

LONDON BOROUGH OF HARROW

COUNCIL

3 NOVEMBER 2011

QUESTIONS WITH NOTICE (ITEM 11)

Fifteen minutes will be allowed for Members of the Council to ask a Portfolio Holder a question on any matter in relation to which the Executive has powers or duties.

- 1. Questioner:** Councillor William Stoodley
- Asked of:** Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)
- Question:** “Can the Leader tell me what the cost to this Council has been following the move of Harrow Magistrates Court to Brent and what impact this has had on the vulnerable residents who use our courts especially when unhelpful changes have been made to Legal Aid?”
- Answer:
(answered by
Cllr Graham
Henson)** The biggest area of work which has been affected by the move is related to hearings on the recovery of Council Tax and Business rates involving about 17,000 summonses and approximately “1500–2000” defaulters. As far as the revenue area is concerned, the extra costs of having to attend the Brent Court amount to about approximately £113,000. There are others areas that have been costed in detail, and the additional costs which are going to be absorbed will be in the region of £50,000 to £62,000, which comes to £163,000 to £175,000. That is the real cost to the Council.
- Of course if you are a resident, it will be a bit of a disaster. Especially if you are a defaulter. Usually you go there, get a liability order which says you have got to pay. You have been all the way up there, back again, it is a waste of a journey when it could have been just a 200 yard walk. Similarly, it is not only the defendants but it is the professionals, parents, carers, witnesses and victims who all have to find the extra costs and suffer the inconvenience. There is a particular problem for people with disabilities.

The amount of work in Harrow Magistrates Court, unlike other courts, is actually increasing and we have talked about Housing Benefits. We can be sure it will increase, affecting our most vulnerable and least well-off residents.

We lobbied hard cross-party against this disastrous decision. Local justice for local people and I said, I will be writing to the Minister of Justice and our 3 local MPs to reiterate this and calling their attention to consequences of this foolish and misguided decision.

I will also be asking the Planning Department to remind the Ministry of Justice for their structure of responsibilities for the care of its Grade 2 nationally listed building, bearing in mind that all the lead on Harrow Magistrates Court has been stripped off shortly after its closure. When you add up all that, it is an additional cost rather than a saving.

Supplemental Question:

With respect to the more vulnerable residents trekking over to Brent Magistrates Court and especially the ones relying on Legal Aid for their defence, the Chair of Legal Services Commission, Sir Bill Callaghan, expressed concerns last month over the Ministry of Justice's plans to take direct control of the administration of Legal Aid, as part of the Legal Aid's Sentencing and Punishment of Offenders Bill, lacked provision for the independence of civil service making funding decisions. Indeed, our own party Shadow Justice Minister and even the Law Society have called on the coalition government to delay passage of this Bill for similar reasons.

Would you, Leader, agree that it is rather alarming that even when such eminent and well respected people are calling upon the coalition to delay these changes to the Legal Aid system that our vulnerable citizens in Harrow need to help their case, they still appear to think they know better than their own in-house experts?

Supplemental Answer:

I think we are going to have a two tier justice system. As they say, British Justice is the best that money can buy and if you have not got much money, you do not get much justice.

2. Questioner: Councillor Kairul Kareema Marikar

Asked of: Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)

Question: “Can the Leader tell me how he will cushion Harrow residents from the out of touch and ill-thought out policies of the Tory-led Government on Housing Benefit, Local Council Tax Benefit?”

Answer: With great difficulty. As I have indicated in my announcements, there is little we can do to protect local residents against these vicious and unfair proposals which are targeted at the least well-off and the most vulnerable.

I have to say, at the same time, the very people who caused the current financial crisis, the bankers, seem to be totally immune from taking any share of the cuts and I think that is totally unfair and wrong.

The proposed cuts to Housing Benefits are a matter of real concern. It is universally agreed this will lead to a major outflow of people from inner London to outer London, which the Mayor of London has compared to ethnic cleansing. If that was not bad enough, there will be an increasing number of local residents on Housing Benefit who will not be able to pay their rents, so becoming homeless. This is already becoming evident in the increasing caseload for the Housing Department.

Short of providing advice on the rules and conducting an awareness campaign, there is little the Council can do as the system is prescribed and funded centrally. However, as I have already indicated, officers are talking to landlords and where possible ensuring that they are aware of the new rent caps and the need for different types of tenancies and accommodation, such as houses in multiple occupation, this will mitigate some of the issues the changes have brought.

With respect to the localisation of Council Tax Benefit, I covered this in my Leader’s announcement. Again, we are in the situation that local authorities are totally dependent on legislative detail and system changes which are either not known or not yet scoped due to the lack of detail, which is a total farce. We have no idea what is going to happen.

As I have indicated, it will mean a cut of 20% on average for those who are not protected by the Government and this will lead to a hotch-potch postcode system of Council Tax benefits. Some people say that localism is a good idea, I just think we should have a national system.

These cuts will mean real misery for real people at a time of financial crisis and we should be doing our utmost to support and help the most vulnerable and the least well-off. We will be doing our utmost to help and mitigate these ill thought-out and unfair proposals.

When David Cameron says we are all in this together, it would seem that his lot are in the liner and the rest of us are in the lifeboats.

Supplemental Question: Do you agree with me, this Government has made the community frustrated with the cuts? You must have watched the BBC Parliamentary Channel where a gentleman said "People are angry with the Government". Will you support my residents in West Harrow when these hard cuts are coming in? Thank you.

Supplemental Answer: My analogy between the liner and the lifeboats is that if we have this terrible situation, we have got to have a fair system where everybody knows they are playing their part. At the moment it seems that the wealthy are getting off scot free and the least well-off and the most vulnerable are getting hit hard destroying families. People having to move out of the borough, take their kids away from school, I mean we are all getting the casework. So again, I just totally agree.

3. **Questioner:** Councillor Ajay Maru
- Asked of:** Councillor Phillip O'Dell (Deputy Leader of the Council and Portfolio Holder for Environment and Community Safety)
- Question:** "Can the Portfolio Holder for the Environment and Community Safety assure me that Harrow will continue to support residents who last year saved £1.2 million by recycling rather than pursue questionable populist strategies of investing about £200 million in re-instating weekly collections and will the Leader undertake to write to the Secretary of State to inform him that Harrow would like to receive a share of that fund to spend in the interests of Harrow residents?"
- Answer:** This gives an opportunity to remind Council that here in Harrow we currently have a very effective collection system which is easy to understand, popular with residents and leading to some of the best recycling rates in the whole of London. Even in urban areas, there are

many collection methods across the country and this reflects the fact that communities have different needs and different requirements. I firmly believe when it comes to choosing collection methods choice, is best made locally, so that the needs of our residents can be taken into account. Our residents have done an excellent job in achieving high levels of recycling. We hope residents will continue to help the council and themselves keep costs down by recycling even more of their waste.

We have yet to see anything from government following up the initial press release from the Minister. Harrow collects food waste on a weekly basis and would welcome any proposal from central government to provide cash in helping us to retain this excellent system. We would also ask the government to prevail on manufacturers to reduce unnecessary packaging at source and keep waste levels down that way too. Like all other Councils at the moment we face difficult choices and tough decisions. I, therefore, believe we need to keep all options under consideration. However, our preference would be to retain the present excellent collection offered to our residents.

Supplemental Question: Do you think there is any mileage in making the case to Eric Pickles that Harrow would rather keep its efficient bin collection system and spend its share of £250m on practical things like improving the shopping districts, for our small businesses, to support the local economy and job creation?

Supplemental Answer: Yes but I have very little confidence that the Minister will actually listen to us because I think he is using his dogma to try and force councils into not making local decisions. I am happy to request the Leader to write to him and see if there is a link between the Localism Bill giving Harrow the freedom to choose where it spends its share of the £2m which has been offered to us.

4. **Questioner:** Councillor Chris Mote

Asked of: Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)

Question: "With the revelation of proposals to cut the number of senior officer positions at the Council and reshape the directorates, are there any plans to reduce and modify the respective Cabinet positions to better mirror and

represent the new corporate structure?”

Answer: As Chris knows, the proposals for the new senior staff structure are currently under consultation. I think it is very important that we do everything we can to break down silo culture which pervades so much of local government which we in Harrow working together, are successfully combating.

Portfolio Holders are encouraged to work across directorate and divisional boundaries, so I do not accept the concept of better mirroring the new, or any other, corporate structure.

Supplemental Question: On the basis of that, would the Leader therefore possibly think of something I did when I was Leader, that if he is not going to reduce the numbers, he actually reduces the pay of those Executive Members?

I did it and it was to show the public that we, this Council, when we were running it were doing the best and would he therefore consider reducing it?

Supplemental Answer: Any contributions from any Member of Council, we will listen to very carefully. You can put your contributions into the consultation. We are looking at the budget, we are looking at a number of different things and in due time we will be able to publish them.

GUILLOTINE REACHED (the following answers were circulated after the Council, by written response, at the request of the Mayor).

5. **Questioner:** Councillor Susan Hall

Asked of: Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)

Question: “Documents presented to the Employees' Consultative Forum show that, of the Council's non-school employees, fewer than 9% of those in the top two pay bands are BAME and 40% are women. Within the very top pay band, these percentages fall to 0% and 30% respectively. Given the Council's stated commitment to employing a diverse workforce, would you not favour an open recruitment process for the senior officer positions that are being created as part of the corporate restructure, in comparison with the closed-shop process that is being proposed?”

Answer: The document that you refer to should be given its full title – ANNUAL EQUALITY IN EMPLOYMENT MONITORING FROM 1 APRIL 2010 – 31 MARCH 2011.

This report presents a snapshot of the workforce profile at 31 March 2011, based on statistics obtained from SAP.

The Council recognises that like many other organisations we have found it difficult to achieve proportionate representation of women and BAME employees at senior levels and we are committed to working to improve this.

Due to significant cuts in our budgets and the consequential reduction in the levels of recruitment, it is proving more challenging for the Council to use recruitment to address the under representative in the workforce of Black, Asian and Minority ethnic employees, disabled employees, men in the workforce generally and women in senior roles.

However, with regard to the proposed senior management restructure, it is important to recognise that, like all employers considering reductions in the workforce, the Council has a legal duty to consider measures to avoid compulsory redundancies. Pursuant to this, our employment policies are designed to ensure we comply with legal requirements and treat our staff fairly.

Our policy for managing organisational change sets out the appointment process for staff affected by restructures and is applicable to the senior management restructure. We will therefore be following the process set out in that policy as it would be wrong to treat our senior officers less fairly than other staff and unlawful to do so on the grounds of their gender or ethnicity.

6. Questioner: Councillor Susan Hall

Asked of: Councillor Bob Currie (Portfolio Holder for Housing)

Question: “Will the portfolio holder join me in praising the government announcement that squatting is to be criminalised, and welcome the positive implications this will have for council properties?”

Answer: I am interested in the government announcement that squatting is to be criminalised but as it is a very recent announcement we will clearly need to await the detail.

Fortunately squatting is rare in Harrow, but when it does occur it prevents other people in housing need from getting a secure home, it always leads to damage to the property, it always leads to difficulties for neighbours and it is an extremely lengthy process to remove the squatters and return the property to its rightful use.

I welcome a tougher message to squatters and hopefully this deters them. Unfortunately though, sometimes squatters occupy properties because they are desperate and I would like to see the government also supporting more new affordable housing that might help prevent the need to squat in the first place.

7. Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)

Question: "Can you confirm that the appointment of all senior financial officer positions have been and are continuing to be conducted in full compliance with and in adherence to CIPFA guidance?"

Answer: Yes. I am fully aware of CIPFA guidance but to remind you it is simply that, guidance.

8. Questioner: Councillor Barry Macleod-Cullinane

Asked of: Councillor Bill Stephenson (Leader of the Council and Portfolio Holder for Finance and Business Transformation)

Question: "In view of how Harrow has been awarded 'Best Achieving Council', what steps has the Leader taken to publicise Harrow's good practice to other London Leaders and, indeed, to his fellow council leaders across the country across every aspect of Harrow's activity and governance, including but not limited to his appointment of cabinet assistants in secret and voting against greater transparency?"

Answer:

Indeed other London Leaders have been very complimentary about our success in obtaining Best Achieving Council within a year of coming to office and indeed have been amazed to hear about our 15% increase in net satisfaction in such a short time and in such difficult circumstances. Indeed it has been noted nationally both in the press and by senior politicians. I have had numerous conversations with other leaders and Councillors as to how we have managed to achieve this. The Council receives numerous requests for information and for visits to learn about what we are doing right. The Chief Executive and officers are frequent contributors to prestigious conferences. As I have already reported the Government's enquiry on the riots especially came to hear about the Harrow experience and how we avoided a major disturbance here.