

Merton Council

Council Annual Meeting

Membership

The Mayor: Councillor Marsie Skeete

The Deputy Mayor: Judy Saunders

Councillors: Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Eloise Bailey, Thomas Barlow, Nigel Benbow, Hina Bokhari, Kelly Braund, Mike Brunt, Adam Bush, Omar Bush, Ben Butler, Tobin Byers, Billy Christie, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Anthony Fairclough, Edward Foley, Brenda Fraser, Edward Gretton, Joan Henry, Daniel Holden, James Holmes, Andrew Howard, Janice Howard, Natasha Irons, Mark Kenny, Sally Kenny, Linda Kirby, Paul Kohler, Rebecca Lanning, Najeeb Latif, Edith Macauley MBE, Russell Makin, Peter McCabe, Simon McGrath, Nick McLean, Oonagh Moulton, Aidan Mundy, Hayley Ormrod, Dennis Pearce, Owen Pritchard, Carl Quilliam, David Simpson CBE, Peter Southgate, Geraldine Stanford, Eleanor Stringer, Dave Ward, Martin Whelton, Dickie Wilkinson and David Williams

Date: Wednesday 23 May 2018

Time: 7.15 pm

**Venue: Council chamber - 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 or telephone [020 8545 3616](tel:02085453616).

All Press contacts: press@merton.gov.uk, 020 8545 3181

Council Annual Meeting meeting

23 May 2018

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Election of Mayor for 2018/19
- 4 Mayor's appointment of the deputy mayor for 2018/19
- 5 Vote of thanks to the retiring Mayor
- 6 Election of Leader of the Council
- 7 Minutes of the previous meeting 1 - 20
- 8 Constitution of committees and other bodies 21 - 50
- 9 Freedom of the Borough

Recommendations:

That the Council agrees to award the Freedom of the Borough to former Councillor Philip Jones in recognition of his long service to the Borough and agrees to the holding of a Special Council meeting on 12 July 2018 for the purposes of passing the necessary resolutions.

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. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

Agenda Item 7

COUNCIL
28 FEBRUARY 2018
(7.15 pm - 10.07 pm)

PRESENT The Mayor, Councillor Marsie Skeete,
The Deputy Mayor, Councillor Judy Saunders

Councillors Agatha Mary Akyigyina OBE, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Hamish Badenoch, John Bowcott, Kelly Braund, Mike Brunt, Michael Bull, Adam Bush, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Stephen Crowe, Mary Curtin, David Dean, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Ross Garrod, Suzanne Grocott, Jeff Hanna, 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 MBE, Russell Makin, Peter McCabe, Oonagh Moulton, Ian Munn BSc, MRTPI(Rtd), Katy Neep, Dennis Pearce, John Sargeant, David Simpson CBE, Peter Southgate, Geraldine Stanford, Linda Taylor OBE, Gregory Patrick Udeh, Martin Whelton and David Williams

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Charlie Chirico; Fidelis Gadzama; Jerome Neil; and Jill West.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest made.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 7 February 2018 are agreed as an accurate record.

4 BUSINESS PLAN 2018-22 (Agenda Item 4)

The Mayor outlined the procedure for this Budget Council meeting. She also reminded the Council that all budget related decisions, including proposed amendments, were required to be recorded within the minutes with a list of the names of those who voted for or against the decision or who abstained from voting. To accommodate that, a roll call vote would be taken for the substantive budget motion or any amendments to it.

At the invitation of the Mayor, the Director of Corporate Services presented the Business Plan 2018-2022. The Director then responded to questions from Councillors Brenda Fraser, David Simpson, John Dehaney, Janice Howard, Pauline Cowper, Mary-Jane Jeanes, Adam Bush, Stan Anderson, Najeeb Latif, Laxmi Attawar, Brian Lewis-Lavender, David Williams, Peter Southgate and Jeff Hanna.

The Leader of the Council presented the Business Plan 2018-22 and formally moved the recommendations in the report whilst making his budget speech to Council, a copy of which is appended to the minutes as Appendix A.

Councillor Tobin Byers formally seconded the recommendations, and reserved his right to speak.

The Mayor then invited the opposition Group Leaders in turn to respond to the Budget proposal and the Business Plan.

The Leader of the Conservative Group, Councillor Oonagh Moulton addressed the meeting and her speech is attached to the minutes, as Appendix B. As part of her speech, she presented the proposed amendments to the Business Plan 2018-22.

The Leader of the Merton Park Ward Independent Residents Group, Councillor Peter Southgate, addressed the meeting and his speech is attached to the minutes, as Appendix C.

The following members of the Cabinet addressed the meeting: Councillors Mark Allison, Katy Neep, Edith Macauley and Nick Draper.

The Mayor then invited members to move proposed amendments to the Business Plan.

Councillor Oonagh Moulton moved the Conservative amendment 1 which was seconded by Councillor David Williams.

Councillor Oonagh Moulton moved the Conservative amendment 2 which was seconded by Councillor David Williams.

The Mayor then opened up the general debate on the proposed amendments and on the proposed substantive Business Plan. The following members spoke in the debate: Councillors Kelly Braund, David Williams, Philip Jones, Abdul Latif, Mary Curtin, James Holmes, Andrew Judge, Gilli Lewis-Lavender, Agatha Akyigyina, John Sargeant, Peter McCabe, Mary-Jane Jeanes, Daniel Holden, Abigail Jones, John Bowcott, Sally Kenny, Suzanne Grocott, Dennis Pearce, Michael Bull, Greg Udeh,

Stephen Crowe, Ian Munn, Hamish Badenoch, Judy Saunders and, finally, Tobin Byers.

At the conclusion of the debate, the Mayor called for a roll-call vote on the Conservative amendment 1 to the Business Plan 2018-2022. Voting was as follows:

Votes in favour: Councillors Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Stephen Crowe, David Dean, Edward Foley, Suzanne Grocott, Daniel Holden, James Holmes, Janice Howard, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Oonagh Moulton, John Sargeant, David Simpson, Peter Southgate, Linda Taylor and David Williams (21)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Brenda Fraser, Ross Garrod, Jeff Hanna, Joan Henry, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Edith Macauley, Russell Makin, Peter McCabe, Ian Munn, Katy Neep, Dennis Pearce, Geraldine Stanford, Greg Udeh, Martin Whelton, Deputy Mayor Councillor Judy Saunders and the Mayor Councillor Marsie Skeete (34)

Not voting: Councillor Mary-Jane Jeanes (1)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the Conservative amendment 2 to the Business Plan 2018-2022. Voting was as follows:

Votes in favour: Councillors Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Stephen Crowe, David Dean, Suzanne Grocott, Daniel Holden, James Holmes, Janice Howard, Abdul Latif, Najeeb Latif, Brian Lewis-Lavender, Gilli Lewis-Lavender, Oonagh Moulton, David Simpson, Linda Taylor and David Williams (18)

Votes against: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Edward Foley, Brenda Fraser, Ross Garrod, Jeff Hanna, Joan Henry, Mary-Jane Jeanes, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Edith Macauley, Russell Makin, Peter McCabe, Ian Munn, Katy Neep, Dennis Pearce, John Sargeant, Peter Southgate, Geraldine Stanford, Greg Udeh, Martin Whelton, Deputy Mayor Councillor Judy Saunders and the Mayor Councillor Marsie Skeete (38)

The Mayor declared the amendment to be lost.

The Mayor then called for a roll-call vote on the substantive motion for the Business Plan 2018-22. Voting was as follows:

Votes in favour: Councillors Agatha Akyigyina, Stephen Alambritis, Mark Allison, Stan Anderson, Laxmi Attawar, Kelly Braund, Mike Brunt, Tobin Byers, David Chung, Caroline Cooper-Marbiah, Pauline Cowper, Mary Curtin, John Dehaney, Nick Draper, Brenda Fraser, Ross Garrod, Joan Henry, Abigail Jones, Philip Jones, Andrew Judge, Sally Kenny, Linda Kirby, Edith Macauley, Russell Makin, Peter McCabe, Ian Munn, Katy Neep, Dennis Pearce, Geraldine Stanford, Greg Udeh, Martin Whelton, Deputy Mayor Councillor Judy Saunders and the Mayor Councillor Marsie Skeete (33)

Not voting: Councillors Hamish Badenoch, John Bowcott, Michael Bull, Adam Bush, Stephen Crowe, David Dean, Edward Foley, Suzanne Grocott, Jeff Hanna, 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 and David Williams (23)

RESOLVED that the Business Plan 2018-22 be agreed, including:

- A. the General Fund Budget;
- B. the Council Tax Strategy for 2018/19 equating to a Band D Council Tax of £1,169.36, which is an increase of 3% inclusive of 1% Adult Social Care flexibility;
- C. the Medium Term Financial Strategy (MTFS) for 2018-22;
- D. the Capital Investment Programme (as detailed in Annex 1 to the Capital Strategy);
- E. the Capital Strategy (Section 1, A)
- F. the Treasury Management Strategy (Section 1, A) including the detailed recommendations in that Section, incorporating the Prudential Indicators as set out in this report; and

the formal resolutions as set out in Appendix 1 to the report be agreed as follows:

Revenue Report

1. Members consider the views of the Overview and Scrutiny Commission set out in a separate report on the agenda and approve the proposed budget for 2018/19 set out in Section 2 of the revenue report, together with the proposed Council Tax levy in 2018/19.
2. That it be noted that at its meeting on 11 December 2017 the Council calculated its Council Tax Base for the year as 74,124 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012(SI 2012: 2914).
3. That it be noted that the Council calculated the Wimbledon and Putney Commons Conservators (WPCC) Tax base for the Year as 11,308.8 in accordance with regulation 6 of the Regulations, as the amounts of its Council

Tax base for the year for dwellings in those parts of its area to which one or more special items relate.

4. That the Council agrees 4(a) – 4(i) below, which are calculated in accordance with Section 31A to 49B of the Localism Act 2011, amending Section 32 of the Local Government Finance Act 1992.

- a) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) (a) to (f) of the Act

	£m
Gross Revenue Expenditure of Service Committees	554.121
Corporate Provisions	(2.725)
Amounts Payable to the Levying Bodies	0.938
Contribution to/(from) Financial Reserves	(1.342)
Gross Expenditure	550.992

- b) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act

	£m
Gross Income	463.983

NB. The final analysis of gross expenditure and income may vary from the figures shown above as a result of some minor changes in allocations e.g. Final LGF Settlement

- c) being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31(4) of the Act, as its Council Tax Requirement for the year

	£m
Council Tax Requirement for the Council's own purposes for 2018/19 (including special expenses re WPCC)	87.009

- d) being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of revenue support grant, and baseline funding (NNDR) to constitute the Council's formula grant

	£m
Revenue Support Grant including Transition Grant	0
Baseline funding NNDR inc. top-up & Section 31 Grant	49.996

Settlement Funding Assessment	49.996
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- e) being the amount at 4(c) above, divided by the amount for Council Tax Base at 2 above, calculated by the Council above, in accordance with Section 31B of the Act as the basic amount of its Council Tax for the year (including special items (WPCC)).

	£m
Merton's General Band Council Tax Levy (including properties within Wimbledon and Putney Commons Conservators area)	1,173.83

- f) being the aggregate amount of all special items referred to in Section 34(1) of the Act

	£m
Wimbledon and Putney Commons Conservators Special Levy	331,349

- g) being the amount at 4(e) above, less the result given by dividing the amount at 4(f) above by the amount of the Council Tax Base at 2 above in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items (WPCC special levy) relates.

	£m
Merton's General Band D Council Tax Levy (excluding WPCC)	1,169.36

- h) being the amounts given by adding to the amount at 4(g) above, the amounts of the special item or items relating to dwellings in the area of Wimbledon and Putney Commons Conservators (WPCC) mentioned above at 4(f) divided by the amount at 3 above, calculated in accordance with Section 34(1) of the Act, as the basic amounts of its Council Tax for the year for dwellings in the area of WPCC.

	£m
Wimbledon and Putney Commons Conservators Band D	1,198.66

- i) being the amounts given by multiplying the amounts at 4(g) and 4(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 30 and 36 of the Local Government Finance Act 1992, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Part of the Council's Area	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
	779.57	909.51	1,039.43	1,169.36	1,429.21	1,689.08	1,948.93	2,338.72
Parts inc. WPCC	799.10	932.30	1,065.48	1,198.66	1,465.02	1,731.40	1,997.76	2,397.32

5. To note that the Greater London Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below, and that the Council agrees the Council Tax Levy for 2018/19 by taking the aggregate of 4(i) above and the Greater London Authority precept.

Precepting Authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
GLA	196.15	228.85	261.54	294.23	359.61	425.00	490.38	588.46

For information purposes this would result in the following Council Tax Levy for Merton residents:

Part of the Council's Area	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
	975.72	1,138.35	1,300.97	1,463.59	1,788.83	2,114.08	2,439.31	2,927.18
Parts inc. WPCC	995.26	1,161.14	1,327.02	1,492.89	1,824.64	2,156.40	2,488.15	2,985.78

Appendix A: Leader of the Council, Councillor Stephen Alambritis' speech

Thank you Madam Mayor

Last year's budget was about reaching out to all parts of this great borough of ours with help and hope for all our residents

This year's budget will continue in that vein but with an eye to looking after our vulnerable residents in particular

To this end, Madam Mayor, we have been consulting all the parties here in Merton

Consulting the community here in Merton

Consulting our partners here in Merton

And so here in Labour Merton we have increased the budget for older and disabled people by more than £9m a year from 2017

Madam Mayor

To continue to look after our most vulnerable residents, I and many other local government leaders from all parties have publicly said this:

The money to address the national crisis in adult social care

Which is this government's making, should come from this government.

This has not happened and indeed the government grant has been halved since 2010 to councils

And so despite my instincts for a low council tax regime it has been absolutely necessary to fund services for older people by a 3 per cent council tax increase in 2018

Madam Mayor

I therefore move the business plan and the budget proposals as set out in Recommendation 1 with particular reference to the formal Resolutions as set out in Appendix 1 to the Report before us tonight

In doing so I want to single out a few people for special thanks Madam Mayor

Cllr Mark Allison my deputy leader and cabinet member for finance

All councillors who sit and chair our scrutiny panels

Thanks also go to Cllr Peter Southgate the Chair of scrutiny
To my cabinet members and to all councillors on this side of the chamber

To Cllr Oonagh Moulton and to all her councillors on that side of the chamber

And can I also thank our lone Liberal friend Cllr Mary-Jane Jeanes!

And a really big thank you to Caroline Holland

Madam Mayor

Each year we have a duty to balance the budget

We have done so in the past, we do so tonight and will continue to do so in the future

Meanwhile, in a not so far away place

A council has spent £53 million on its new headquarters opened last October
This council has tried to set up a sell-and-lease-back deal but nobody wants to buy
(remind you of anything?)

It is said this council has over 500 children and adults in need of support but with no
allocated social workers

This same council has had to bring in a section 114 notice to ban new expenditure

The leader there said this was caused by something akin to today's perfect storm

Namely: increases in demand for services and constant cuts in government funding

And the leader?

the council?

The local MPs?

All blaming each other for this financial collapse

Which political party are they from I hear you ask?

Why the party opposite of course

The Conservative Party

Because I have been referring to:

Northampton County Council...Conservative, Madam Mayor

The Leader there, Cllr Heather Smith...Conservative, Madam Mayor

Local Northamptonshire MP's including the Leader of the House of Commons....All Conservative, Madam Mayor

So we will take no lessons from the party opposite on budgetary matters and will vote down their amendments

Madam Mayor, we all clearly recall Merton Conservatives' main manifesto promise from 2014

In which they committed to cut the council tax by 10%

Can you imagine the havoc that would have ensued had they had their way on this?

Merton would have been the next Northampton

And do we all recall the strap line from their 2014 local election manifesto

It was grandly headed:

Our Vision for a better Merton

Roll on 4 years and the strap line today is:

Making your life a bit better

What do you mean...not better but only a bit better?

Perhaps a teeny weeny bit better

Not much better?

Tories in Merton going backwards as normal

We here in Labour Merton are much more ambitious for our residents
This and our past budgets with our business-like approach are steeped in ambition

My cabinet member for finance is ambitious about protecting people and has stepped in and made up for government cuts in council tax support to low income families

My cabinet member for education is ambitious for our schools. 91% of all schools in Merton are now rated Good or Outstanding and top in the country for progress

My cabinet member for leisure is ambitious for our library users and our swimmers with a brand new library and a new leisure centre due

My cabinet member for children is ambitious for every child's potential and safety. Our Children's Services are Good with Outstanding Features and in the top five in the country for safeguarding

My Cabinet member for regeneration is ambitious for our sporting fraternity with AFC Wimbledon coming back home to Merton and for more housing and improved air quality

My cabinet member for Street Cleanliness is ambitious about recycling and is introducing a new waste collection service that will save us £2m a year and increase in recycling

My cabinet member for adult social care is ambitious in looking after our vulnerable residents. The Managing Director of the CCG described Merton Council's work in dealing with Delayed Transfers of Care as "extraordinary", very impressive.

My cabinet member for community safety is ambitious for the safety of our residents and we retain our position within the top four safest boroughs in London

Madam Mayor, our budget tonight is aimed at building on all these ambitions

So if anyone says that to fight on does not get you anywhere

That politics can't make a difference

That all parties are the same

Then look at what we as Labour Merton have achieved together since 2010

Frozen council tax for 7 years

Protected council tax support for low income families

High levels of working age people in employment

Prevented homelessness with lowest numbers in temporary accommodation

First ever YCube Modular housing scheme built in Mitcham

Increased the budget for adult social care by £9m

Campaigned to save St Helier Hospital

Children's services outstanding for safeguarding

4,000 extra primary school places

A new Secondary School on the way

Best performance for GCSE progression in the country

All Secondary Schools good or outstanding

New dementia friendly Library in Colliers Wood

Award winning libraries with all Merton five-year-olds automatically in membership

New leisure centre in Morden on the way for all the family

Morden Court Parade completed and shortlisted for a RIBA award
Plans for Morden Town Centre advanced

New Stadium for AFC Wimbledon bringing regeneration to a run down area

That's the Merton we have been building

That's the change we choose

That's been the impact of our business like budgets

Madam Mayor, while the side opposite can choose to ignore all that is good about Merton

Others have rightly chosen to recognise Merton and its work since 2010

Here are some of the prizes we have been awarded:

MJ Best Achieving Council in the UK

LGC award for Innovation

London Boroughs of Culture Impact Award

Numerous Green Flag Awards for our Parks

National Guardian Public Civil Servant of the Year, Christine Parsloe.

Award winning Merton led shared legal service

Cabinet Office Compact Awards

London Councils Most Small Business Friendly Borough Award

Madam Mayor, we also get top marks from our residents

Our annual residents' survey says:

76% Merton Council residents - is efficient and well run - highest ever

Two thirds say we are value for money – well above most other councils

75% say the council listens to them and acts on their concerns

90% say they are satisfied with Merton as a place to live

Madam Mayor

It may be cold out there but our residents certainly warm to us

Madam Mayor

As I come to the end of my speech I want to pay a glowing tribute to all our outgoing colleagues who are stepping down on 3rd May from both sides of this chamber

I really want to thank them all. Thank you.

Madam Mayor

Today the former Rutlish schoolboy and ex-Prime Minister John Major has said he is out of step with his Party over Brexit

I am afraid that what is also true is that the side opposite is out of step with the priorities of our residents

Because their ambition in their election literature for 3 May is to make the lives of our residents ONLY a bit better

Madam Mayor

This Budget is aimed at and will make the lives of our residents a whole lot better and much, much more

I commend this budget to this chamber. Thank you Madam Mayor.

Appendix B: Leader of the Opposition, Councillor Oonagh Moulton's speech

Thank you, Madam Mayor.

The final budget of this administration provides an opportunity to review and evaluate Labour's record in governing Merton over the past four years.

And we also have the chance to look forward to what the next four years – and more – will look like under the Merton Conservatives.

I am pleased to have that opportunity to look to the future, because the record of the past four years is only too visible in this budget. Tonight's budget, like each of those that has preceded it, is a reflection of:

- Labour's financial mismanagement;
- opportunities either squandered, or not even noticed by this administration; and
- unnecessary cuts to frontline services.

Councillor Alambritis and his cabinet will have you believe that they have been the mere victims of funding constraints imposed by central government. As though, during their time running Merton, they have had no agency of their own. This abdication of responsibility has been a refrain which has underpinned their whole administration.

As though they have simply been passengers, with no ability to set the creative, well stewarded kinds of budgets which could have managed the assets and services of our borough in the way our hard-working residents deserve.

The truth is that they have had the opportunity to deliver, and, that they failed to do so is down to them alone.

They never truly delivered on their promises. This budget, as with those that preceded it over the course of this Labour administration, reveals a leaden approach which has let our borough down, and let our residents down, time and time again.

Since 2014, Merton Labour's mismanagement of the council's finances has wasted millions of pounds:

- they have repeatedly overspent their budget;
- they have failed to deliver their own efficiency savings;
- they have failed to implement agreed revenue generating opportunities; and
- they have given away valuable community assets.

Madam Mayor, Merton Labour have consistently under budgeted for adult social care. The over-spend for the community and housing budget currently stands at £1.1 million, just for this year.

Yet, there is still £1.7 million unspent out of the additional £2.7 million of funding – given to them by central government for adult social care for 2017-2018 – and there’s no plan to spend it this year.

Where money has been set aside for projects, those projects have not been carried out in a timely manner, and so further revenue has been lost. Morden Leisure Centre was in the council’s budget as far back as 2010, but we have yet to see it open. Instead, delay has followed delay.

There has been a similarly long saga over locating the much needed, and much wanted, new secondary school for Wimbledon. The council’s eventual plan, which has included a controversial land swap with an existing community asset – Merton Hall – has proved an unpopular and unhappy one, despite there being other viable alternatives.

Merton Conservatives would pass budgets that do what Labour’s have manifestly failed to do. It is time to fix the council’s finances.

We would:

- competently manage the council’s property portfolio, to raise revenues and retain assets in the hands of the community, where they belong;
- offer residents additional value-added services by developing the Merton brand; and
- use new powers to maximise fees and charges, where appropriate, so that users pay an equitable contribution for the service they receive.

To further cut costs and ensure value to the council tax payer, we will also get a grip on the council’s various delayed IT projects, such as the customer contact programme.

In contrast to Labour, Merton Conservatives will fund frontline services fully, and responsibly.

We will operate services such as street cleaning and waste collection differently. We will do so by finally delivering on opportunities for the council to generate commercial income – opportunities that Labour has repeatedly and routinely failed to grasp.

We will renegotiate the failed Veolia contract, and retain the weekly bin collection that residents so obviously want, and that they have a right to expect.

The additional money paid by people fined or prosecuted for fly tipping and graffiti will also be channelled into cleaning up the borough. We will turn ‘Mucky Merton’ into a borough that we can all be proud to live and work in.

Madam Mayor, finally, as a further demonstration of Labour’s missed opportunities, I wish to turn to the matter of Wimbledon police station. The future of this important station is an issue which perfectly describes the differences between Labour’s

approach to finance and delivery, and what will happen when the Conservatives run Merton Council.

This Labour administration has been content to accept the closure of the police station as inevitable. We all know that Wimbledon is a thriving town centre, with a vibrant night-time economy. In that environment, it is hardly surprising that residents across the borough have been overwhelmingly concerned about the removal of such an important police hub from the area.

Yet, this Labour-controlled council has failed to negotiate any arrangement, which could overturn or ameliorate this unpopular enforced closure, with the Labour Mayor of London, from whom these closure plans originate. A *Labour* Mayor is seeking to close our station, not this national Conservative government, whom Cllr Alambritis and his cabinet routinely blame both for their woes and their woeful underachievement.

One might ask, Madam Mayor, if Labour are unable to do a deal with a London Mayor from their own party, where *will* they be able to gain any influence on such matters?

Merton Conservatives, on the other hand, have presented council in recent weeks with a fully-costed proposal which could ensure a continuing, and much wanted, police presence – and a rapid response team – in the heart of Wimbledon itself. It was voted down by this Labour majority at the last council meeting, despite the hundreds of messages of support we have had for our plan from residents across large swathes of the borough.

What is clear from this budget is that the funds are available for a sensible arrangement to maintain our vital police service, within our own community. We all understand that councils, everywhere, have been facing difficult financial choices in recent years.

But the approach of the Conservative group in Merton is not to abdicate all responsibility.

It is, rather, one of rising to the challenge of using creative, innovative ways of raising revenue to support our vital services.

That is why we are again proposing the purchase of Wimbledon police station within our amendments to the budget tonight.

Our amendments reflect the thinking that Merton will benefit from when the Conservatives win back control in a few short weeks. They indicate a clean break from the consistent pattern of financial mismanagement demonstrated by Labour over the past four years.

Merton Conservatives are heralding a future of fiscally responsible Local Government in Merton; one which fully funds, and enthusiastically supports, our vital local

services, for the benefit of the whole community. That is the clear alternative that voters will have as they go to the polls on 3 May.

Our amendments tonight are just one indicator of that new approach for Merton – one our Borough so desperately requires.

Madam Mayor, Merton is a great place to live and work, but it is time to make life in Merton a bit better for **all** its residents.

Madam Mayor, I will be moving our amendments.

Appendix C: Leader of the Merton Park Ward Independent Residents, Councillor Peter Southgate's speech

Deciding on our budget when we are little more than two months away from local elections in May is not exactly a recipe for sober analysis of our prospects in the longer term. So let me remind you of the situation the incoming administration will face when they sit down for their first away day with the Directors after the May elections.

It's not quite in the league of Liam Byrne's note to his successor as Chief Secretary of the Treasury, when he wrote: *I'm afraid there's no money. Kind regards – and good luck.*

So let me make it clear, we are not in such dire straits yet – no Northants CC, where the auditors refused to sign off the budget for next year without drastic changes. Nor are we amongst the ten or so authorities allegedly on the brink of following Northants into insolvency. But we do face difficulties on a scale we have not previously encountered, with little left to meet them. We are going to be taking £1.25m out of earmarked reserves to balance the budget for next year, and we have already allocated £5.4m from reserves towards balancing the budget in 2019/20. And the General Fund now stands at £12.3m, which is within a few £'000's of the prudent £12.1m minimum. So we cannot look to the General Fund to cover any overspends, yet we are forecasting an overspend of £0.6m for the current 2017/18 year.

How did we get here, and what might we have done differently in the past to avoid getting into this situation? With the benefit of hindsight, I would suggest the decision to cut council tax by 1 1/4% in the 2010/11 budget (just before an election, coincidentally) looks ill advised now. Then Labour had the bright idea for their manifesto of giving every council taxpayer £100 out of reserves, at an estimated cost then of more than £7m.

Yet Labour's manifesto in 2014 again committed to not increasing council tax in the life of this council, ie. 2014 – 2018. Assuming the maximum permitted increase in council tax over that 4 year period means the council tax base is now £17.0 m. lower than it need be, all other things being equal. That represents £24.6m in tax revenues foregone. I know each percentage point also represents £11 pa. on a Band D property, but the evidence from the council's own consultation which introduced the Adult Social Care precept is that Merton residents are willing to pay more to safeguard essential services. I believe they also understand we've reached the end of the line when it comes to finding efficiencies from which to extract further savings.

Unfortunately it doesn't seem to be something that central government understands, even after 8 years of austerity measures which have hit local government harder than almost any other part of the public sector. As the Chairman of the Local Government Association pointed out recently: *"The reality is that many councils are now beyond the point where council tax income can be expected to plug the growing funding gaps they face"*.

For Merton that point comes with the budget for 2020/21, two years from now. The budget gap for that year is expected to be £15.4 m. with no visible means of closing it at present. So we will need to be more realistic about increasing council tax next year up to the maximum permitted – but that will only take us a small way to closing the gap.

Thereafter we will need to be more enterprising and more willing to take a commercial approach than we have done in the past. Our housing company, Merantun, is a good start; we should look for opportunities to extend this model as we move into the regeneration of Morden. Increasing dividends from CHAS show we can make a success of commercialisation (and we will be supporting the Conservative amendment on this subject). And to end on an upbeat note, as one of the boroughs recognised and rewarded by the Mayor yesterday for its cultural potential, we clearly have the creativity to achieve great things.

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Committee: Annual Council

Date: 23 May 2018

Wards: All

Subject: Constitution of Committees and Other Bodies

Lead officer: Paul Evans, Assistant Director of Corporate Governance

Contact Officer: Louise Fleming, Senior Democratic Services Officer
democratic.services@merton.gov.uk

Recommendations:

That the Council:

- A.
 - i) approves the constitution of committees, sub-committees and scrutiny bodies set out in Appendix A (to follow) and;
 - ii) agrees the allocation of seats, chair and vice-chair positions and the appointment of members to those seats;
- B.
 - i) approves the constitution of consultative forums and other bodies set out in Appendix B (to follow); and
 - ii) agrees the appointment of members to those seats;
- C. agrees the allocation of seats and appointment to the outside organisations as detailed in Appendix C (to follow).
- D. agrees the terms of reference of consultative and other bodies appointed by the Council, detailed in Appendix D.
- E. if known, notes the appointment, made by the Leader, of the Deputy Leader and his/her respective portfolio, appointments to the Cabinet including their respective portfolios; and, if appointments are made, Assistant Cabinet members including their areas of responsibility (Appendix E to follow if the detail is known);

N.B. the Leader's appointments will be reported to a subsequent Council meeting in the event that the Leader is not in a position to report to this meeting;
- F. agree the amended terms of reference of the Mertantun Development Limited Sub-Committee, as set out in Appendix F.
- G. agree the membership and note the amended Terms of Reference and Rules of Procedure for the South West London and Surrey Joint Health Overview and Scrutiny Committee (JHOSC) as set out in Appendix G.
- H. agrees that the Council's Constitution be amended to incorporate any changes resulting from the approval of recommendations A to G.

1. Purpose of report and executive summary

- 1.1 This report recommends that The Council establish committees, sub-committees, and scrutiny panels, together with other consultative bodies for the year 2017-18, allocates the seats on those bodies to political groups represented on the Council in accordance with the statutory proportionality rules and agrees to the appointment of the groups' nominees.
- 1.2 The report recommends that the Council agrees the allocation of seats on outside organisations and agrees to the appointment of the political groups' nominees.

2. Alternative options

- 2.1 The Council must appoint at least one Overview and Scrutiny Committee, a Licensing Committee and a Health and Wellbeing Board. All other committees are constituted at the discretion of the Council.
- 2.2 The Council must allocate seats on the committees and sub-committees set out in Appendix B in accordance with statutory proportionality rules (with the exception of the Health and Wellbeing Board). All other seats may be allocated to groups at the Council's discretion.
- 2.3 The Council must establish a Standing Advisory Council on Religious Education and appoint members to it. The establishment of all other bodies set out in Appendix B is within the Council's discretion.
- 2.4 Participation in the outside organisations and allocation of seats set out in Appendix C is within the Council's discretion except where indicated as being within the executive leader's discretion.

3. Establishment of a Joint Health Overview and Scrutiny Committee for South West London and Surrey County Council.

- 3.1 Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, local authorities may establish a joint health overview and scrutiny committee to undertake health scrutiny functions on their behalf, and must establish a joint health overview and scrutiny committee to respond to consultation on proposals for substantial variation in health services affecting more than one local authority area.
- 3.2 Discussions between officers responsible for health scrutiny across South West London and Surrey County Council has concluded that the best way forward is the continuation of a Standing Joint Health Overview and Scrutiny Committee, with responsibility for responding to consultations on substantial service change affecting multiple boroughs across the area. This has proved to be a useful way to obviate the need to go through a separate decision-making process each time a consultation requiring the establishment of a Joint Health Overview and Scrutiny Committee is initiated, enabling local authorities to respond more rapidly and saving officer and member time. The draft terms of reference and rules of procedure are attached as Appendix G. Points to note are:

- There will be two members of the Committee for each local authority represented, appointed in accordance with local procedures. Local authorities are also encouraged to nominate substitutes to attend when their primary representatives are unable to.
- The Committee will have the power to establish sub-committees, and much of the work in relation to specific consultation will be undertaken in these sub-committees. The members of a sub-committee may be members of the main committee, but constituent local authorities may also nominate another representative to serve on a specific sub-committee.
- Where a consultation affects some, but not all, of the constituent areas voting membership of the relevant sub-committee will be restricted to the authorities directly affected. Thus, for example, the sub-committee responding to consultation on the Mental Health Trust's estates strategy would not include Croydon as a voting member.
- There is no minimum frequency of meetings of the Committee, and when there are no current consultations there will be no need for the committee to meet.
- The life of the Committee will be for a maximum of four years. Constituent areas will nominate members annually, and there will be an annual election for the Chair and Vice-Chair of the Committee.

3.3 The first meeting of the Standing Joint Health Overview and Scrutiny Committee is due to take place in June 2018 at Merton Civic Centre. Secretarial services for this meeting will be provided by the London Borough of Merton. The initial meeting will consider:

- Agreement of the terms of reference and rules of procedure;
- Election of a Chair and Vice-Chair;
- Epsom and St Helier Strategic Outline Case and Commissioners response.
- Establishment of a sub-committee to consider and respond to the Acute Sustainability Programme.
- To decide whether to delegate the power of referral to the sub-committee or retain within each local authority.

4. Consultation undertaken or proposed

4.1 Political groups have been invited to make their appointments to the seats allocated to them. The Council must agree to appoint members nominated by the political groups to the seats allocated to those groups. The complete list of nominations will be circulated at the earliest opportunity.

Timetable

4.2 The constitution of the committees set out here is for the year 2018/19 and takes immediate effect. Unless otherwise indicated all of these bodies will be established until the next annual meeting of the Council. The Council may review the committees it has established at any time. The Council must review the allocation of seats to political groups when there is a change in the political balance of the Council.

5. Legal and statutory implications

5.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. Merton's Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.

5.2 The Local Government Act 1972 contains provisions on the discharge of functions, meetings and proceedings of local authorities and access to information.

5.3 The Housing and Local Government Act 1989 contains provisions concerning the political balance on committees, the duty to allocate seats to political groups, and the duty to give effect to allocations.

5.4 The Licensing Act 2003 requires the Council to appoint a Licensing Committee.

4.5 The statutory requirement to have voting co-opted members on scrutiny has been met. There are two parent governors and a representative from both the Roman Catholic (currently vacant) and Church of England Diocese on the Overview and Scrutiny Commission and Children and Young People Panel.

5.5 The Council has a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council.

5.6 Once the review has been completed there is a second statutory duty to make a determination as to political representation. This requirement to allocate seats must be made in accordance with the following statutory principles:

- a) All of the seats are not to be allocated to the same political group.
- b) The majority of the seats go to the political group with a majority on full Council.
- c) Subject to the above two principles, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to the proportion on full Council.

- d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion on the full Council.

6. Appendices – the following documents are to be published with this report and form part of the report

- 6.1 Appendix A – Committees and sub-committees to be constituted and allocation of seats to political groups (to follow)
- 6.2 Appendix B – Consultative and other bodies to be constituted and allocation of seats to political groups (to follow)
- 6.3 Appendix C – Allocation of seats on outside organisations (to follow)
- 6.4 Appendix D – Terms of reference of Consultative and other bodies established by the Council
- 6.5 Appendix E – Executive Leader’s appointments to the Cabinet and their respective portfolios (subject to availability)
- 6.6 Appendix F – Terms of reference of the Merantun Development Limited Sub-Committee, established by the Cabinet.
- 6.7 Appendix G – Terms of reference and Rules of Procedure of the South West London and Surrey Joint Health Overview and Scrutiny Committee (JHOSC)

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Appendix D

Terms of Reference of Consultative and other Bodies

	Page
Corporate Parenting Group	2
Heritage Forum	3
Joint Consultative Committee with Ethnic Minority Organisations	4
Joint Health Overview And Scrutiny Committee for South West London and Surrey County Council	5
London Borough of Merton Pensions Board	11
Pension Fund Investment Advisory Panel	15
School Standards Panel	16
Standing Advisory Council on Religious Education	17
South London Partnership	18
South West London Joint Waste Management Committee	20

Corporate Parenting Group Terms of Reference

Understanding and championing the needs and ambitions of Looked After Children and Care Leavers across the Merton Partnership.

Ensuring joined up pathways in education, health, employability, leisure and recreation, for Merton LAC, LAC children overseen by the Virtual School and Merton Care Leavers.

Receiving direct feedback from Merton Children in Care Council and the wider Looked After Children/care leaver population, to improve council and partner service development and delivery.

Providing mutual challenge within and across the partnership to prioritise continuous improvement for services and outcomes.

Giving conspicuous care and attention to particularly vulnerable Looked After Children and Care Leavers such as young offenders, substance misusers and pregnant teenagers, to ensure effective risk assessment and appropriate service support.

Membership

Name	Job Title
Ged Curran (Chair)	Chief Executive
TBA	Lead member Children Services
TBA	Opposition Lead Member
Rachael Wardell	Director of Children, Schools and Families
Paul Angeli	Assistant Director of Children's Social Care & Youth Inclusion
Elsie McQueen	Head of , LAC, Permanency & Placements
Kathy Goodman	Head of Virtual School
TBA	Merton CAMHS at South West London and St Georges Mental Health NHS Trust
Stuart Hill	Quality Assurance Manager IRO, Chairs and LADO
Kathy Goodman	Head of Virtual School
Lin Graham-Ray	Designated Nurse Looked After Children, Merton and Wandsworth
Lynn Street	Director of Quality, Merton CCG
Allison Jones	Service Manager, Early Years
Steve Langley	Head of Housing Needs and Strategy
Lynne Doyle	Deputy Research & Information Manager
Elsbeth Millington	Named Nurse for Looked After Children
Other officers on request according to the agenda	

Heritage Forum – Terms of Reference

The Heritage Forum meets two to three times a year to review progress against the borough's Heritage Strategy and to discuss wider heritage matters pertaining to the London Borough of Merton. It is facilitated by the Library & Heritage Service and is chaired by the Cabinet Member for Community and Culture. It is an open meeting that can be attended by any resident with an interest in heritage.

Agenda items can be submitted by all members with a short supporting note or update paper if required. No formal reports will be prepared but notes of the meetings will be taken and made available on the Council's website.

The remit of the forum is to:

- Facilitate joint working within the council and with external bodies in order to achieve excellence in heritage related projects
- To coordinate funding opportunities and establish project teams to take bids forward and support partner bids
- To provide Heritage input into statutory planning policy documents
- To improve partnership working and communication between the various heritage providers in the borough
- To champion initiatives to raise standards of design and heritage provision within the borough
- To increase awareness of and public access to heritage resources and facilities in the borough
- To maintain an ongoing work programme for the group to be updated at each meeting

Joint Consultative Committee with Ethnic Minority Organisations

Membership: 5 Merton Councillors and representatives of Community Organisations

Constituted by: Council

Powers and Duties determined by: Council

Authority: Equality Act 2010 and Article 10 of the Constitution

Functions

- a) To advise and make recommendations upon strategic policy issues relating to:
 - (i) Issues of local concern to the ethnic minority communities
 - (ii) Provision of Council services and resources, with reference to the needs of local ethnic minority communities
 - (iii) The elimination of discriminatory practices and racial prejudice in the delivery of Council services
 - (iv) The promotion of equal opportunities and good relations between different groups
 - (v) Applications for financial grant from Merton Council, Central Government, EC and other external funding organisations in aid of projects affecting local ethnic minority people.

- b) To contribute to and monitor the Council's Equality and Diversity Statement and Policy and the Race Equality commitments of the Corporate Equality Scheme

New Terms of Reference as set out in Appendix G to be inserted here.

New Rules of Procedure as set out in Appendix G to be inserted here.

LONDON BOROUGH OF MERTON PENSIONS BOARD

TERMS OF REFERENCE

The Local Pension Board (hereafter referred to as 'the Board') is established in accordance with Section 5 of the Public Service Pensions Act 2013 and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended). The Board is not a committee constituted under Section 101 of the Local Government Act 1972.

Functions of the Local Pension Board

The purpose of the Board is to assist the Council in its role as a scheme manager of the Scheme. Such assistance is to:

1. (a) To secure compliance with:
 - i.) Regulations made under the Public Service Pensions Act 2013 that apply to the matters referred to in sections 5 and 6 of that Act.
 - ii.) Any other legislation relating to the governance and administration of the Scheme and any connected scheme
 - iii.) Any requirements imposed by the Pensions Regulator in relation to the Scheme. These areas include but are not restricted to:
 - *Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations.*
 - *Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, relevant legislation and in particular the Code*
 - *Assist with the development of and continually review such documentation as is required by the Regulations including Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.*
 - *Assist with the development of and continually review scheme member and employer communications as required by the Regulations and relevant legislation.*
 - *Review the implementation of revised policies and procedures following changes to the Scheme.*
 - *Review the compliance of particular cases, projects or process on request of the Committee.*
 - *Any other area within the statement of purpose (i.e. assisting the Administering Authority) the Board deems appropriate.*
- (b) To ensure the effective and efficient and effective governance and administration of the Scheme. Including but not restricted to:
 - *Assist with the development of improved customer services.*
 - *Assist with the development of improved management, administration and governance structures and policies.*
 - *Assist in the development and monitoring of process improvements on request of Committee*

- *Assist in the development of asset voting and engagement processes and compliance with the UK Stewardship Code.*
- *Any other area within the statement of purpose (i.e. ensuring effective and efficient governance of the scheme) the Board deems appropriate.*

In support of its functions the Board may make recommendations to the General Purpose Committee and a response made to the Board on the outcome within a reasonable period of time.

Membership

The Board shall consist of 4 voting members made of:

2 Member Representatives,

2 Employer Representatives; and

1 Further representative without voting rights to be appointed at the discretion of the Council

A chair to be appointed by the employer and member representatives of the Board on a rotating basis with the term of office shared between an employer and a member representative on an equal basis. In the event of a tied vote, the Chair will have the casting vote.

The Director of Corporate Services will determine an appropriate selection and appointment process for Board Members

Termination of Membership

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought. The ability of members to seek re-appointment for further term will be considered to ensure continuity.

Voting Rights

Voting rights only apply to members of a Board who are either an employer or a member representative. In the even to of a tied vote, the Chair will have the casting vote.

Terms of Office

The term of office for Board members shall be co-terminus with Council's term of office. i.e. to the date of the next Council election. Extensions may be made by the Council with the agreement of the Board.

Conflicts of interest

The Administering Authority must be satisfied that any person appointed to the Board and from time to time that any member of the Board does not have a conflict of interest, as defined under Section 5(5) of the Public Service Pensions Act 2013.

All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

Knowledge and understanding (including Training)

Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.

Meetings

The Board shall at a minimum meet twice each year and will be set in conjunction with Democratic Services.

Substitutes will not be allowed where members are unable to attend meetings.

Meetings will be services by Democratic Services and subject to the same publication rules as with a Scrutiny Committee.

Attendance requirements

Non-attendance at 2 consecutive meetings would result in a replacement representative being sought

Quorum

The quorum for any meeting shall be 2 members comprising at least one employer and one member representative.

A meeting that becomes inquorate may continue but any decisions will be non-binding.

Reporting

1. The Board in the first instance report its requests, recommendations or concerns to PFAC.
2. On receipt of a report PFAC should, within a reasonable period, consider and respond to the Board.
3. The appropriate internal route for escalation is to the Section 151 Officer.
4. The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.
5. Board members are also subject to the requirements to report breaches of law under the Act and the Code [and the whistleblowing provisions set out in the Council's whistle blowing policy].

6. The Board will produce an annual report of its work, findings and recommendations.

Payment of Board Members

An allowance will be paid to the non London Borough of Merton employees. The Council will set an allowance for these members based upon a sum of £100 per meeting, multiplied by the total number of meetings expected in each year.

Code of Conduct

Members of the Board will be subject to the same Code of Conduct as members of the Council's Scrutiny Committee

Pension Fund Investment Advisory Panel

Membership: Voting - 3 Councillors. Non-voting - Chief Finance Officer (or delegate), Treasury Services Manager, Staff Side Representative, Pensioner Representative)

Constituted by: Council

Powers and Duties determined by: Council

Authority: (Section 102(4) Local Government Act 1972)

Functions

- a) To establish, in consultation with relevant advisors, appropriate investment policy for the Pension Fund, and to advise General Purposes Committee accordingly
- b) To advise officers on the exercise of their delegated powers concerning the management and investment strategy of the Pension Fund and to report to and advise the Standards and General Purposes Committee as appropriate.
- c) To monitor the performance of the Pension Fund relative to its objectives, benchmarks and targets, and to prompt remedial action as necessary
- d) To review the draft Annual Report and Accounts for the Pension Fund, and provide comments to the Standards and General Purposes Committee and Audit Committee in respect of the investment matters reported therein.

Members' School Standards Panel

Membership: 3 members one of whom shall be Chair

Constituted by: Council

Powers and Duties determined by: Council

Authority: Article 10 of the Constitution

Functions

The Panel will meet half termly

OFSTED Inspection Reports

- (i) Receive all OFSTED Inspection reports and discuss the outcomes with up to 2 schools per School Standards Panel. The Head teacher and chair of the governing body of the 2 schools will be invited to attend the meeting and members of the panel will visit each school prior to the meeting.
- (ii) Discuss with the Head and chair of the governing body the action plan developed in response to the inspection report.

Support and Monitoring Framework

- (iii) Receive a termly oral report from the Assistant Director of Education of the outcomes of the half-termly school review meetings, including confidential lists of the performance levels of all schools.
- (iv) Receive feedback the AD Education concerning schools undergoing Support and Challenge meetings.

National initiatives and their impact on Merton schools

- (v) Receive reports and updates on national and regional changes to policy and practice in order to understand the impact on Merton schools and responses that may be needed
- (vi) Receive reports on changes to assessment and curriculum across all phases and the responses needed to ensure that implementation leads to improved standards across Merton schools

Standing Advisory Council On Religious Education

Membership:

See section 3 below

Constituted by: Council

Powers and Duties determined by: Section 390 of the Education Act 1996

Authority: Section 390 of the Education Act 1996

The Council shall be called the Merton SACRE (Standing Advisory Council on Religious Education).

It is established under Section 3.90 – 3.97 of the Education Act 1996 as amended.

1. Role and functions

- a) To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit.
- b) These matters might include methods of teaching and choice of materials to deliver the Agreed Syllabus.
- c) To evaluate how well the Agreed Syllabus supports the provision of Religious Education provision in schools.
- d) To receive, and determine whether an application from a Head Teacher to vary the requirement for worship of a broadly or mainly Christian character, is appropriate for the whole school or for groups of pupils.
- e) To publish an annual report on the work of SACRE and to circulate this to Headteachers, to QCDA and to the appropriate Council Committee and senior officers in Children Schools and Families Department.
- f) To set up a Statutory Conference at any time if, in the opinion of SACRE, it becomes necessary to review the Authority's agreed syllabus and to do so at least every five years.
- g) To advise, if requested, on matters arising from the Authority's Complaints Procedures under Section 23 of the Education Reform Act 1988.

2. Officers

- a) The Director of Merton's Children, Schools and Families Department, or such other senior officer/s as s/he may designate, shall attend and participate in discussions in the SACRE as professional adviser/s and make appropriate arrangements to support the administration of the SACRE and its meetings.

3. Membership

- a) In accordance with the provisions of the Education Reform Act 1988 (Section 11(4)): The SACRE is to comprise four groups representing:

Committee A

Such religions and belief groups as, in the opinion of the Council, will appropriately reflect the principal religious and belief traditions in the Borough of Merton.

Committee B

The Church of England.

Committee C

South London Partnership - Terms of Reference

1. Role and Purpose of the Joint Committee:

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness
- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.

**The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee*

2. Terms of Reference

1. To act as a strategic body, setting and reviewing objectives for strategic growth, regeneration and investment across South London including:
 - Providing a coherent single position on the City Deal and Growth Deal issues
 - Coordinating the contribution of all Councils to the Strategic Economic Plan
 - Agreeing allocation of spending as required
 - Agreeing major priorities
 - Considering and determining any issues made by the Advisory Officer Board to the Joint Committee
2. To formulate and agree appropriate agreements with Government, ensuring their delivery
3. To influence and align government investment in South London in order to boost economic growth locally.
4. To jointly review as appropriate consultations on plans, strategies and programmes affecting South London, encouraging alignment with the London Enterprise Partnership Plan.
5. To agree, review and amend options at any time for City Deal and Growth Deal Governance which is fit for purpose.
6. To agree and approve any additional governance structures as related to the Joint Committee. (e.g. setting up sub committees etc)

Membership

It is proposed that each Council appoint its Leader to sit on the Joint Committee.

Each Council could also appoint a named substitute (to be an Executive Member for those operating Executive Governance arrangements) to attend in the Leader's absence.

Continuity of attendance would be encouraged.

Support Arrangements

In its work the Joint Committee would be supported by an advisory Board comprising each Council's Chief Executive working alongside and giving direction to the existing officer groups on Growth and Transport, respectively.

Local officers can be brought in to support the advisory arrangements based on the expertise and technical knowledge required at a particular point in time.

Each Council could, as required, through its Leader and Chief Executive, put in place any local processes for other Elected Members to input in an advisory capacity into the work of the Joint Committee.

Procedure Rules

In order that meetings of the Joint Committee are conducted properly and that the business is carried out openly and transparently a new set of Procedure Rules for its operation will be prepared.

These will cover all procedural matters, Access to Information regulations and voting rights.

The following key principles are proposed for consideration and inclusion in the document:

1. The Chairman of the Joint Committee will be appointed on an annual basis.
2. No business of the Joint Committee will be transacted unless a minimum of 4 of the 5 appointed members are present (Quorum) The Joint Committee's decision making will operate on the basis of mutual co-operation and consent.
2. Any authority can withdraw on the basis of a six month notice period

Support for governance matters and meeting support will be provided in turn by constituent Member authorities. Richmond has offered to take this on initially and if it passes on annually then each authority takes its turn in a reasonable time period and we might avoid complicated charging processes.

4. The development and approval of a Memorandum of Understanding with the London Enterprise Partnership Board.

The role of the Officer Advisory Board would not form part of the formal governance arrangements of the Joint Committee but would have its role, operation and purpose defined in a separate document.

South West London Joint Waste Management Committee

Membership: 2 – (Substitutes allowed)

Constituted by: Cabinet

Powers and Duties determined by: Cabinet

Authority: Cabinet

Functions:

To advise the Cabinet on the South London Joint Waste Committee whose primary function is to make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise the Participating Councils on the delivery and separation of waste. The Participating Councils are the London Boroughs of Merton, Croydon and Sutton and the Royal Borough of Kingston. The specific functions of the Committee are set out in Schedule 1 of the Constitution of the Committee operating under the name of the South London Waste Partnership.

Each Council has two seats on the Committee with only one vote per borough.

**~~LONDON BOROUGH OF MERTON LOCAL AUTHORITY PROPERTY COMPANY
(LAPC) MERANTUN DEVELOPMENT LIMITED~~ SUB-COMMITTEE**

TERMS OF REFERENCE

Membership: 3

Constituted by: Cabinet

Powers and Duties determined by: The Localism Act 2011

Authority: Cabinet

Purpose:

To act as the Shareholder Board for the London Borough of Merton Local Authority Property Company (LAPC) "Merantun Development Limited".

Functions:

To exercise all rights and responsibilities of the Council as shareholder, including but not limited to agreeing the company's annual business plan and funding arrangements and monitoring progress against the business plan on behalf of the Council.

Reserved Matters:

The list of matters reserved for Shareholder approval is as set out in Schedule 1 of the Shareholder Agreement.

Delegated Functions:

The Director of Environment and Regeneration will have delegated authority to take decisions on reserved matters in circumstances where the financial expenditure to be incurred, in any one instance, is below two hundred and fifty thousand pounds (£250,000)

Quorum: 2 Members of the Cabinet

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**SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND
SCRUTINY COMMITTEE (JHOSC)**

TERMS OF REFERENCE

- 1.1 The South West London and Surrey Joint Health Overview and Scrutiny Committee is established by the Local Authorities of **London Borough of Croydon, London Borough of Merton, London Borough of Richmond upon Thames, Surrey County Council, London Borough of Sutton, London Borough of Wandsworth**, and the **Royal Borough of Kingston upon Thames (constituent areas)** in accordance with s.245 of the NHS Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 1.2 It will be a standing Joint Overview and Scrutiny Committee or a sub-committee thereof which will undertake scrutiny activity in response to a particular reconfiguration proposal or strategic issue affecting some, or all of the constituent areas.
- 1.3 The length of time a specific matter / proposal will be scrutinised for will be determined by the Joint Committee or Sub Committee.
- 1.4 The purpose of the Standing Joint Committee is to act as a full committee or commission sub-committees to consider the following matters and carry out detailed scrutiny work as below:
 - (a) To engage with Providers and Commissioners on strategic sector wide *proposals* in respect of the *configuration* of health services affecting some or all of the area of Croydon, Merton, Richmond upon Thames, Surrey County Council, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (constituent area).
 - (b) Scrutinise and respond to the consultation process (including stakeholder engagement) and final decision in respect of any reconfiguration proposals affecting some, or all of the constituent areas.
 - (c) Scrutinise in particular, the adequacy of any consultation process in respect of any reconfiguration proposals (including content or time allowed) and provide reasons for any view reached.
 - (d) Consider whether the proposal is in the best interests of the health service across the affected area.
 - (e) Consider as part of its scrutiny work, the potential impact of proposed options on residents of the reconfiguration area, whether proposals will deliver sustainable service change and the impact on any existing or potential health inequalities.
 - (f) Assess the degree to which any proposals scrutinised will deliver sustainable service improvement and deliver improved patient outcomes.
 - (g) Agree whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of any proposal for reconfiguration to the Secretary of State for Health.

- (h) As appropriate, review the formal response of the NHS to the Committees consultation response.
- 1.5. The Joint Committee will consist of 2 Councillors nominated by each of the constituent areas and appointed in accordance with local procedure rules. Each Council can appoint named substitutes in line with their local practices.
 - 1.6. Appointments to the Joint Committee will be made annually by each constituent area with in-year changes in membership confirmed by the relevant authority as soon as they know.
 - 1.7. A Chairman and Vice Chairman of the Joint Committee will be elected by the Committee at its first meeting for a period of one year and annually thereafter.
 - 1.8. The life of the Joint Committee will be for a maximum of four years from its formation in May 2018.
 - 1.9. For each specific piece of scrutiny work undertaken relating to consultations on reconfiguration or substantial variation proposals affecting all or some of the constituent areas, the Joint Committee will either choose to act as a full Committee or can agree to commission a sub-committee to undertake the detailed work and define its terms of reference and timescales. This will provide for flexibility and best use of resource by the Joint Committee.
 - 1.10. In determining how a matter will be scrutinised, the Joint Committee can choose to retain decision making power or delegate it to a sub-committee.
 - 1.11. The overall size of each sub-committee will be determined by the main Committee and must include a minimum of 1 representative per affected constituent area.
 - 1.12. Where a proposal for reconfiguration or substantial variation covers some but not all of the constituent areas, in establishing a sub-committee, formal membership will only include those affected constituent areas. Non affected constituent areas will be able to nominate members who can act as 'observers' but will be non-voting.
 - 1.13. The Committee and any sub-Committees will form and hold public meetings, unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000, in accordance with a timetable agreed upon by all constituent areas and subject to the statutory public meeting notice period.

SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

RULES OF PROCEDURE

1. Membership of Committee and Sub-Committees

- 1.1 The London Boroughs of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth and the Royal Borough of Kingston upon Thames and Surrey County Council will each nominate, 2 members to the JHOSC, appointed in accordance with local procedure rules.
- 1.2 Appointments will be reconfirmed annually by each relevant authority.
- 1.3 Individual authorities may change appointees in accordance with the rules for the original nomination.
- 1.4 Individual authorities will be strongly encouraged to nominate substitutes in accordance with local practice.
- 1.5 In commissioning Sub-Committees, membership will be confirmed by the JHOSC and can be drawn from the main Committee or to enable use of local expertise and skill, from non-Executive members of an affected constituent area.
- 1.6 The membership of a sub-committee will include at least one member from each affected constituent areas. An affected constituent area is a council area where the proposals will impact on residents. Non affected areas can appoint 'observer' members to sub-committees but they will be non-voting.
- 1.7 The JHOSC, may as appropriate review its membership to include authorities outside the South West London area whom are equally affected by a proposal for reconfiguration or substantial variation who can be appointed to serve as members of relevant sub-committees.

2. Chairman

- 2.1 The JHOSC will elect the Chairman and Vice Chairman at the first formal meeting. A vote will be taken (by show of hands) and the results will be collated by the supporting Officer.
- 2.2 The appointments of Chairman and Vice Chairman will be reconfirmed annually.
- 2.3 If the JHOSC wishes to, or is required to change the appointed Chairman or Vice Chairman, an agenda item should be requested supported by four of the seven constituent areas following which the appointments will be put to a vote.
- 2.4 Where a sub-committee is commissioned, at its first meeting a Chairman and Vice-Chairman will be appointed for the life of the sub-committee.

3. Substitutions

- 3.1 Named substitutes may attend Committee meetings and sub-committee meetings in lieu of nominated members. Continuity of attendance is strongly encouraged.

3.2 It will be the responsibility of individual committee members and their local authorities to arrange substitutions and to ensure the supporting officer is informed of any changes prior to the meeting.

3.3 Where a named substitute is attending the meeting, it will be the responsibility of the nominated member to brief them in advance of the meeting.

4. Quorum

4.1 The quorum of a meeting of the JHOSC will be the presence of one member from any five of the seven participating constituent areas.

4.2 The quorum of a meeting of a Sub Committee of the JHOSC will be three quarters of the total membership of the sub-committee to include a minimum of two members.

5. Voting

5.1 Members of the JHOSC and its sub Committees should endeavour to reach a consensus of views and produce a single final report, agreed by consensus and reflecting the views of all the local authority committees involved.

5.2 In the event that a vote is required, each member present will have one vote. In the event of there being an equality of votes the Chairman of the JHOSC or its sub-committee will have the casting vote.

6. JHOSC Role, Powers and Function

6.1 The JHOSC will have the same statutory scrutiny powers as an individual health overview and scrutiny committee that is:

- accessing information requested
- requiring members, officers or partners to attend and answer questions
- Referral to the Secretary of State for Health if the Committee is of the opinion that the consultation has been inadequate or the proposals are not 'in the interests' of the NHS

6.2 The JHOSC can choose to retain the powers of referral to the Secretary of State for Health for a particular scrutiny matter or delegate them to an established sub-committee.

7. Support

7.1 The lead governance and administrative support for the JHOSC will be provided by constituent areas on an annual rotating basis.

7.2 The lead scrutiny support for sub-committees will be provided by constituent areas on a per issue basis to be agreed by the sub-committee.

7.3 Meetings of the JHOSC and its sub-committees will be rotated between participating areas.

7.4 The host constituent area for each meeting of the JHOSC will be responsible for arranging appropriate meeting rooms and ensuring that refreshments are available.

7.5 Each constituent area will identify a key point of contact for all arrangements and Statutory Scrutiny Officers will be kept abreast of arrangements for the JHOSC.

8. Meetings

8.1 Meetings of the JHOSC and its sub-committees will be held in public unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000 and will take place at venues in one of the seven constituent areas.

8.2 Meetings will not last longer than 3 hours from commencement, unless agreed by majority vote at the meeting.

9. Agenda

9.1 The agenda will be drafted by the officers supporting the JHOSC or its sub-committees and agreed by the appropriate Chairman. The officer will send, by email, the agenda to all members of the JHOSC, the Statutory Scrutiny Officers and their support officers.

9.2 It will then be the responsibility of each borough to:

- publish official notice of the meeting
- put the agenda on public deposit
- make the agenda available on their Council website; and
- make copies of the agenda papers available locally to other Members and officers of that Authority and stakeholder groups as they feel appropriate.

10. Local Overview and Scrutiny Committees

10.1 The JHOSC or its sub-committees will invite participating constituent areas health overview and scrutiny committees and other partners to make known their views on the review being conducted.

10.2 The JHOSC or its sub-committees will consider those views in making its conclusions and comments on the proposals outlined or reviews.

10.3 Individual Overview and Scrutiny Committees will make representations to any NHS Body where a consensus at the JHOSC cannot be reached.

11. Representations

11.1 The JHOSC or its sub-committees will identify and invite witnesses to address the committee and may wish to undertake consultation with a range of stakeholders.

11.2 As far as practically possible the committee or sub-committee will consider any written representations from individual members of the public and interest groups that represent geographical areas in South West London and Surrey that are contained within one of the participating local authority areas.

11.3 The main Committee and any established sub-committees will consider up to 3 verbal representations per agenda item from individual members of the public and interest groups that represent geographical areas in South West London and Surrey that are contained within one of the participating local authority areas. Individuals must register to speak before 12pm on the day before the meeting takes place and will be given three minutes to make their representations to the committee.

- 11.4 The Chairman or any committee or sub-committee will have the discretion to accept more or late speakers where s/he feels it is appropriate.