
REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

MEETING HELD ON 8 JUNE 2009

Chairman:	* Councillor Mrs Lurline Champagne	
Councillors:	* Husain Akhtar	* Ashok Kulkarni
	* Don Billson	* Mrs Vina Mithani
	* Mrinal Choudhury	* John Nickolay
	* G Chowdhury	* Phillip O'Dell
	* Mano Dharmarajah	* Raj Ray
	* Thaya Idaikkadar	* Tom Weiss
	* Nizam Ismail	* Jeremy Zeid

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

113. Declarations of Interest:

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

114. Minutes:

The Committee received the minutes of the meeting held on 2 March 2009 and the Special meeting held on 11 May 2009. Councillor Weiss stated that minute 103 was inaccurate as the meeting had commenced prior to 7.30 pm.

RESOLVED: That the minutes of the meeting held on 2 March 2009 and the Special meeting held on 11 May 2009 be taken as read and signed as a correct record subject to the insertion of 'at this stage' after 'do not apply' in the resolution to minute 107.

115. Public Questions, Petitions and Deputations:

RESOLVED: To note that no public questions were put, or petitions or deputations received at the meeting under the provisions of Committee Procedure Rules 19, 16 and 17 respectively.

116. Continuation of Additional Licensing for Houses in Multiple Occupation (HMOs):

The Committee received a report of the Divisional Director of Environmental Services on a proposal to apply to the Secretary of State for Communities and Local Government to continue with and amend the discretionary Additional Houses in Multiple Occupation (HMOs) Licensing Scheme. It was noted that the Scheme would enable the Council to continue to license smaller properties so that means of escape, amenities and Anti Social Behaviour (ASB) could be dealt with effectively.

The officer informed the Committee that the Government's Mandatory Licensing Scheme regulated buildings of three or more storeys which were occupied by five or more unrelated people. Since April 2000, Harrow Council had operated an enhanced registration scheme that registered all properties occupied by three or more unrelated individuals or two or more households. The enhanced scheme better reflected the size of properties in multiple occupation in Harrow and enabled action to be initiated regarding the activities of landlords or arising from complaints by residents. The scheme generated income to enable such issues to be dealt with. It was reported that officers were aware that the Government was consulting on a national register for landlords which could result in the rejection of enhanced schemes in the short term.

In response to queries by Members officers stated that:

- the Government's Mandatory Licensing Scheme raised income from each property inspected. Three additional officer posts had been created in 2000 in anticipation of additional funding for the enhanced scheme but additional resources had not been forthcoming;
- licensing legislation enabled action to be taken quicker than other legislation allowed;

- the officer outlined the procedure that could culminate in prosecution. Three applications to commence prosecution had been signed that day;
- houses in Multiple Occupation could be identified by the number of doorbells, rubbish bins, vents, door knocking, responses to questions, land registry queries and writing to the owner/occupier. Areas were targeted during the local Weeks of Action;
- the scheme aided identification of landlords, which was a benefit and one of the reasons the Government was considering a national scheme. In instances such as flytipping the landlord could be identified immediately;
- planning legislation was separate to work undertaken in connection with the Housing Act 2004. Refusal of planning permission did not prevent an application for a licence. Enhanced communication was now undertaken with planning, fire, and immigration services;
- staff were trained to identify and forward issues such as child protection and noise nuisance to the appropriate department. Licensing officers would deal with issues arising between tenants;
- requests from landlords for licensing under the enhanced scheme could not currently be undertaken although the inspection took place once the property details were known;
- alleyways and communal areas formed the most difficult part of enforcement as it was difficult to prove the originator of the rubbish;
- the baseline of occupation by five or more unrelated people arose from the figure given by the Institute of Environmental Health as the maximum number of persons for use of one kitchen or toilet; and
- should the Committee agree the report, it would be submitted to the Secretary of State and any amendments made would be reported back to the Committee. A further report would be submitted to the Committee on the advertisement of the Scheme.

The officers were advised of a number of minor grammatical errors to the draft report to the Secretary of State.

RESOLVED: That the Private Sector Housing Enforcement Team apply to the Secretary of State for Communities and Local Government to continue with and amend the discretionary Additional Houses in Multiple Occupation Licensing Scheme which had been in operation since 6 September 2006.

117. **Early Retirement - Delegation of Authority for Approval:**

In accordance with a request by the Early Retirement Sub-Committee, a report of the Corporate Director of Finance was submitted to the Committee which reviewed the discretionary delegations relating to the Local Government Pension Scheme Early Retirements. The Sub-Committee had sought a review of the exercise of discretionary delegations in circumstances where either the business case for redundancy or efficiency of the service did not enable the exercise of any discretion or it was clearly illustrated that there was no financial strain on the pension fund.

The officer gave a presentation which detailed the types of early retirements, that is redundancy, efficiency of the service, early retirement (active) under Regulation 30 and early retirement (deferred) under Regulation 30. In circumstances where a request for payment carried a strain on the Pension Fund, such cases would continue to be referred to the Early Retirement Sub-Committee.

In response to a question as to how the effectiveness of the delegations would be monitored, the officer advised that it was recommended that an annual report to the Committee would detail all early retirement cases. External verification was undertaken by HM Revenue and Customs. It was noted that a separate record of Compensatory Added Years was maintained, the cost of which was declining.

Members thanked the officer for a good, clear presentation.

RESOLVED: That (1) redundancy retirements be approved by the Officer Sub-Group and the release of pension benefits be signed off by the Corporate Director of Finance;

(2) efficiency retirements be approved by the Officer Sub-Group and release of pension benefits be signed off by the Corporate Director of Finance;

(3) early retirements (active or deferred members) under Regulation 30, where there was no strain on the pension fund, be approved by the Divisional Director of Shared Services; and

(4) the Divisional Director of Shared Services submit an annual report to the Committee providing a breakdown of all early retirement cases.

118. **INFORMATION REPORT - Voluntary Severance Scheme Progress Update:**

The Committee received an information report of the Corporate Director of Finance, which outlined the background to the Voluntary Severance Scheme (VSS) and provided an update on savings achieved and the cost to the pension fund.

The officer informed Members that an Urgent Non-Executive Action had been agreed by the Chairman and Nominated Member to delegate authority to officers to determine requests from employees leaving in accordance with the scheme to receive their pension benefits under Regulation 30 of the Local Government Pension Scheme Regulations 2007. The Divisional Director of Shared Services reported monthly to the Chairman and Nominated Member on the number of cases and savings. The scheme required the submission of a report to the Committee on all costs incurred to the Pension Fund and savings achieved from the scheme.

Members noted that Voluntary Severance Scheme cases were still being processed and that the figures provided in Appendix A did not reflect the final position.

The officer provided an explanation of the content of Appendix A and responded to Member queries as follows :

- the 2009/10 severance payments and associated costs were fully met by the appropriate Directorate and the identified savings had been taken out of the appropriate budget;
- the figure for Adult and Housing should read as 21 due to the inclusion of the HARP (Housing (needs And resident services), Revenues & Benefits & Planning) and Housing Revenue Account figures from the preceding table;
- the business case established arrangements for the work to continue to be undertaken. Some posts were held vacant before being filled at a lower grade, some posts were amalgamated, therefore the saving achieved could be less than one person's salary. The saving could be further reduced by annual leave payments. Oncosts included pension contributions;
- once savings were removed from the budget, it was for the Department to decide if the use of contractors was the most suitable option to undertake the work. Depending on the circumstances, such as pension contributions, agency staff could be cheaper;
- an employee who left under the Scheme could not be re-engaged for at least 12 months as an employee or contractor;
- information was not available at the meeting as to how many people had been re-employed after 12 months from redundancy or early retirement;
- it was estimated that the recorded time and additional resource of running the scheme was in the region of £40,000. Two meetings a week had been held, lasting up to an hour and attended by four senior managers;
- payment of 50% of salary had been agreed as part of the scheme;
- the saving achieved depended on the date the member of staff left the employment of the Council;
- the criteria had been set by the Chief Executive and Corporate Director of Finance;
- as a voluntary scheme, there were limitations as to what could be achieved in that only volunteers could be considered. Member comments regarding efficiency, headcount and sustainability within a flattened structure and amalgamations could only be achieved in a wider context; and

- assets would be examined against liabilities during the actuarial valuation in April 2010, the cost of pensions would be spread over 25-30 years. The Government was investigating a cost sharing mechanism which would impact on the 2013 valuation.

Members expressed concern that the report contained insufficient explanation and was not sufficiently clear to enable a full discussion and understanding. A more detailed report was requested for the next meeting of the Committee and should include: the grade of posts affected so that Members were aware of the impact of the scheme, clarification as to how the criteria had been set and what deliberations had taken place, detail of the severance payment, savings in the first and subsequent years, and further detail on the agency situation.

An officer who dealt with the figures on a daily basis would attend the next meeting in order to respond to the financial questions raised by Members.

RESOLVED: That a further, more detailed report and presentation be submitted to the next meeting.

119. **Review of Polling Districts and Polling Stations:**

In accordance with Committee Procedure Rule 9.1, the Chairman raised an item of Any Other Business to request the Returning Officer to reconvene the Polling Districts and Polling Station Review Working Group.

At its meeting on 24 November 2008, the Committee had agreed the recommendations of the Working Group in relation to polling districts as set out in the appendix to the report to that meeting. The Committee agreed to the consideration of the item as urgent as the recommendations included issues to be resolved for the 2010 elections. The recent European Election had highlighted that action was still required.

RESOLVED: That the Returning Officer be requested to reconvene the Polling Districts and Polling Station Review Working Group in order to undertake further work on the recommendations of the Working Group contained in Appendix 1 to the report to the Committee on 24 November 2008.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.40 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE
Chairman