0	Reprofiled in line with projected spend
Morden Area Regeneration - Morden Town Centre	(100,000)	100,000	0	Reprofiled in line with projected spend
Civic Centre - Civic Centre Boilers	(1,884,080)	1,884,080	0	Reprofiled in line with projected spend
Civic Centre - Civic Centre Lighting Upgrade	90,010	205,000	0	Sub scheme separated and progressed separately
Civic Centre - Workplace Design	(295,010)		0	Sub scheme separated and progressed separately
<b>Total Housing &amp; Sustainable Development</b>	<b>(2,587,750)</b>	<b>2,566,140</b>	<b>0</b>	
<b>Overall Total</b>	<b>(3,826,950)</b>	<b>4,326,660</b>	<b>(100,000)</b>	

C. That Cabinet note the adjustments to the Capital Programme in the Table below:

Cost Centre Narrative	Budget 2023-24 £	Budget 2024-25 £	Budget 2025-26 £	Explanation for the Budgetary Change
<b>Children, Lifelong Learning &amp; Families</b>				
Hollymount - Capital Maintenance	(38,740)	0	0	Required adjustments to the approved programme for the capital maintenance of schools - these schemes are all funded by government grant and are treated as one budget within the capital programme.
Hillcross - Capital Maintenance	14,000	0	0	
Bond - Capital Maintenance	0	40,000	0	
Singlegate - Capital Maintenance	11,000	0	0	
St Marks - Capital Maintenance	1,590	0	0	
Unallocated - Capital Maintenance	(50,000)	22,150	0	
Melrose - Capital Maintenance	(12,970)	12,970	0	
<b>Total Children, Lifelong Learning &amp; Families</b>	<b>(75,120)</b>	<b>75,120</b>	<b>0</b>	

## **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 This report is to request Cabinet approval for budget adjustments which ordinarily would be recommended as part of the financial monitoring reports. Financial monitoring is now reported quarterly to Cabinet, therefore this request is to avoid delay in the request and approvals process.
- 1.2 The next financial monitoring report due to Cabinet will relate to quarter 3 and is due to Cabinet in February 2024.

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