

Agenda Item 6

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COUNCIL

12 APRIL 2017

(7.15 pm - 9.45 pm)

PRESENT

The Mayor, Councillor Brenda Fraser
The Deputy Mayor, Councillor Stan Anderson,
Councillors Agatha Mary Akyigyina, Stephen Alambritis,
Mark Allison, Laxmi Attawar, Hamish Badenoch, John Bowcott,
Mike Brunt, Michael Bull, Adam Bush, Tobin Byers,
Charlie Chirico, David Chung, Caroline Cooper-Marbiah,
Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean,
John Dehaney, Nick Draper, Edward Foley, Fidelis Gadzama,
Ross Garrod, Suzanne Grocott, Joan Henry, Daniel Holden,
James Holmes, Janice Howard, Mary-Jane Jeanes,
Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny,
Linda Kirby, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender,
Gilli Lewis-Lavender, Edith Macauley, Russell Makin,
Peter McCabe, Oonagh Moulton, Ian Munn, Katy Neep,
Jerome Neil, Dennis Pearce, John Sargeant, Judy Saunders,
David Simpson, Marsie Skeete,
Peter Southgate, Geraldine Stanford, Linda Taylor,
Imran Uddin, Jill West, Martin Whelton and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Jeff Hanna and Greg Udeh.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No declarations of pecuniary interest were made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 1 March 2017 are agreed as an accurate record.

4 ANNOUNCEMENTS BY THE MAYOR, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE (Agenda Item 4)

The Leader announced that the Mayor-elect for the municipal year of 2017-2018 would be Councillor Marsie Skeete.

The Chief Executive announced that, following a full recruitment process, Hannah Doody has been appointed to the position Director of Community and Housing and will join the London Borough of Merton on 10th July 2017.

The Mayor provided a brief update on recent Mayoral duties and gave details of upcoming events. She presented two awards. The first was to the South London Legal Partnership who won the Driving Efficiency Through Technology category at the Local Government Chronicle Awards for their work on digital courtrooms. The second award was presented to the project team who won the award for Best Small Business Friendly Procurement to Support Local Trade for the procurement for a private taxi service for children with special needs.

5 PUBLIC QUESTIONS TO CABINET MEMBERS (Agenda Item 5)

The responses to the written public questions were circulated prior to the meeting. The Mayor then invited each of the questioners in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'public questions to Cabinet Members' published document.

6 COUNCILLORS' ORDINARY PRIORITY QUESTIONS TO CABINET MEMBERS (Agenda Item 6)

The responses to the written member ordinary priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member ordinary priority questions to Cabinet Members' published document.

7a STRATEGIC THEME: COUNCILLORS' QUESTIONS TO CABINET MEMBERS (Agenda Item 7a)

The responses to the written member strategic theme priority questions were circulated prior to the meeting. The Mayor then invited each of the members in turn to ask (if they wished) a further question to the Cabinet Member. A copy of the supplementary questions and responses will be included in the 'member strategic theme priority questions to Cabinet Members' published document.

It was also noted that a copy of the member non priority questions and responses will be published after the meeting, in line with Constitutional requirements.

7b STRATEGIC THEME: MAIN REPORT (Agenda Item 7b)

The Strategic Theme report on Sustainable Travel was moved by Councillor Martin Whelton and seconded by Councillor Abigail Jones.

Councillors Daniel Holden and John Sargeant also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

7c STRATEGIC THEME: MOTIONS (Agenda Item 7c)

The motion was moved by Councillor Daniel Holden and seconded by Councillor Suzanne Grocott.

The Labour amendment as set out in agenda item 21 was moved by Councillor Ross Garrod and seconded by Councillor Judy Saunders.

The Labour amendment was put to a vote and was carried – votes in favour: 33, votes against:24, abstentions: 1.

A recorded vote on the substantive motion (as amended) was taken and the motion was carried.

Votes in favour: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Michael Brunt, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Fidelis Gadzama, Ross Garrod, Joan Henry, Mary-Jean Jeanes, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Edith Macauley, Russell Makin, Peter McCabe, Ian Munn, Katy Neep, Jerome Neil, Dennis Pearce, Judy Saunders, Marsie Skeete Geraldine Stanford, Imran Uddin, Martin Whelton (34).

Votes against: Councillors Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Charlie Chirico, Stephen Crowe, David Dean, Edward Foley, Suzanne Grocott, Daniel Holden, James Holmes, Janice Howard, Mary-Jane Jeanes, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Oonagh Moulton, John Sargeant, David Simpson, Peter Southgate, Linda Taylor, Jill West, David Williams (24).

RESOLVED: That this Council:

1)Recognises that the government's swingeing cuts to local authority funding have resulted in a reduction of more than 40% in council budgets since 2010 and that this inevitably has an impact on local services. Merton's residents regularly cite litter on the streets as one of their top concerns (according to the annual residents survey), and , after a period under the previous administration when government data rated Merton the dirtiest borough in the country, have rated street cleansing services as above the London average in recent years.

2) Notes that government cuts have forced councils such as Merton to look at options for less costly waste collection and street cleaning services and notes that, following the hand over of operational responsibility for street cleaning in Merton to Veolia from April 2017, there will be a new focus on outcomes rather than inputs, with the quality of the service, rather than the number of FTEs, being what is important to residents and to the council.

3)Notes that:

- 1) The current administration was elected in 2014 on a manifesto commitment to sweep roads in Merton each week and in fact many roads will be swept more often than this where needed;

- 2) The quality of street cleaning is a key component of the Phase C contract although this may not have been understood by some Members' despite a number of years of scrutiny in Merton of the South London Waste Partnership joint procurement process;
- 3) There has been no consultation with residents on these changes to the service they receive as there is no statutory requirement to do so, nor is there a reduction in the standards we expect to be met; and
- 4) The financial case for the contract with Veolia is based on at least £1.7m in savings per annum for 24 years, with the proposed savings being delivered through increased efficiency and a business-like focus on outcomes rather than an old fashioned staff headcount approach which might bear no relation to the quality of the service.

4)Calls on Cabinet to continue to robustly monitor the contract with Veolia to a) ensure they deliver on their contractual commitment to achieve high levels of street cleaning based on regular quality checks; b) look at any additional options that could increase the quality of the service provided, in the absence of any additional funding from central government; and c) continue to seek to deliver the Phase C contract through efficiencies rather than service quality reductions, whilst acknowledging that government cuts will inevitably have an impact on local services.

8 REPORT FROM RAYNES PARK COMMUNITY FORUM (Agenda Item 8)

Councillor Gilli Lewis-Lavender presented the report which was received by the Council.

9 REPORT FROM MITCHAM COMMUNITY FORUM (Agenda Item 9)

Councillor Ian Munn presented the report which was received by the Council.

10 REPORT FROM WIMBLEDON COMMUNITY FORUM (Agenda Item 10)

Councillor James Holmes presented the report which was received by the Council.

10a WIMBLEDON COMMUNITY FORUM MOTION (Agenda Item 10a)

The motion was moved by Councillor James Holmes and seconded by Councillor Michael Bull.

The Labour amendment as set out in agenda item 22 was moved by Councillor Katy Neep and seconded by Councillor Andrew Judge.

The Labour amendment was put to a vote and was carried – votes in favour: 36, votes against:0, abstentions: 22.

The substantive motion (as amended) was agreed.

RESOLVED: That the following recommendation of the Wimbledon Community Forum held on 6 December 2016 is agreed as amended:

This Council notes the work undertaken by the council to date, including renewing the entire length of Merton High Street, and agrees to continue to work proactively and in a meaningful way with residents in South Wimbledon to develop it into a vibrant and thriving community, that is culturally and economically progressive, and which respects its rich heritage, and as part of this welcomes the work that is already underway to develop a South Wimbledon Enhancement Plan as a result of a partnership approach between the council and local residents.

11 REPORT FROM MORDEN COMMUNITY FORUM (Agenda Item 11)

Councillor Philip Jones presented the report which was received by the Council.

12 CONSERVATIVE MOTION 1 (Agenda Item 12)

The motion was moved by Councillor Najeeb Latif and seconded by Councillor John Bowcott.

The Labour amendment as set out in agenda item 23 was moved by Councillor Martin Whelton and seconded by Councillor Dennis Pearce.

The Labour amendment was put to a vote and was carried – votes in favour: 37, votes against: 20, abstentions: 1.

The substantive motion (as amended) was then put to a vote and was carried– votes in favour: 37, votes against: 20, abstentions: 1.

RESOLVED: That this Council notes that under the CIL Regulations and Government Guidance there is no prescription on how local authorities without a Parish Council within their administrative area are to apply the neighbourhood funding element of CIL revenues other than that 15% of the CIL raised is to be spent on neighbourhood projects to support the development of the area and that they are to agree with the community how it is to be spent.

This Council notes that the council undertook a consultation exercise with local residents from November 2016 to January 2017, with a large number of responses received from residents and community groups. Council believes that, given the neighbourhood CIL funding is designed to ensure residents benefit from improved local infrastructure as a result of developments in their own area, it is important to listen to residents and to take time to assess the views they have expressed as part of the consultation, rather than pre-empt the results of the consultation which will be presented to Cabinet in July.

This Council notes that the Sustainable Communities Overview and Scrutiny Panel will receive regular reports on CIL allocations. Council notes one of the key instructions from government is to ensure that the CIL process does not result in an

extra layer of bureaucracy. Existing financial and democratic structures, including Scrutiny, will therefore be assessed for their robustness and used in preference to establishing new layers of bureaucracy where this is appropriate.

This Council therefore resolves to support and promote:

- a) ongoing involvement of residents in how CIL funding is allocated, in line with the results of the consultation exercise; and
- b) the analysis of existing democratic structures, including Scrutiny, in identifying the most efficient and effective ways of ensuring transparency and accountability.

Although still to be decided based on the consultation results, it is expected that, having been received and studied by council officers, each project bid would be expected to demonstrate:

- whether it is in line with the aspirations of residents as outlined in the consultation response;
- whether it is in line with government regulations on what neighbourhood CIL should be used for;
- whether the project is deliverable; and
- that the project does not result in an additional cost (that cannot be resourced) for businesses, residents, other organisations or the council.

This Council therefore asks Cabinet to receive the results of the consultation exercise and consider the recommendations from officers arising out of this.

13 EQUALITY STRATEGY 2017-21 (Agenda Item 13)

The report was moved by Councillor Edith Macauley and seconded by Councillor David Chung.

Councillor David Simpson spoke on the item.

RESOLVED: That Council endorses and adopts the Equality Strategy 2017-21 and supporting action plan.

14 LOCAL AUTHORITY PROPERTY COMPANY (Agenda Item 14)

The report was moved by Councillor Martin Whelton and seconded by Councillor Mark Allison.

Councillors David Williams and Peter Southgate spoke on the item.

RESOLVED: That Council

- A. Approve the capital investment funding of £13,022m for the first four sites plus working capital of up to £4m

- B. Approve an allocation of a further £10 million in the capital programme for the strategic acquisition of sites, subject to the business case for each acquisition is agreed by the council's Property Asset Management Board.
- C. i. Approve the increase in the Capital Programme to reflect the proposals in this report, and
 - ii. Approve the revised Treasury Management Strategy inclusive of revised Prudential indicators
- D. Having noted the work that has been carried out to date in relation to the setting up of a wholly-owned local authority property company ("LAPC").
- E. Having noted the decision made by Cabinet to set up a wholly owned local authority property company ("LAPC"), and approve the initial business plan.
- F. Having noted the decision to establish a sub-committee of Cabinet with various delegations to senior officers.
- G. Having noted that appropriate amendments will be made to the Council's constitution with respect to the Cabinet Sub-Committee.

15 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 15)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Mark Allison.

RESOLVED:

1. That the Council notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.
2. That Council appoints Councillor John Bowcott as Vice-Chair of the Heritage and Design Working Group.

16 PETITIONS (Agenda Item 16)

The report was moved by Councillor Stephen Alambritis and seconded by Councillor Mark Allison.

RESOLVED

That Council accepts receipt of three petitions:

- A petition presented by Councillor Gilli Lewis-Lavender entitled " petition to make narrow Burlington Road pavement safer for all pedestrians";
- A petition presented by Councillor Daniel Holden entitled "Merton diesel tax petition";
- A petition presented by Councillor Dennis Pearce entitled "lets make Abbotsbury Road safe".

17 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL
(Agenda Item 17)

Councillor Stephen Alambritis announced that the Strategic Theme for the next ordinary meeting of the Council, being held on 12 July 2017, shall be Safer and Stronger Communities.

18 MORDEN LEISURE CENTRE (Agenda Item 18)

The report was moved by Councillor Nick Draper and seconded by Councillor Mark Allison.

Councillor Janice Howard spoke on the item.

RESOLVED: That Council

1. Approves £2.708m of Merton's strategic Community Infrastructure Levy funding to be used towards the provision of the new Morden Leisure Centre project.
2. Agrees to increase the Morden Leisure Centre project capital scheme from £11 million to £13.708 million, this increase funded by Community Infrastructure Levy contributions of £2.708 million.

19 EXCLUSION OF THE PUBLIC (Agenda Item 19)

RESOLVED: Council agreed that although item 18 had an exempt appendix (set out in item 20), Council would not discuss any of the exempt information and could therefore stay in public session.

20 MORDEN LEISURE CENTRE - APPENDIX 2 (Agenda Item 20)

The exempt information was not discussed.