

# COUNCIL

Monday, 18 March 2019

Present: The Civic Mayor (Councillor Geoffrey Watt) in the Chair  
Deputy Civic Mayor (Councillor Tony Smith)

|             |                 |              |               |
|-------------|-----------------|--------------|---------------|
| Councillors | RL Abbey        | S Foulkes    | B Mooney      |
|             | T Anderson      | S Frost      | C Muspratt    |
|             | B Berry         | A Gardner    | T Norbury     |
|             | J Bird          | P Gilchrist  | C Povall      |
|             | C Blakeley      | JE Green     | L Rennie      |
|             | A Brame         | EA Grey      | J Robinson    |
|             | P Brightmore    | P Hackett    | L Rowlands    |
|             | D Burgess-Joyce | P Hayes      | C Spriggs     |
|             | K Cannon        | AER Jones    | J Stapleton   |
|             | C Carubia       | C Jones      | P Stuart      |
|             | P Cleary        | T Jones      | A Sykes       |
|             | W Clements      | M Jordan     | T Usher       |
|             | T Cottier       | S Kelly      | J Walsh       |
|             | T Cox           | B Kenny      | S Whittingham |
|             | A Davies        | A Leech      | I Williams    |
|             | G Davies        | I Lewis      | KJ Williams   |
|             | P Davies        | C Meaden     | S Williams    |
|             | P Doughty       | M McLaughlin | J Williamson  |
|             | D Elderton      | J McManus    | G Wood        |
|             | G Ellis         | D Mitchell   |               |

Apologies Councillors WJ Davies S Jones  
A Hodson M Sullivan  
K Hodson

## 103 MINUTE'S SILENCE

The Civic Mayor referred to the recent terrorist attack in Christchurch, New Zealand, and the Council stood for a minute's silence in tribute to the memory of those who had lost their lives.

Prior to the meeting formally commencing and at the invitation of the Civic Mayor, Rev David Chester led the Council in prayer.

## 104 DECLARATIONS OF INTEREST

There were no declarations of interest.

105 **CIVIC MAYOR'S ANNOUNCEMENTS**

The Civic Mayor advised that he would apply the guillotine at 6pm.

The Civic Mayor informed Council that the current Standing Order 18 referred to the '...normal method of voting at meetings of the Council shall be by show of hands...' and that the Council therefore needed to determine if they wished to use the electronic voting system.

On a motion moved by Councillor Phil Davies and seconded by Councillor George Davies, it was –

**Resolved (unanimously) – That the electronic voting system be used for all votes at this meeting.**

106 **ENVIRONMENTAL ENFORCEMENT CONTRACT**

The Civic Mayor introduced the item on the Environmental Enforcement Contract for which two motions and one amendment had been submitted. He suggested that the Council debate both motions as one and on a motion moved by Councillor Phil Davies and seconded by Councillor George Davies, it was –

**Resolved – That in accordance with Standing Order 12(2) both motions be debated in one debate with separate votes on each.**

Councillor Allan Brame moved and Councillor Dave Mitchell seconded the following Motion (Motion "1") submitted in accordance with Standing Order 7 -

"Council notes that a Motion for the requisitioned Council, calling for the end of the contract with Kingdom Services Ltd, was submitted by the Liberal Democrat Group in the following terms...:

Council is aware of:

- (i) the mounting public concern at the heavy-handed implementation of the environmental enforcement contract by the Cabinet and some officers of Kingdom;
- (ii) the adverse publicity attracted by the imposition of seemingly unjustified FPNs on local businesses;
- (iii) the failure of the Cabinet and Kingdom to tackle dog fouling on the Borough's pavements;
- (iv) the minimal impact on littering in many parts of Wirral after more than three years of operation of this contract.

Council believes that:

- a) the financial incentives encourage Kingdom to focus on relatively trivial offences;
- b) the decision of the Cabinet to authorise a “zero tolerance” approach has led to the imposition of unjustified penalties;
- c) the reported harassment of residents who accidentally drop items is attracting adverse publicity and causing reputational damage to the Council.

The decision of the Cabinet Member to suspend the commercial waste element of the contract indicates that there are serious flaws in the way the contract has been drawn up and implemented.

This Council, therefore, believes that Cabinet should terminate all contracts with this company as soon as possible.

Accordingly, this Council meeting calls upon Cabinet to follow the example of many authorities, such as Liverpool City Council, to end the use of privatised law enforcement in Wirral.

Councillors were subsequently made aware of a decision by the Cabinet Member on 7<sup>th</sup> March 2019, reporting on the end of the contract by ‘mutual’ agreement.

Council recognises that:

- A. the insistence on a “zero tolerance” approach was misjudged, leading to a loss of public confidence in the approach to the enforcement of anti-littering measures;
- B. there is a need for the establishment of a replacement, better overseen and more effective service;
- C. the contracting out of this service is likely to lead to similar problems and that such operations are better delivered under Council control;
- D. any such service needs to operate in a manner that is understood and respected and, most importantly, secures public co-operation in the fight for a cleaner borough.

Accordingly, the Cabinet Member is requested to convene a meeting with the Party spokespersons to lay the foundations for a new approach to the

provision of the service that enables Wirral to move forward after recent events and criticism.”

Councillor Pat Cleary moved and Councillor Chris Carubia seconded the following Motion (Motion “2”) submitted in accordance with Standing Order 7 -

“Council notes:

- the stated aim of the Community Wealth Building initiative as outlined in the recent budget papers to *“make sure more public money is spent in Wirral, with Wirral companies, employing Wirral people”*
- that Kingdom Securities is a private company based outside Wirral
- that since Wirral’s enforcement contract began in 2015, the Council has paid Kingdom £1.25 million

Given the substantial drain of public funds from the Wirral economy, council therefore agrees that the use of Kingdom Securities by Wirral Council is incompatible with the stated aims of the Community Wealth Building initiative.”

Councillor Anita Leech moved and Councillor Phil Davies seconded an amendment to Motion “1” submitted in accordance with Standing Order 12 such that, after ‘Council recognises that:’

Replace paragraph A with the following:

“The ‘zero tolerance’ approach to littering and dog fouling was an appropriate response to the many complaints the Council received from members of the public about the poor condition of the Borough. Council is concerned that any move away from a zero-tolerance approach would send a dangerous signal that it is permissible to drop litter and allow dogs to foul as no consequences will ensue.”

Replace paragraph C with the following

“A range of possible models for a new service should be explored, based on evidence of good practice elsewhere. Key issues to consider include the need to strike a balance between education and enforcement and the financial implications of introducing a new model.”

Following the debate, the Mayor then moved to the voting on the amendment and each of the two Motions.

The amendment to Motion “1” moved by Councillor Anita Leech was put to the vote and carried (34:26) (One abstention).

The Motion moved by Councillor Allan Brame (Motion “1”) as amended was put to the vote and carried (32:27) (One abstention).

The Motion moved by Councillor Pat Cleary (Motion “2”) was put to the vote and lost (26:34) (One abstention).

It was therefore -

**Resolved (32:27) (One abstention) – That**

**Council notes that a Motion for the requisitioned Council, calling for the end of the contract with Kingdom Services Ltd, was submitted by the Liberal Democrat Group in the following terms...:**

**Council is aware of:**

- (i) the mounting public concern at the heavy-handed implementation of the environmental enforcement contract by the Cabinet and some officers of Kingdom;**
- (ii) the adverse publicity attracted by the imposition of seemingly unjustified FPNs on local businesses;**
- (iii) the failure of the Cabinet and Kingdom to tackle dog fouling on the Borough’s pavements;**
- (iv) the minimal impact on littering in many parts of Wirral after more than three years of operation of this contract.**

**Council believes that:**

- a) the financial incentives encourage Kingdom to focus on relatively trivial offences;**
- b) the decision of the Cabinet to authorise a “zero tolerance” approach has led to the imposition of unjustified penalties;**
- c) the reported harassment of residents who accidentally drop items is attracting adverse publicity and causing reputational damage to the Council.**

**The decision of the Cabinet Member to suspend the commercial waste element of the contract indicates that there are serious flaws in the way the contract has been drawn up and implemented.**

**This Council, therefore, believes that Cabinet should terminate all contracts with this company as soon as possible.**

**Accordingly, this Council meeting calls upon Cabinet to follow the example of many authorities, such as Liverpool City Council, to end the use of privatised law enforcement in Wirral.**

**Councillors were subsequently made aware of a decision by the Cabinet Member on 7<sup>th</sup> March 2019, reporting on the end of the contract by 'mutual' agreement.**

**Council recognises that:**

- A. the 'zero tolerance' approach to littering and dog fouling was an appropriate response to the many complaints the Council received from members of the public about the poor condition of the Borough. Council is concerned that any move away from a zero-tolerance approach would send a dangerous signal that it is permissible to drop litter and allow dogs to foul as no consequences will ensue;**
- B. there is a need for the establishment of a replacement, better overseen and more effective service;**
- C. a range of possible models for a new service should be explored, based on evidence of good practice elsewhere. Key issues to consider include the need to strike a balance between education and enforcement and the financial implications of introducing a new model**
- D. any such service needs to operate in a manner that is understood and respected and, most importantly, secures public co-operation in the fight for a cleaner borough.**

**Accordingly, the Cabinet Member is requested to convene a meeting with the Party spokespersons to lay the foundations for a new approach to the provision of the service that enables Wirral to move forward after recent events and criticism.**