

# Agenda Item 3

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## COUNCIL

2 FEBRUARY 2022

(7.15 pm - 9.58 pm)

## PRESENT

(in the Chair), Councillor Michael Brunt,  
Councillor Edith Macauley, Councillor Agatha Mary Akyigyina,  
Councillor Stephen Alambritis, Councillor Mark Allison,  
Councillor Stan Anderson, Councillor Eloise Bailey,  
Councillor Thomas Barlow, Councillor Nigel Benbow,  
Councillor Michael Brunt, Councillor Adam Bush,  
Councillor Omar Bush, Councillor Ben Butler,  
Councillor Caroline Cooper-Marbiah, Councillor Pauline Cowper,  
Councillor Stephen Crowe, Councillor Mary Curtin,  
Councillor David Dean, Councillor John Dehaney,  
Councillor Nick Draper, Councillor Anthony Fairclough,  
Councillor Edward Foley, Councillor Brenda Fraser,  
Councillor Jenifer Gould, Councillor Edward Gretton,  
Councillor Joan Henry, Councillor Daniel Holden,  
Councillor James Holmes, Councillor Andrew Howard,  
Councillor Janice Howard, Councillor Natasha Irons, Councillor  
Sally Kenny, Councillor Paul Kohler,  
Councillor Rebecca Lanning, Councillor Najeeb Latif,  
Councillor Edith Macauley, Councillor Russell Makin,  
Councillor Peter McCabe, Councillor Simon McGrath,  
Councillor Nick McLean, Councillor Oonagh Moulton,  
Councillor Aidan Mundy, Councillor Hayley Ormrod,  
Councillor Dennis Pearce, Councillor Owen Pritchard,  
Councillor Carl Quilliam, Councillor David Simpson,  
Councillor Peter Southgate, Councillor Eleanor Stringer,  
Councillor Dave Ward, Councillor Martin Whelton,  
Councillor Dickie Wilkinson, Councillor David Williams and  
Councillor Helena Dollimore

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

Apologies for absence were received from Councillor Bokhari.

Councillors Attawar, Chung, Christie, Kirby, Skeete and Stanford attended remotely.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor Holmes declared that in relation to Item 13, he was a Governor at Melrose School.

Councillor Draper declared that he was Deputy Chair at Melbury College.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

Councillor McLean spoke on the item.

RESOLVED: That the minutes of the meeting held on 17 November 2021 are agreed as an accurate record.

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

The Council observed a minutes' silence following the death of former Councillor George Reynolds.

The Leader spoke on hybrid meetings.

There were no announcements from the Chief Executive.

The Mayor provided an update on upcoming Mayoral events.

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: MAIN REPORT (Agenda Item 7a)

The Strategic Theme report on Health and Wellbeing was moved by Councillor Lanning and seconded by Councillor Kenny.

Councillors Janice Howard and Fairclough also spoke on the item.

RESOLVED: That the Strategic Theme report is agreed.

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

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 remaining Member questions and responses will be published after the meeting, in line with Constitutional requirements.

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

There were no Strategic Theme motions submitted to the meeting.

#### 8 REPORT OF THE WIMBLEDON COMMUNITY FORUM: 1 DECEMBER 2021 (Agenda Item 8)

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

#### 9 REPORT OF THE RAYNES PARK COMMUNITY FORUM: 2 DECEMBER 2021 (Agenda Item 9)

Councillor Quilliam presented the report which was received by the Council.

#### 10 NOTICE OF MOTION: LIBERAL DEMOCRAT MOTION (Agenda Item 10)

The motion was moved by Councillor Kohler and seconded by Councillor McGrath.

The Labour amendment as set out in agenda item 20 was moved by Councillor Allison and seconded by Councillor Fraser.

Councillors Barlow and Ward also spoke on the item.

The Labour amendment was put to a vote and was carried– votes in favour: 26, votes against: 8, abstentions: 18.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 31, votes against: 0, abstentions: 21.

#### RESOLVED:

#### Council Notes:

The assurances given by the AELTC and Merton Council when the Freehold of the land occupied by the Wimbledon Golf Club was sold to the AELTC by Merton Council The statement in the Wimbledon Informer on 24 September 1993 by the then Leader of Merton Council that:

“The golf course land will be retained as open space. The whole stretch has been designated Metropolitan Open Land. We have declared it a conservation area and placed strong covenants on the sale.”

The statement in the Wimbledon Informer on 24 September 1993 by the Chairman of the All England Lawn Tennis Club that:

“We completely understand and support everyone’s determination to keep the land open and we have purchased the land on that basis.”

Council therefore reiterates that, while the land has in fact never been freely open to residents, covenants over this land held on behalf of the residents of Merton will need to be respected henceforth.

Council also notes that the covenant is a legal issue separate to the consideration of the AELTC Planning Application 21/P2900 and any future similar applications.

#### 11 NOTICE OF MOTION: LIBERAL DEMOCRAT MOTION (Agenda Item 11)

Councillor Kohler requested the agreement of the meeting to debate the altered motion which had been submitted post the originally published motion. This was agreed and the altered motion was moved by Councillor Kohler and seconded by Councillor Fairclough.

Councillors Allison, Andrew Howard and McCabe spoke on the item.

The altered motion was then put to a vote and was carried – votes in favour: 34, votes against: 0, abstentions: 18.

#### RESOLVED:

##### Council Notes:

The sacrifices made by Merton residents to comply with the rules during the pandemic and help make everyone safer.

That in order to be effective, there needs to be a feeling that the rules – and penalties for breaking them – will be applied fairly.

##### Council believes

- Government at all levels, local and national, needs to provide leadership.
- That in Merton councillors and officers have worked together to help make our Borough safer.
- That the recent reported potential breaches of the rules undermine public confidence, especially when not investigated properly.
- That Sue Gray’s findings that there were “failures of leadership and judgment” in No. 10 resulting in gatherings that “should not have been allowed to take place or develop in the way that they did” make the Prime Minister’s position untenable.

Therefore Council calls on the Leader to write to the Borough’s two MPs to ask them if they agree with this, and request that they call publicly for Boris Johnson to resign as Prime Minister.

#### 12 NOTICE OF MOTION: CONSERVATIVE MOTION (Agenda Item 12)

The motion was moved by Councillor Ormrod and seconded by Councillor Dean.

The Labour amendment as set out in agenda item 20 was moved by Councillor Lanning and seconded by Councillor Whelton.

Councillor Fairclough also spoke on the item.

The Labour amendment was put to a vote and was carried – votes in favour: 26, votes against: 22, abstentions: 4.

The substantive motion (as amended) was then put to a vote and was carried – votes in favour: 26, votes against: 17, abstentions: 9

RESOLVED:

Council recognises that since 2018 the Labour administration has considered a range of new parking charges that:

1. Encourage all residents to use more sustainable travel;
2. Highlight the role that car use has on climate change and air pollution;
3. Recognise that, though they are least likely to be car owners, price rises could hit those on low incomes the hardest at a time when they are also those hit hardest by the government's cost of living crisis;
4. Reflect that air pollution has a negative impact on children, families, the elderly and those who need care;
5. Has not, on its own, led to a reduction in emission levels in Merton, but has contributed towards this, alongside measures such as school streets and additional walking and cycling infrastructure which has seen Merton achieve the second highest score of all Outer London boroughs on the Healthy Streets Scorecard.

Council is therefore deeply concerned about suggestions that due to the loss of income to TfL there will be proposals from the Mayor of London to:

6. Expand the ULEZ to all of Greater London;
7. Introduce a compulsory daily clean air charge for all petrol and diesel vehicles in Greater London;
8. Introduce a new boundary charge on vehicles travelling into Greater London.

Council recognises that as government is failing to fund TfL for the losses it has made during the pandemic as it has other transport providers, they are forcing TfL to consider new proposals which – without appropriate mitigation measures – will risk:

- Hitting the residents with the lowest incomes the hardest;
- Threatening Merton's economic recovery from the pandemic by unnecessarily harming businesses;

Council calls upon the Leader of the Council to write to the Department of Transport to request that the government abandons their approach to TfL funding that could

lead to damaging new proposals to unnecessarily tax Merton residents and harm the borough's economic recovery.

#### 13 NOTICE OF MOTION: CONSERVATIVE MOTION (Agenda Item 13)

The motion was moved by Councillor McLean and seconded by Councillor Holmes.

Councillors McGrath, Stringer and Draper also spoke on the item.

The motion was put to a vote and fell– votes in favour: 17, votes against: 31, abstentions: 4.

#### 14 COMPULSORY PURCHASE ORDERS (Agenda Item 14)

The report was moved by Councillor Whelton and seconded by Councillor Pritchard.

Councillors Fairclough and Gretton spoke on the item.

The report was put to a vote and agreed; votes in favour – 29, votes against – 17, abstentions – 6.

#### RESOLVED:

- A. To note that the decision whether to make compulsory purchase orders in respect of properties on the Ravensbury, Eastfields and High Path Estates, support of the Merton Estates Regeneration Programme, will, in accordance with the statutory framework, be taken by the Cabinet; and
- B. To note that no report will be brought to Council prior to such a decision being made

#### 15 APPROVAL OF THE PAY POLICY STATEMENT AND OF THE MEMBERS' ALLOWANCES SCHEME (Agenda Item 15)

The report was moved by Councillor Pritchard and formally seconded by Councillor Allison.

Councillor McLean spoke on the item.

The report was put to a vote and agreed.

#### RESOLVED:

1. That Council approved publication of the Pay Policy Statement attached as Appendix A for 2022/23 and authorised the Monitoring Officer to make any consequential changes needed to the Constitution;
2. That Council approved the Members' Allowance Scheme attached as Appendix D for 2022/23, noting that this does not currently include an increase in allowances in 22/23 ; and

3. That Council noted that London Councils has published the Independent Remuneration Panel's report on the Remuneration of Councillors and asks the Standards and General Purposes Committee to consider that report at its first meeting in the next municipal year

#### 16 CALENDAR OF MEETINGS 2022/23 (Agenda Item 16)

The report was formally moved and seconded by Councillors Allison and Pritchard.

Councillor McLean spoke on the item.

The report was put to a vote and agreed.

#### RESOLVED:

A. That Council approved the Calendar of Meetings at Appendix A

B. That Council noted the dates for Overview and Scrutiny topic workshops within Appendix A

C. That Council approved the dates of Council meetings for 2022-2026 in Appendix B

#### 17 CHANGES TO MEMBERSHIP OF COMMITTEES AND RELATED MATTERS (Agenda Item 17)

The report was formally moved by Councillor Allison and formally seconded by Councillor Stringer.

Councillor Barlow spoke on the item.

The report was put to a vote and was carried.

#### RESOLVED:

That the Council:

1. Noted the changes to the membership of Committees that were approved under delegated authority since the last meeting of the Council.

2. Agreed the appointment of members to seats on Committees and sub-committees in Appendix A

3. Agreed the appointment of members to seats on Committees and sub-committees in Appendix B

4. Agreed the appointment of members to seats on Committees and sub-committees in Appendix C

5. Noted the revised Cabinet portfolios at Appendix D

#### 18 PETITIONS (Agenda Item 18)

The report was formally moved by Councillor Allison and formally seconded by Councillor Stringer.

RESOLVED

That Council

1. Notes the update on the petition received at the last meeting,
  2. Accepts receipt of the following petitions:
    - Petition presented by Councillor Kohler entitled Stop Wimbledon Park Development
    - Petition presented by Councillor Gould entitled Increase Access to Electric Charging in Merton
    - Petition presented by Councillor Benbow regarding Deen City Farm
    - Petition presented by Councillor Barlow regarding the AELTC Covenant
- 19 BUSINESS FOR THE NEXT ORDINARY MEETING OF THE COUNCIL  
(Agenda Item 19)

It was agreed that the theme for the next meeting of Council would be agreed post May elections.