TAP

In Scotland the struggle against the proposed privatisation of water has commenced with years to go before the planned sell

Feelings are running high with a Glasgow Herald poll finding 87% against privatisation and only 4% in favour. Even among the few Tory voters 77% were against and only 9% in favour. On November 21 there will be a Hands Off our Water demonstration in Glasgow.

The campaign is not going to be one just of protest, but of resistance. with the experience, and networks formed in the struggle against the Poll Tax setting the pace. As an editorial in the Edinburgh Central Times puts it, 'A culture of resistance to legislation and a community basis for non-payment is already in existence thanks to the Anti-Poll Tax campaigns. And the Tap Tax can expect an even stronger grass roots rejection . . . The effective resistance to the Tap Tax will not come from the Labour Party, the Liberals or even Militant. but from the people themselves.

A leaflet from Stockbridge Newtown Solidarity Network in Edinburgh calls for resistance through: '• campaigning against implementation to scare off investors • collective non-payment of water bills • physically preventing the installation of meters just as we stopped the sheriff officers over the poll tax but this time with buckets, hoses and snowballs . Mass turn on campaigns to run the profiteering companies dry of their assets • joining together and stopping water disconnection by force of numbers.'

APT, Solidarity and other community groups are fighting to ensure that the struggle is kept firmly in the hands of the community. While the Labour party calls for the struggle to strangle itself by remaining within the law, Labour controlled councils are fitting water meters to new buildings, and allowing their staff's pension funds to be invested in privatised water below the border.

Ammunition for the struggle comes from the experience of privatisation south of the border. Since privatisation in 1989 disconnections have reached 21,200, an increase of 174%, charges have gone up massively - an average of 23% in real terms (on top of inflation), and meters introduced in some areas, further increasing costs and forcing people to cut back. The cost of installing a meter is £100-200, plus £20-30 a year for readings and servicing, which we end up paying. Disconnection and reduced usage of water threaten to bring back the Victorian Values of disease, lice etc. and cause a dangerous build up of lead in the water.

Meanwhile, the water barons have given themselves massive salary increases and shares. The Welsh water boss, John Elfred Jones, got away with a pay increase of 211% to £143,000. Shareholders dividends have increased 11% above inflation.

For the poor it means worrying about flushing the toilet, washing, or even offering a visitor a glass of water or helping out a disconnected neighbour.

While in Scotland they are preparing themselves well in advance, south of the border water has already been sold off.

In Birmingham, where you are 379 times as likely to be cut off than in London, one tower block had 1 in 7 flats without water and as the caretaker said, 'quite a stink'. Thames Water said the reason for the great difference in cut off rates was that 'we are being too soft', but would be getting more heavy. Ofwat (set up to monitor the water companies) blame changes in benefit payments and the fact that the amount on income support meant to cover water and poll tax bills is inadequate, with an average shortfall of £1.78 a week.

But meters are being introduced and should be the subject of resistance here as well. Thames Water plan currently to install them in all homes connected since 1/10/89.

In Carshalton, Surrey, resistance has begun, with residents blocking access roads to estates, parking cars over stopcock covers or sealing them with cement, to stop the installation of meters. The water suppliers consulted people, most of whom were against meters, but Thames Water, who are responsible for the drains and sewage, are determined to install meters for their charges. The residents say "Stop the meters - we want to wash'

In Wales there is an undeclared non-payment campaign, with activists giving advice and support and trying to build up resistance. Welsh Water has summonsed 50,000 non-payers this year, out of 700,000 homes supplied, and cases are being heard in county courts, allowing more scope for clogging up than with poll tax cases. £56,000 was given to Exeter University psychologists to work out that nonpayment was due to poverty! £12 million is outstanding, though Welsh Water managed to screw a profit of £138 million last year. Bills in Wales are among the highest (with the government allowing rises of 6.5% a year above inflation) while average incomes are only 84% of those in England, leading to 3,000 disconnections.

There has been long standing anger and resistance in Wales against the flooding of valleys to supply water at a cheaper rate to England than Wales, a grievance exacerbated by the fact that now it is also massive profits being pumped through to rip-off merchants. The struggle has also included trying to stop massive pollution by Welsh Water, with some success in the Wrecsam area.

FIGHT THE POLL TAX? AFTER LONDON

On March 31st 1993 the Poll Tax will end. Of course the struggle will continue, with councils continuing to hound and jail non-payers, with the Poll Tax Mark II in the form of the Council Tax (or Con Tax), with the continuation of attacks on local services, and the many other struggles of our communities.

LFPT has been in existence for nearly two years, when LFPT started back in December 1990 the newsletter was just a part of the organisation. There were other groups: bailiffs, courts, workplace and direct action. However as time went on and people dropped out, we were just left with the newsletter group functioning - with the same people doing all the production and distribution work for the last two years.

If for no other reason than we (the workforce) need a break, the movement in London needs to work out where it is going and what it needs. and can contribute in terms of regional co-ordination, a newsletter etc. Hopefully over the coming months we will be able to help and inform this debate.

As for the newsletter, the choices basically seem to come down to continuing a specifically APT bulletin, which will become almost entirely legal info. including the Council Tax - and that depends on a strong enough movement: or a bulletin of Community Action Groups, the role of which

would be unclear, but which would include Poll Tax and Council Tax. Whatever happens, it will depend on more people being prepared to do the work.

We invite your comments on the above - if enough comments etc. are forthcoming we will organise a London-wide open meeting on the Council Tax and where do we go from here.

On the local level some APT groups have debated their future.

Some have already turned themselves into local Solidarity or Community Action Groups, continuing anti-Poll Tax work as well as other community struggles. In North Wales APT groups have formed into Clwyd Welsh Resistance, an umbrella of local community struggles. In Scotland, APT. Solidarity and other groups have initiated an All Scotland Autonomous Assembly to discuss, co-ordinate and encourage grass roots resistance.

For other groups, moving away from concentrating on the Poll Tax is seen as threatening to take away necessary energy from Poll Tax work. and of destroying the great political diversity built through the struggle. Some attempts to set up Solidarity Groups have been on a basis that if you're not an anarchist you're not wanted. Other political groups would no doubt seek to impose their own control to further their party/sect's aims and to claim the community mandate as their own.

LONDON

December 1992

Fight the Poll Tax! 1550e



NO TIME LIMITS

The judicial review of Paul Mould's jailing for 30 days for nonpayment by Wolverhampton magistrates was heard on November 4 in the Divisional Court before Lord Justice Kennedy and Mr. Justice Waterhouse.

This case was important for the APT movement as it was submitted that a summons for committal could not be issued more than six months after the issuing of the liability order (sec 127 Magistrates Court Act 1980). The court did not accept this.

They did however quash Paul Mould's committal because he had been refused a McKenzie.

The legal argument over whether sec 127 applied or not centred on whether the committal summons was issued by way of a complaint or an application. Where a summons is issued by way of a complaint sec 127 applies, where it is issued by way of an application it does not. The court decided that the summons was issued by way of an application.

In his judgment Lord Justice Kennedy said: ... 'The first thing to be noted in my judgment, is that this Regulation [41 of the Community Charge (Administration & Enforcement) Regs 1990] unlike Regulation 29 and Regulation 40. does not say that the charging authority has to make its application by means of a complaint. If it did so specify it might well go on specifically to exclude Section 127, as is done in Regulation 29. because otherwise although, as I have pointed out, distress can be levied two or more years after the sum becomes due, if it were to be levied late a charging authority would be deprived of the possibility of using the sanction of imprisonment, which is clearly intended to be relied upon if distress is ineffective.

'We have been shown a form of the type used By Wolverhampton Metropolitan Borough Council when resorting to Regulation 41. It is not on the face of it a complaint form ... that of course is not in any way conclusive, and it appears from the decided cases such as R v Poole Mugistrates Court ex parte Benham ... that other charging authorities have invoked Regulation 41 by means of a complaint.

... 'Regulation 42(3) provides "Where an application under Regulation 41 has been made but no warrant is issued or term of imprisonment fixed. the application may be renewed ... on the ground that the circumstances of the debtor has changed."

'Once again it is noteworthy there is no use of the word Complaint, with which the draughtsmen of these Regulations were perfectly familiar. The next point is that this Regulation envisages the debtor being brought back before the Magistrate because his circumstances have changed. In the context of these Regulations it would be odd if a debtor against whom a liability order had been made and who had been distrained against without success, but who them became able to pay, could pray in aid the brief limitation period set out in Section 127.

... 'What is clear ... is that nothing in Regulation 41 identifies any point from which time might run, and some if not all of the possibilities make the enforcement scheme more or less unworkable.

... 'Lack of certainty as to the commencement date must, ... militate in favour of there being no fixed time limit applicable to Regulation 41. This does not of course mean that proceedings under Regulation 41 can be brought at any time. If there has been a prolonged unexplained delay between the attempt to levy distress and the attempt to make use of Regulation 41 a Court might find the attempt to make use of Regulation 41 amounted to an abuse of process.

... 'I accept, the normal procedure envisaged by Regulation 41 is an application, to which Section 127 does not apply. I find that in the present case Regulation 41 was invoked without a complaint, so that Section 127 was not applicable, and the application to invoke Regulation 41 was not time barred.'

The conclusion of the 26 page judgment is: 'My conclusion therefore, is that the Magistrate erred in refusing the applicant the assistance of a friend. He was entitled to hear the application on 25th March 1992 because it was not time barred, and so far as I can ascertain he heard it properly. However, I am not satisfied that he gave proper consideration to the debtors age [20], and his order might have been different if he had the benefit of such submissions as the debtor would have been able to make if he had the assistance of a friend. Accordingly I would quash the order which was made on 25th March 1992 and send the matter back to the magistrate for rehearing. As to the Magistrate's refusal to state a case, I would make no order. In my judgment no question of damages can

FIGHTING THE CUTS

As councils desperately try to balance their books in line with central government attacks and in preparation for the chaos of the Council Tax, and with the threat to impose a pay freeze on public sector workers, council worker's struggles are increasing. On November 4. a NALGO day of action brought workers from three more boroughs out on strike for the day, to march with those already on strike and representatives from other NALGO branches throughout London. On the same day Lambeth Council payroll workers started a strike against racist management practices.

Strikers have been coming under increasing attack from councils, in particular those controlled by Labour. In Islington, all strikers were sent letters, by courier, threatening to terminate their contracts and re-engage them on worse terms. This resulted in only 34 of the 750 strikers going to management's welcome back parties, and the branch is balloting to bring out another 250. The council also threatened to go to court to use Tory anti-union laws against the pickets, claiming violence and intimidation (when in fact it's the scab agency staff who've been threatening pickets) but seem to have backed down.

In Newham, where the council tried to use anti-union legislation against strikers, workers returned to their strike on November 2. Two days before, the head of Newham Council, trying to sack staff, dared to turn up and speak at a rally against job and benefit cuts, to the anger of council and (Continued overleaf) other local workers.

MONTHLY MEETING

to publicise, discuss and co-ordinate the London APT struggle

at 7.00pm Sunday 6th December

At Fareshares Food Co-op, 56a Crampton St., Pullens Estate (off Walworth Rd.), SE17.

Elephant & Castle tube/BR All APTUs are positively encouraged to turn up.

FIGHTING THE CUTS CONT.

VICTORIES

Camden playworkers recently ended their strike, having made some gains, and having forced the council to give in to two other groups of workers, one only threatening to strike and the others after a two week unofficial stoppage, to avoid having too many sections out at once.

In Westminster, the council dropped a cuts package at a threat of a strike, but are stepping up plans for privatisation, or 'externalising' as they call it.

In Islington, the determined stand by the strikers has led most of the candidates for council leader (now that Hodge has gone to Price Waterhouse) to offer at least to negotiate, with some stating that there should be no compulsory redundancies.

ORGANISE A MAJOR STRIKE?

Unlike the recent miners' demos, the NALGO demo had a remarkable lack of non-NALGO presence, especially considering it was meant to be against cuts. There was a NUM branch banner and a couple of others, but a distinct lack of community groups. The speeches also were NALGO-centric, aimed at the union leadership, or at best about joining up with hospital workers and miners, aimed at the TUC (who the previous day complained that a pay freeze *only* on public sector workers would be unfair!) - this bunch couldn't even be asked to call a cab, they'd make sure it had no wheels. The Poll Tax was mentioned once (but only as in 'rate and poll tax capping') and our communities were referred to only as service users who NALGO are defending.

COMMUNITY RESISTANCE

The defence of our services needs to be based firmly in our communities. Council workers' struggles are an important part (as in the defence of the conditions of all, waged and unwaged) of the struggle, but no guarantee for communities. While one attack by Islington council, the threat to close three libraries, was defeated by the community and workers together, NALGO seem willing to accept the promise of redeployment (from closed services to existing vacancies) as a victory. While some Islington workers are out on strike, their colleagues are in court trying to jail non-payers.

The government is not only destroying local councils, but using them to destroy our lives and communities. Its attacks are not just about quantities of jobs and services, but about the relationship between our communities and those services. To fight the cuts we need to develop new relationships, new forms of democracy and participation to ensure that we get what we need, not what we can individually afford, and not what happens to come out of negotiations between union leaders and management.

HELP US!

This newsletter is produced by a number of APTUs and individuals who consider that the provision of information is central to the success of our struggle. The only way we can put the information out is if you supply it. So, please, send all your news to us. It costs us £35 a month to produce and mailout this newsletter.

Contact London Fight The Poll Tax,

c/o BM CRL, London WC1N 3XX

Or phone John on 081-692 9181 weekday a.m. and week-ends.

It is better to phone rather than write.

INFO FUND: In our mailings we include leaflets etc. produced by other organisations. LFPT does not necessarily agree with their contents.

If your organisation would like something included in the mailing, which goes to about 200 Anti Poll Tax groups in London and the regional APT contacts around Wales, Scotland and England, contact LFPT by the second Sunday in the month; the mailing is done on the Monday after the third Sunday.

For Anti Poll Tax groups there is no charge. For other groups there is a charge based on a percentage of the mailout costs - the actual cost will depend on both the weight of the material and how many groups are putting stuff in. Groups are asked to provide people to help out with the mailout.

Racist, sexist, homophobic material will not be allowed. Likewise material produced by political parties or sects will not be allowed.

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LAMBETH NEWS

After two and a half years the Council is still owed over £53 million in unpaid Poll Tax. Out of a total of over 60,000 liability orders altogether, only 8449 had been handed on to the bailiffs.

In cases where bailiffs fail to extract the money, the Council intends to refer such cases to a special Rates Arrears Committee - made up of councillors - to discuss whether the bailiffs should try and get the person's property through another visit - or again try to come to some arrangement to pay with the person concerned, or even reduce the debt.

Liability order hearings which were stopped on June 25 as a result of the ICL COMCIS software producing dodgy summonses recommenced on November 12.

The Council is to employ a firm of telephone canvassers to trace the phone numbers of non-payers and then ring them up demanding money.

Only 2% have bothered to return forms asking for details of their employers. There have only been 12 deductions from wages. Wage deductions are about 12% of take-home pay.

There has only 250 benefit deductions.

Lambeth Against the Poll Tax.

HARINGEY NEWS

Haringey have ditched CAPITA the so-called management consultants who harass non-payers by phone. They made 38.000 calls to virtually no effect.

The council has started to use Result PLC to send out nasty letters.

The council has started to send out Poll Tax registration forms. It looks like this is a dirty trick to get their records up to for the Council Tax. Under Council Tax there is no registration procedure and of course, in theory!, there are penalties for not filling in Poll Tax registration forms.

There is a threat that cars of non-payers may soon be clamped.

Tottenham S.G. is planning to produce a newsletter covering Poll Tax as well as other issues to be delivered door to door.

LEWISHAM

Lewisham are planning to employ a tracing agency to find peoples' workplaces so that they can sting them with a wage attachment order.

BRISTOL PAYS COSTS

Three deputations from Bristol APT to the full council meeting has succeeded in ensuring that those who come to court to challenge Bristol City Council of their error do not have to pay costs in the error is the council's

JAILED FOR NON-PAYMENT

- Frank Wylie. HMP Hull. Hendon Road. Hull HU9 5LS
- · Sharon Varley, Risley Remand Centre, Warrington, Cheshire.

HOUNSLOW CUTS

The Labour council has agreed a £14 million cuts pakage. 200 people are to made redundant. Social Services have been particularly badly hit. NALGO is to ballot on a five day strike.

LAMBETH STRIKE

Over 50 workers in Lambeth's payroll department are on indefinate strike demanding equal pay for equal work. Four workers doing the same job as the strikers were recently regraded in a deal which management tried to keep secret. The four are white in a department that is 75% black.

Socialist Worker November 14

LONDON APT CONTACT NUMBERS

These are public hotline/contact numbers for most London boroughs. Some boroughs are not listed, because we have not been informed of their hotline number.

• Brent 071-624 1931 • Bromley 081-650 6715 • Camden 071-431 2760, 071-267 8725, 071-372 6063 • Croydon 081-653 9622 • Ealing 081-840 3445/2351 • Enfield 081-807 5239 • Hackney 081-533 3311 • Hammersmith & Fulham 071-731 1494 • Haringey 081-341 3372, 081-802 9804, 081-348 5399 • Harrow 081-422 3514 • Hillingdon 0923-827062 • Islington 071-704 8676 • Kensington & Chelsea 071-727 8763 • Lambeth 081-671 5318, 071-735 0024 • Lewisham 081-692 4219 • Merton 081-542 0836 • Newham 081-519 1474 • Redbridge 081-518 1987 • Richmond 081-948 6067 • Southwark 071-231 6963 • Sutton 081-640 4346 • Tower Hamlets 081-969 9855 • Waltham Forest 081-527 2187 • Wandsworth 081-672 9698

BAILIFF NEWS

ISLINGTON

Islington are using Drakes to both clamp and tow away cars of non-payers. According to one of their bailiffs, Drakes are getting the car details from the DLVC in Swansea. They are doing an area of the borough at a time. Drakes, Drakes House, 432-434 Kingsland Road, London É8 4AA. Phone: 071-275 7313, Fax: 071-275 7170, DX: 57454 FINSBURY PARK. One of their bailiffs is an N. Walsh who has mobile phone: 0831-486079. They also have an office on the south coast: Drakes House, 40 Church Road, Hove, East Sussex BN3 2FN. Phone 0273-773865, Fax: 0273-206037, DX: 59295.

Drakes also own R. D. Harris & Co. who call themselves vehicle and furniture removers to Magistrates courts, county courts and bailiffs. They send out their own nasty letters (at least for court work) saying they will turn up with a bailiff and porter from Drakes to remove goods. They are based at Suite 525, 29/30 Warwick Street, London W1R 5RD.

LAMBETH

Bailiffs acting for Lambeth Council have succeeded in collecting only 1.4% of the money owed by the Poll Tax non-payers they are now chasing up.

Lambeth's officials are claiming that bailiffs have stuck rigidly to the Council's Code of Practice - but we have already received three serious complaints, which we have taken up with Council. In one case bailiffs tried to charge someone £65 for a van they claimed they had to hire - to take that person's furniture away!

In another case a woman refused to let the bailiffs in, so they said they would get the police.

In a third case, a pensioner was so worried by a bailiff's threatening letter that she telephoned them, and was told to bring £1.000 in cash to their offices or they'd be round to get her furniture.

Not one stick of furniture has been taken from anyone.

Lambeth Against the Poll Tax

J&P PICKET

A dozen anti-Poll Tax campaigners mainly from Camden, picketed Jefferies and Pennicott's registered office at 91 Gower Street. London WC1 between 12 noon and 2pm on November 12.

The office is actually that of J&P's accountants Crouch, Bright, King & Co.. The accountants were less than happy with their doorbell being constantly rung and called the law. The two cops who turned up in response to this emergency call left after asking the demonstrators not to stand on the accountants' doorstep.

Meanwhile. Camden's former Poll Tax recovery officer. Trevor Broadbent, who was no doubt responsible for Camden employing J & P in the first place. has got a new job as J&P's customer liaison officer.

Broadbent is threatening to sue the Camden and St. Pancras Chronicle for revealing this matter or public interest.

· Camden have stopped using Crichtons

COUNCIL TAX GUIDE

Councils have started sending out leaflets explaining how the Council Tax works
- some like that produced by Islington aren't worth the paper they're printed on,
others like that produced by Lewisham are a mine of information. So for those
who don't happen to live in Lewisham we've extracted some of the main points
from Lewisham's leaflet.

The first thing to note is that there is a hierarchy of those who are liable to pay. The first in the list is a resident with a freehold/leasehold interest in all or part of the nome: followed a resident who is a statutory or secure tenant: then a resident who is a licensee: then a resident with no legal interest: then a non-resident home owner. To give an example on how this would work in practice: Mr A, Ms B and Mr C share a home. Mr A is the freeholder, Ms B is a resident with no legal interest and Mr C is a secure tenant. As Mr A is the freeholder he would have to pay the bill.

But if Mr A moved away, then responsibility for the whole bill would transfer to Mr C (the secure tenant). If he moved out then Ms B (no legal interest) would have to pay. But if she moved out, the responsibility to pay would revert to Mr A even though he no longer lived there.

There are some cases where the owner has to pay (and in relevant cases collect the money through the rent - in this case it looks a student would not get a rebate and so would have to pay the Council Tax): a shared house or flat, a hostel, a residential care nome, accommodation for domestic staff, a place where a minister of religion lives and works, a religious community.

A students hall of residence and a home wholly occupied by students and used

COMMITTAL NEWS

HARINGEY

Haringey magistrates' jailed Shevket Izzet, from Wood Green. for 45 days on October 21. He owed £1.163 for three years worth of Poll Tax. He offered to pay it off at £100 a month; he had taken £100 to the court. The magistrate though refused to accept this offer. His family paid on his behalf before he was taken off to jail.

Council bailiffs are calling on people who don't turn up to their committals telling them to go to court next time as the council wants to help them. This line of lying is what persuaded Shevket Izzet to go to court.

LEWISHAM

10 people were summonsed for committals recently, unfortunately none of them got in touch with the campaign. Two were given 'suspended' sentences. Rumour has it that the ruling Labour group is divided over committals and hence there may not be any more. The campaign isn't leaving anything to chance and has produced 500 anti-jailing posters.

ISLINGTON

On October 28. Pheobe Watkins had her committal adjourned at Highbury magistrates on the condition that she paid £50 a month.

On October 9, Pheobe won her judicial review over being refused a McKenzie. In this case, the public had been refused entry to the court so that the McKenzie could not go in.

CAMDEN

Camden's first committal hearings were heard on November 10 before stipendiary magistrate Dawson at Highbury magistrates.

26 people were summonsed. 3 had their cases adjourned at Camden's request, 14 didn't turn up and had arrest warrants issued against them backed with £150 bail. 3 people had written in saying they were ill and had their cases adjourned.

Of the six who were present, two were given 30 days 'suspended' and ordered to pay off the debt in instalments. Of these one person was on the dole and the other worked freelance two days a week and probably would be eligible for benefits but he doesn't want to claim. Both were found guilty of culpable neglect.

Four had their cases adjourned and given time to pay. One person had never received a bill but she paid what she thought was the correct rebated amount but which turned out to be £17 too little. The others had debt problems and were advised to see a debt counsellor.

TRAFAGAR SQUARE

Tony Lawrence was remanded in custody by Bow Street magistrates on October 23. He had been living in France after March 1990. He returned from France and gave himself up to the police. He apparently had never heard of the TSDC, but saw an Anti-Poll Tax poster in Haringey and got in touch with the Hornsea and Wood Green Solidarity Group.

solely as a term time residence is exempt from the council tax. There are 12 categories of unoccupied property which are also exempt.

If a property has special facilities to meet the needs of a physically disabled resident, an application can be made to have the property to put in the property band one lower than it was originally valued.

If you live on your own, you will be get a 25% discount off your council tax bill. However, you could still get a discount even if you don't live alone. Some people, because of their special circumstances, will not be counted when it comes to working out discounts. So if you share your home and all but one of those you share with come into one of the following categories, you will still get the 25% discountipeople in jail, severely mentally impaired, full time students, hospital patients, residents in homes (but not staff), care workers who meet certain conditions, residents of hostels, night shelters and other special types of accommodation, members of international and defence organisations (HQ staff) such as the UN and NATO, members of a religious community, school leavers, the concession stops on the 31st October of the relevant year. If everybody you share with comes into the above categories you will get a 50% discount.

There is a second type of rebate where there are other adults living with you and are lower in the paying hierarchy and also are not your partner or lodger. So if you share your home with people who all fall into the following categories you will still get a discount: - those on Income Support - you will get a 25% discount; second adult/s income or combined income of less than £100 a week - you will get a 15% discount; second adult/s income or combined income of less than £130 a week - you will get a 7.5% discount.