Cllr Jeff Hanna

Labour, Pollards Hill Ward
Merton Civic Centre
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07974 918101

Ged Curran
Chief Executive
London Borough of Merton

20 October 2016

Dear Ged,

COUNCIL TAX CONSULTATION

Please find attached photos of documents apparently circulated door by Cllr Alambritis as Leader of Merton Council, provided to me by a resident of St Helier's ward. The documents comprise a letter from Cllr Alambritis, together with a bogus response form addressed post paid to the Consultation Team. These documents appear to jeopardise the integrity of the official Merton consultation on the level of the Council Tax.

The content of the letter itself, in encouraging residents to vote for a continuation for the council tax freeze, is a matter for Cllr Alambritis. He is entitled to express his view. However the accompanying bogus response form is a matter of concern.

You will note that the bogus form sets out very different questions to those in the official MyMerton form, or the online version. It virtually interrogates those voting YES for an increase in council tax, in what appears to be a calculated attempt to dissuade residents from such a vote. It sets out potential costs of each option, over two years, presumably in the belief that these figures would also dissuade residents from supporting an increase, which approach your officers clearly felt inappropriate for the official response form. Lastly, it requires residents to submit their names and addresses, which the official versions do not. This raises two immediate concerns.

- The need to ensure that the official consultation is not compromised by unauthorised bogus response forms being included in the count. These should be deemed to have no standing.

- The need to advise residents in what is now a confused situation, that those still wishing to record their vote, should do so using the correct offical form, or online.

May I leave it with you to deal with these issues and ensure that the outcome of the official consultation is not compromised.

Standards Committee

The fact of these documents having been circulated raises further concerns, some of which I set out overleaf as follows:

i. Was the process by which consultation responses have been received and counted sufficiently secure, or may information have been provided to Cllr Alambritis directly or indirectly which might explain his last minute attempt to influence the vote?

ii. Was agreement sought from or given by officers, that the bogus response form would be accepted as a valid response form in the official consultation.

iii. Was agreement sought from or given by officers that a business reply service might be used with the Consultation Team at the Civic Centre as the return address?

iv. Were the names of ward councillors used with their knowledge and agreement to both the content of the letter and the use of a bogus response form?

v. Have equivalent letters and forms been circulated in any other ward?

vi. Given that the imprint used on the letter states '*on behalf of Merton Labour councillors'* without the knowledge or approval of at least one such councillor, is this in breach of the Code of Conduct or any other requirements for such imprints?

vii. In using the Consultation Team at the Civic Centre as the return address, and omitting any imprint on the bogus form, has Cllr Alambritis deliberately sought to mislead residents into believing that his bogus form was both valid, and issued by the Consultation Team?

viii. In devising a form specifically designed to persuade residents not to vote for an increase in council tax, has Cllr Alambritis not only compromised the integrity of the consultation, but his own integrity as Leader of the Council, having made a clear commitment at Budget Council on 2 March to abide by the outcome of this consultation?

ix. Given that the Business Reply Service Licence Number on Cllr Alambritis's bogus form differs from that on the official form, who is funding the return of those bogus forms which residents complete?

x. Which councillors, officers, and other persons have colluded in the preparation of these documents?

Overall, Cllr Alambritis's actions would appear to be wilful interference with due council process. Setting aside my own party affiliation, I believe the right course of action for any councillor under these circumstances is to request that your officers look into this matter in detail, and prepare a report to the Standards Committee, to determine whether there has been a breach or breaches of the Code of Conduct, and if so what action should be taken. Please accept this letter as my formal request for such a report.

Yours sincerely,

Jeff Hanna
Labour Councillor, Pollards Hill Ward

(Hard copy of this letter and relevant documents will follow)

Your St. Helier
Labour Councillors

Cllr Imran Uddin
imran.uddin@merton.gov.uk 07775 910 411
Cllr Jerome Neil
Jerome.neil@merton.gov.uk 07909 229 623
Cllr Dennis Pearce
dennis.pearce@merton.gov.uk 07947 885 852

October 2016

Dear Resident,

Urgent: Consultation on Council Tax increases – please read now!

This is a very important letter about how much council tax you will pay in the future. Please make every effort to read it and let us know what you think. Whilst we are your local councillors in your local area, and the Leader of Merton Council, we are also your neighbours and care passionately about this community. It's where we live and raise our families.

When Labour was elected here in Merton in 2010 we made a promise to freeze your council tax. We have kept our promise and your council tax has been exactly the same now as it was 6 years ago, which is £1,102 per year on a Band 'D' property (most of us live in Band 'D' properties).

Council tax is perhaps the only big item you have to pay that has stayed the same over the last 6 years, when all other prices have increased including rents, property prices, energy costs, fares, food and so on. We are proud of keeping council tax affordable for you through difficult times, especially when the Conservative Government have hit us so hard. Between 2010 and 2015, they slashed the funding Merton gets from central Government, forcing us to make cuts of £75 million. This really matters because most money spent locally – for rubbish collection, street sweeping, schools, looking after the elderly, child protection, roads and libraries – comes from central Government, with only a fraction coming from the Council Tax.

We've managed to keep freezing Council Tax every year by being business-like in the way we operate, something we promised in 2010. We have burnt the midnight oil and looked at every penny we spend and worked out how we could save money. But, things are getting much worse. The new Conservative Government, elected in 2015 and now led by Prime Minister Theresa May, has told us we will have to make a further £35 million cuts by 2020. That will mean £110m in cuts since 2010 – or £1,375 for each home. It's a big problem.

A further £35 million of cuts will have a big impact on local services but we are also worried if we raise council tax it will become unaffordable for many. Different groups are urging us to increase the council tax from between 1.99% to 3.99% per year.

Some say the easy option is to raise council tax to fend off cuts to services, but even if it was increased by 2% it would only earn us another £1.5 million a year. And remember, the council has faced cuts of £110 million since 2010. Whatever happens, it is a fantasy to believe the council can eliminate all cuts by raising the council tax.

Many local families are struggling to get by -

- 1 in 3 local children are living in poverty and we have seen the number of children having free school meals increase by one-third.
- Local families who rent spend an average of £6 in every £10 they earn on housing, with only £4 left to cover food, bills, council tax, fares, school uniforms. Only a minority have had significant wage rises since 2010.
- Food banks have trebled and last Christmas many of us helped a local charity distribute food to 750 local families who could not get through the holidays without help.

One consequence of putting up the council tax is that when people can't afford to pay, they can get pushed into debt and have to face the courts. Families and the local community suffer and, often, council tax receipts actually go down. It becomes a lose-lose situation.

We are therefore strongly minded not to increase your council tax for the next two years, especially whilst Brexit is being negotiated. We think its best we wait until the UK gets through these difficult negotiations. None of us have a crystal ball but there is always the potential that the UK could go into recession next year as we work out the exit from the EU. We think it's important not to pile on additional pressures here in Merton.

We are writing to you to see if we are on the right track. What do you think? Please answer our consultation by letting us know whether we are right to continue freezing your council tax.

If there is anything you want to discuss in this letter or want to talk about anything locally please pop in to see us. We will be at St. George's Church on Central Road in Morden on the 3rd Thursday of the month from 6pm – so this month that is Thursday 20th October.

Yours Sincerely,

Stephen Alambritis

Cllr Stephen Alambritis – Leader of Merton Council

Jerome Neil

Dennis Pearce

Cllr Imran Uddin **Cllr Jerome Neil** **Cllr Dennis Pearce**

Printed and promoted by Billy Christie on behalf of Merton Labour councillors, all at 1 Crown Rd, Morden, SM4 5DD.

URGENT: Have Your Say – Council Tax

This is an important consultation on council tax on behalf of your local councillors.

Merton Council has kept its promise to freeze council tax since 2010, meaning you pay the same amount in Council Tax today as you did six years ago. But we want to find out if you agree with this promise, and make sure that you also understand that if we keep council tax frozen, this will mean we have to make some very difficult decisions for this community.

Council tax effects every household in our community, so please complete this form today and pop in the post (no stamp needed). Simply fold on the lines shown.

1. Council Tax 2017/18 and 2018/19

Merton has frozen its council tax since 2010, but many other councils are raising theirs. Do you think an increase in your council tax is the best choice for Merton?

☐ **YES** to an increase in my council tax

☐ **NO** to an increase in my council tax

2. What is the best choice for Merton's overall council tax?

☐ **NO** to an increase in my council tax, keep it at the same level it is now

☐ **YES** to an increase of 1.99% of in my council tax
(this would be an extra £44.31 over the next two years on a Band D property)

☐ **YES** to an increase of 2% of in my council tax (to be spent on Adult Social Care only)
(this would be an extra £44.53 over the next two years on a Band D property)

☐ **YES** to an increase of 3.99% of in my council tax
(this would be an extra £89.71 over the next two years on a Band D property)

3. If you voted YES you must answer this question:

☐ I understand that even if Merton votes for an increase in council tax councillors will still need to make further cuts of at least £16 million to balance the books. Please tick here to confirm your understanding.

Your details:

For your voice to be heard you **MUST** complete this section. Responses without the following details will not be able to be included:

Name:_____

Address:_____

_____ Postcode:_____

c) Third fold back on this line and tuck in flap

BUSINESS REPLY SERVICE
Licence No. SEA 8368

2

Council Tax and Council Spending Consultation,
Consultation Team,
7th Floor
Civic Centre,
London Road,
Morden,
SM4 5DX.

a) First fold back on this line

b) Second fold back on this line

Cllr Jeff Hanna

Labour, Pollards Hill Ward
Merton Civic Centre
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SM4 5DX

jeff.hanna@merton.gov.uk
07974 918101

Paul Evans
Monitoring Officer
London Borough of Merton

26 October 2016

Dear Paul,

COUNCIL TAX CONSULTATION

Further to my letter to Ged dated 20 October, which you are kindly handling, I have learned that there have been other complaints received by the council regarding Cllr Alambritis' letter. I also understand that Ged has responded to some of these, stating that the use of the council's Consultation Team address was accidental, that none of the bogus forms would be included in the council count, and that these forms would be returned to Mitcham and Morden Labour Party. I am also informed that the letter continued to be circulated door to door over the weekend of 22/23 October. Under these circumstances various additional questions need to be addressed.

i. From whom did Ged receive the 'information' that the use of the council address was accidental, when, and what record is there of this?

ii. If this conversation was not with Cllr Alambritis, has Cllr Alambritis been alerted to the concern and asked to stop circulating the form, if not the letter, and if so when, and what record is there of this?

iii. In exactly which wards have equivalent letters and forms to those in St Helier been distributed, and when?

iv. Which councillors have been co-signatories to these letters?

v. Why has Ged taken the explanation of the address being used as accidental at face value, and passed this on as fact, when the evidence of the retyped and repositioned address, new reply service, and different 2nd class image without the bars, taken together clearly evidence that time was taken deliberately fabricating this address form to make it appear to be an official form?

vi. Why has Ged undertaken to return the forms to Mitcham and Morden Labour Party, when there is nothing, other than an address in the imprint, to link the letter to that party?

vii. Why has Ged undertaken to give to anyone outside of the council, forms which residents have completed with their personal details, believing they were submitting them to the council, and not to any other organisation?

viii. What do the relevant regulations say about :

- the protection of residents' personal information
- the absence of an imprint on the form
- the deliberate fabrication of a council document with the intent to deceive?

In setting out these further questions, I would add to the issue as to whether there has been a breach of the Code of Conduct, the further issue as to whether Cllr Alambritis has so compromised the consultation and his own commitment to do as residents ask through the consultation that he cannot now be seen to act objectively in relation to the level of council tax in Merton.

Cllr Alambritis made it clear to me prior to the March Budget Council meeting that his main concern was his fear that Labour will be punished in the 2018 council elections if we break the 2014 manifesto pledge not to increase council tax. I note that in his St Helier letter Cllr Alambritis states that he is "strongly minded not to increase" council tax. That in itself suggests that he has made his mind up prior to the outcome of the consultation and prior to the various officer reports which inform the budget process, no doubt with the 2018 elections still foremost in his thinking. The fact that he has deliberately sought to deceive residents into submitting responses to the consultation using a set of questions designed to dissuade them from supporting an increase demonstrates the single mindedness of his intentions. He can no longer pretend to be undecided on this issue pending relevant reports, or to be putting the securing of "better social, economic and environmental outcomes for all" as his prime aim, and should not be leading the deliberations.

With regard to the Code of Conduct, Cllr Alambritis' actions would already appear to be in breach of 1.2, in relation to representing the community and not his own political interests, and in relation to working "constructively with…" , where he has damaged working relationships with both officers and Merton's voluntary organisations, and in that he no longer appears to have the stated outcomes as his personal aims; 1.3, in damaging public confidence in the authority; and 3.1 in compromising the council procedures in relation to the consultation, and in misusing the Authority' resources, in taking up officer time handling responses to a party political letter and bogus form. Subject to the outcome of further investigations, it may be that other of the commitments have also been breached.

Yours sincerely,

Jeff Hanna
Labour Councillor, Pollards Hill Ward