

LEADER OF THE COUNCIL

Motion moved in accordance with Article 7.3 (iii) (d) of the Constitution

Proposed by Councillor Tom Harney (7 minutes)

Seconded by Councillor Dave Mitchell (3 minutes)

- (1)** Now that the Council has received the AKA Ltd Final Report Independent Review of Wirral Metropolitan Borough Council's Response to Claims Raised by Mr Martin Morton (and Others), we can all see the extent of the alleged mismanagement, incompetence, cover-up and negligence over a long period of time. These are extremely serious allegations relating to the care and safeguarding of some of the most vulnerable people in society. People to whom the Council owes a duty of care.
- (2)** Although the report documents the failure of Council Officers, Council believes that it is incumbent upon all Councillors to ask themselves whether they could have asked more, or different, questions and uncovered or prevented some of these failings at a much earlier stage. In view of the apparent scale of wrong-doing and the length of time over which this happened, Council believes the Leader of the Council should explain whether he knew what was going on, and if not, why not.
- (3)** Council believes that, despite all the advice and support available, the current Leader's approach has not been as inclusive as was promised. In practice, the Leader's approach has been to say publicly that he wants to work with all Parties, but then to carry on as before. Council is not convinced that the current Leader is committed to finding an all-party solution to the many questions raised in the Report. It is of considerable concern that this behaviour has contributed to the serious danger of collapse that this Council now finds itself in. It clearly isn't working and we need a fresh approach and a true commitment to put aside political differences and work together in an All-Party Cabinet to concentrate exclusively on putting right the many wrongs identified. Council believes that Councillor Foulkes is not the right person to lead such an All-Party approach.
- (4)** Therefore, Council resolves, in accordance with Article 7.3(iii) (d) of the Constitution, that Councillor Foulkes be removed from the Office of Leader of the Council with immediate effect.
- (5)** That Council elect a new Leader in accordance with Council Procedure Rule 5B.

Motion moved in accordance with Article 7.3 (iii) (d) of the Constitution

Proposed by Councillor Jeff Green (7 minutes)

Seconded by Councillor Lesley Rennie (3 minutes)

(1) Wirral Council is in crisis:

- We stand publicly accused of mismanagement, incompetence, negligence and cover up.
- We have been found guilty of failing to listen or believe Martin Morton and allowing him to be bullied, belittled, browbeaten and driven from a job he loved.
- We have shown ourselves to be incapable or unwilling to apply basic controls on the expenditure of Council Taxpayers money or of being able to provide protection from abuse, compassion & care to some of the most vulnerable members of our society and their families.
- Not one senior officer or politician has been held accountable by the Council for the failings identified in the AKA Limited report.

(2) Council believes the nature of the crisis the Council now finds itself in is so grave, the imminence of collapse so real, that all Members must come together, under fresh leadership, to work together on behalf of our residents & communities, as equals and in genuine partnership.

(3) Council resolves:

- (i).** That, In accordance with Article 7.3 (iii) (d) of the Constitution, Cllr Foulkes be removed from the office of Leader of the Council with immediate effect.
- (ii).** That Council elect a new Leader in accordance with Council Procedure Rule 5B

(4) The next Leader of the Council is recommended to:

- Establish an all party 'emergency Cabinet' of 4 Conservative, 4 Labour and 2 Liberal Democrat Members to be reviewed at Annual Council 2012.
- Provide opportunities for all Council Members to question and share any ideas or concerns they may have.
- Review current officer delegations to ensure openness, transparency and effective democratic oversight of decision making.

AMENDMENT TO CONSERVATIVE AND LIBERAL DEMOCRAT MOTIONS MOVED IN ACCORDANCE WITH ARTICLE 7.3 (iii) (d) OF THE COUNCIL'S CONSTITUTION

Proposed by Cllr Phil Davies (7 minutes)

Seconded by Cllr George Davies (3 minutes)

Delete all. Replace with:

This Council recognises the gravity of the contents of the AKA report and the importance of taking action to put right what is wrong and of learning the lessons from the past so events like these cannot occur again.

Council accepts that one of the issues raised as part of the Corporate Governance Review is that Wirral's intensely adversarial local politics in a frequently hung Council have not been helpful in creating a climate where problems can be raised and discussed at an early stage and dealt with by all parties in a constructive and co-operative manner before those problems become damaging and intractable.

Council believes that it was the expressed wish of all members to change this and move to a more constructive style of working, with opportunities for members of every party to find better ways of working together for the good of the people of Wirral.

Council therefore welcomes the setting up of the new all party Improvement Board, with an independent chair, under the auspices of the LGA, with representatives from the LGA, an external Chief Executive, the District Auditor and Anna Klonowski, the author of the AKA report in addition to the three party leaders.

Council further welcomes the fact that this board will draw on best practice to oversee the improvement of Wirral Council, and will closely monitor progress against the Action plan drawn up as a result of this comprehensive and damning report.

Council also recognises that both opposition Party Leaders were invited to participate in the Corporate Governance Committee, that all members were invited to contribute to the Key Lines of Enquiry decided on by the Corporate Governance Committee, that a seminar was organised for all members on the Corporate Governance Report, and that a Special Council has been called specifically to allow all members to debate the second AKA report.

In the light of the above, Council therefore expresses its very real disappointment that a report which should be used as a catalyst for creating positive change and building new ways of working together is instead being used once more as a weapon in a political battle, in a way which risks destabilising the Council and destroying the very opportunities for improvement which the authors of the motions say they want.

Council notes that these motions are being proposed just a week before Budget Cabinet, giving any new incoming administration little chance to set a well researched and responsible budget which takes into account the need to provide stability for the Council and to take it forward in line with the Draft Corporate Plan.

Council further notes that this is a classic case of the “abnormal being seen as normal” on Wirral because there are very few Councils which would even consider changing an administration this close to setting a budget, with only two months left to run until the local elections.

Council notes that in the period covered in this report there have been three different Council Leaders, two Chief Executives and three Directors of Social Services, and a variety of different political administrations ranging from majority control, to minority control to Liberal Democrat Coalitions with both Labour and Conservatives, all of which may have missed vital opportunities to intervene, or to ask the right questions, which could have prevented matters reaching this point. Council therefore believes that there is some collective responsibility for events, as well as individual accountability.

Council also recognises that a failure of officers to keep members sufficiently informed of key events, possibly because of fears engendered by Wirral’s style of politics, is a theme that runs through critical reports received by this Council.

Council therefore opposes the Motions of No Confidence and expresses its clear belief that the way forward lies in maintaining a stable administration, allowing all three parties to play a full part in the Improvement Board, and creating an environment that encourages members to work together for the good of the Council and of Wirral residents.

To that end, Council condemns the cynical move made by the Conservative Group to use these serious matters as an excuse to lure Liberal Democrats back into a de facto Coalition just before the elections by promising a three party Cabinet which they know cannot be delivered, and which can only leave the Conservatives and Liberal Democrats once more in alliance with each other, mirroring the situation of their national parties.

Right of Reply: Councillor T Harney (7 minutes)
Councillor J Green (7 minutes)