



## COUNCIL

**MEETING** : Thursday, 12th July 2018

**PRESENT** : Cllrs. J. Brown (Mayor), Hyman (Sheriff & Deputy Mayor), Watkins, Cook, Noakes, D. Norman, Organ, Pullen, Hilton, Gravells, Stephens, Lugg, Hanman, Morgan, Wilson, Bhaimia, Haigh, Williams, D. Brown, Dee, Taylor, Hansdot, Patel, Toleman, Hampson, H. Norman, Brooker, Coole, Fearn, Finnegan, Hawthorne, Melvin and Walford

**Others in Attendance**

Managing Director

Corporate Director, Service Transformation

Policy and Governance Manager

Head of Place

Head of Communities

Customer Service Transformation Manager

Democratic and Electoral Services Team Leader

**APOLOGIES** : Cllrs. Tracey, Brazil, Ryall and Smith

### 10. MINUTES

10.1 **RESOLVED:-** That the minutes of the meeting held on the 21<sup>st</sup> May 2018 be approved and signed as a correct record by the Mayor.

### 11. DECLARATIONS OF INTEREST

11.1 Councillor Fearn declared a personal interest in agenda item 12.2 and stated that she would take no part in the debate.

### 12. CALL OVER

12.1 The Mayor invited Members to indicate whether they wished to reserve agenda items 9, 10 and 11 for discussion. Members indicated that they wished to discuss all three items.

### 13. PUBLIC QUESTION TIME (15 MINUTES)

13.1 There were no public questions.

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**14. PETITIONS AND DEPUTATIONS (15 MINUTES)**

14.1 There were no petitions or deputations.

**15. ANNOUNCEMENTS (10 MINUTES)**

**The Mayor**

15.1 The Mayor informed Members of the sad news that former Leader of the Council and former Mayor and Sheriff, Mike Pullon had passed away and offered her condolences to his family.

15.2 The Mayor also informed Members that former Mayor and Sheriff Sue Blakeley had passed away and offered her condolences to her family. She noted that Sue Blakely was her ward councillor in Hucclecote and that she was delighted to see so many past and current Members at her Service of Remembrance.

15.3 The Mayor brought Gloucestershire Moves' initiative, Beat the Street, to Members' attention. She made Members aware that it was an opportunity to see how far residents could walk, run and cycle in the local area. She advised that she had been taking on the challenge and had received support from Councillor Cook along the way. She stated that she would complete the final seven stages with Councillor James and Councillor D. Brown. She invited Members to join her at the end of the course at 2.30pm on Wednesday 18<sup>th</sup> July at Longlevens library.

15.4 The Mayor congratulated Anne Brinkhoff, Corporate Director, on her having recently become a British Citizen. All Members also offered their congratulations.

15.5 The Mayor also made Members aware that this year's Civic Ball would be held on Saturday 18<sup>th</sup> May 2019 at Hatherley Manor and that further details would be made available closer to the event.

**Cabinet Member for Environment**

15.6 Councillor Cook, Cabinet Member for Environment, presented a statement regarding the current position on the Amey Street Care contract and advised that discussions were ongoing.

**Chair of the Overview and Scrutiny Committee**

15.7 Councillor Coole, Chair of the Overview and Scrutiny Committee informed Members that a Member Development Session facilitated by the Centre for Public Scrutiny and been well attended and that he hoped to present a plan for good scrutiny. He further advised that the Task and Finish Group on High Strength Alcohol had concluded its work and all its recommendations had been accepted by the Cabinet.

**Chair of the Audit and Governance Committee**

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15.8 Councillor Gravells, Chair of the Audit and Governance Committee, informed Members that he had requested an item on the Amey Street Care Contract to be discussed at the next meeting of the Committee in order to assist the Cabinet Member in his work.

**16. APPOINTMENT OF HONORARY RECORDER**

16.1 Councillor James, the Leader of the Council, moved the proposal contained within the report that Ian Lawrie QC be appointed Honorary Recorder. He outlined the position of Honorary Recorder and that it was a ceremonial office created to maintain and develop close links between councils and the judiciary. He also thanked the previous Honorary Recorder, Judge Jamie Tabor QC for his work and wished him well in his retirement.

16.2 Councillor Pullen stated that the Labour Group would support the proposal and he also thanked Judge Jamie Tabor QC for his work.

16.3 **RESOLVED that:-**

(1) Judge Ian Lawrie QC be appointed to the role of Honorary Recorder for Gloucester during his tenure as Resident Judge at Gloucester Crown Court following the retirement of Judge Jamie Tabor QC.

(2) The Council's thanks to Judge Jamie Tabor QC be placed on record.

16.4 Judge Ian Lawrie QC was invited to make a speech in his new role of Honorary Recorder. He thanked Members for their unanimous approval of his nomination and stated that he would continue the good work of his predecessor.

16.5 He extended an invitation to all Members to visit Gloucester Crown Court. He further informed Council that Gloucester Crown Court was at the forefront of innovative approaches to justice such as its work on restorative justice and the fast tracking of cases involving domestic abuse.

**17. MEMBERS' QUESTION TIME**

**Members' Questions to Cabinet Members**

17.1 Councillor Pullen stated that on the last Wednesday of June 2018 he met 112 people who could not go to the Council's offices as they were closed. He asked Councillor D. Norman, the Cabinet Member for Performance and Resources, why, if key partners had been informed of the closure, was an individual told to attend the offices that day.

17.2 Councillor D. Norman advised that, as there was a notice of motion on this topic, he would reserve his response for that debate.

17.2 By way of a supplementary question, Councillor Pullen asked if Councillor D. Norman would like to join him outside the offices on days the Council

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reception was closed. Councillor D. Norman advised that the closure days were a response to requests from senior staff for training.

- 17.3 Councillor Pullen asked Councillor Organ, Cabinet Member for Planning and Housing Strategy, for an update on the most recent meeting with Homes England in relation to the proposed regeneration of Podsmead and Matson.
- 17.4 Councillor Organ stated that it was a productive meeting but there were specific regulations placed on Homes England with regard to funding.
- 17.5 Councillor Pullen stated that he understood that Homes England had no funding for regeneration and requested more detail on this matter. Councillor Organ advised that he would provide a written response to the question.
- 17.6 Councillor Hilton asked Councillor James, Leader of the Council, what progress had been made on developing the property at 67-69 London Road. Councillor James advised that he had spoken with the director of development and the Head of Place and been on site and was working on development ideas.
- 17.7 Councillor thanked Councillor James for his response and asked whether Homes England had been approached. Councillor James responded that conversations had taken place with numerous partner organisations.
- 17.8 Councillor Hilton noted that the Member of Parliament for Stroud had recently called for the abolition of Gloucester City Council and that a unitary model of local government be adopted. Councillor James responded that it would be preferable to engage in closer working with the County Council for regeneration and deeper social issues.
- 17.9 Councillor Coole asked Councillor Cook, the Cabinet Member for Environment what material food caddy bags were made from. Councillor Cook replied that they were made from Single Use Plastics.
- 17.10 By way of a supplementary question, Councillor Coole asked whether Councillor Cook agreed that this was not a good idea. Councillor Cook advised that it was still better for the environment to recycle food waste even if it was in plastic. He further advised that this matter was being examined and that the Council had always advocated using paper rather than plastic.
- 17.10 Councillor Stephens asked if, given the remarks made earlier regarding the late Mike Pullen and Sue Blakeley, Councillor James would pass on his condolences to their families. Councillor James confirmed that he would.
- 17.11 Councillor Hampson asked Councillor D. Norman what the price of transparent decision making would be given the Cabinet had decided to not pursue the live streaming Council meetings. Councillor Norman stated that there were more pressing priorities and that the financial cost was far too high. He further advised that there had been informal discussions with the County Council that meetings could occasionally be held in the Shire Hall

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Council Chamber once the City Council had moved there as the Chamber was equipment with the relevant equipment.

- 17.12 Following the reopening of a pub in his Ward, Councillor Gravells asked Councillor James if he agreed that community pubs helped combat social isolation. Councillor James responded that he did agree that such community venues could assist in this endeavour and thanked Councillor Gravells for his work in keeping the pub in his locality open.

**Questions to Chairs of Committees**

- 17.13 Councillor Melvin asked Councillor Coole, Chair of the Overview and Scrutiny Committee for an update on the scrutiny survey which had been circulated recently. Councillor Coole advised that 35% of those asked to complete the survey had responded and encouraged those who had not to do so. He further advised that the results would be used to guide the Committee's work in the coming year.

- 17.14 Councillor Haigh asked Councillor Coole if he agreed that parity of esteem between the Overview and Scrutiny Committee and the Cabinet was important. Councillor Coole responded that he did and that it was better at Gloucester City Council than it was at some authorities but that there was still work to be done. He advised that he was pursuing a more formal contact arrangement between the Overview and Scrutiny Committee and the Cabinet.

- 17.14 Councillor Haigh asked Councillor H. Norman, Chair of the Licensing and Enforcement Committee, with reference to the Local Government Association's Gambling Harm Handbook and best practice, if she would work with the County Council to identify any public health issues which may affect the Council's gambling policy statement and to develop a local area profile. Councillor H. Norman stated that she would do this in conjunction with officers.

**18. PUBLIC SPACE PROTECTION ORDER CONSULTATION REPORT AND PROPOSAL**

- 18.1 Council considered the report of Councillor Watkins, Cabinet Member for Communities and Neighbourhoods, seeking approval for the implementation of a Public Spaces Protection Order (PSPO).

- 18.2 Councillor Watkins highlighted key areas of the report and in particular thanked those Members who had taken part in the consultation. She informed the Committee that there had been 2,100 alcohol related incidents in a year and noted the work of the Task and Finish Group on High Strength Alcohol. Councillor Watkins further noted that the three Barton and Tredworth Councillors had enquired if such a measure could be employed in the Barton and Tredworth Area.

- 18.3 Councillor Hilton stated that he was happy to endorse the proposal, particularly the alcohol free zone which would be across the City. He

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expressed concern that no date had been set for when the Order would be implemented and suggested it would be good to do so immediately.

- 18.4 Councillor Pullen advised that the Labour Group had always been broadly supportive of the PSPO and that it was positive that homeless people would not be affected. He queried whether the Cabinet had raised expectations and queried why the consultation considered matters when there was already legislation in place to combat such issues.
- 18.5 Councillor James thanked Councillor Watkins and Officers for their work in putting together the PSPO. He stated that he recognised that fewer issues were included but that it was a question of whether there was sufficient evidence to include them.
- 18.6 Councillor Haigh stated that she hoped for proper enforcement. She referred to the lack of evidence available in showing the use of psychoactive substances having a detrimental impact on the City. She further referred to data not being collected in this respect. She stated that paraphernalia associated with the use of psychoactive substances was classed as litter rather than dealing with it as an issue in itself.
- 18.7 Councillor Stephens shared his view that some issues raised by respondents had not been included. He stated that he understood the matter would be due for review in a year's time and suggested that the use of psychoactive substances be included as a prohibited behaviour.
- 18.8 Councillor Watkins stated that the PSPO would not be working in isolation. She further stated that she would like it to be implemented as quickly as possible but that there was a necessary lead in time and that enforcement was being finalised. Councillor Watkins also advised that the Safer and Attractive Streets team would gather data on the use of psychoactive substances.
- 18.9 **RESOLVED that:-**
- (1) The results of the PSPO consultation be noted;
  - (2) To note that previous delegation, provided by Cabinet to the Head of Communities in consultation with the Cabinet Member for Communities and Neighbourhoods, for the authorisation of Public Space Protection Orders remains in place for all future PSPO proposals.
  - (3) Delegated authority remains as above to implement the recommended Public Space Protection Orders contained in this report and drafted in **Appendix 3**, those being:
    - a) PSPO for Gloucester City relating to dog and alcohol nuisance provisions
    - b) PSPO to supersede the Gating Order for Organs Alley

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- c) PSPO to implement an Alcohol Free Zone for Gloucester City centre taking in to account the views of Overview and Scrutiny and Council.
- (4) The PSPO creating an alcohol free zone for the City Centre/BID area is implemented at a future date, following further consultation with partner agencies.
- (5) Further consultation be undertaken in Barton and Tredworth to explore the appropriateness of implementing PSPO(s) there, following requests from residents, partner agencies and ward councillors.
- (6) Gating Orders that are currently in place are scheduled for individual reviews, with all being completed by the end of 2019.
- (7) A review and update of the Safe & Attractive Streets Policy and PSPO guidance takes place.
- (8) A Memorandum of Understanding is drawn up for both the night time and day time economies, between partner agencies who work within the City Centre and a “DaySafe” type meeting, to mirror NightSafe, is established.

**19. GLOUCESTERSHIRE 2050 VISION CONSULTATION**

- 19.1 The Leader of the Council, Councillor James, outlined the proposal to submit a contribution to the Gloucestershire Vision 2050 consultation and welcomed that a consultation was underway. He stated he was ambitious for the City and the Council should be similarly be ambitious for the County.
- 19.2 Councillor James expressed the need for cross-party support and noted that the project had, at its centre, the need to improve the quality of people’s lives. He stated that the ambition to be the City of Culture in 2025 would feed into Gloucester’s contribution to the project.
- 19.3 Councillor Hilton thanked the Managing Director for his work with the political groups and achieving political consensus. He shared his view that the idea of a ‘super city’ was not a good one and that an evolutionary process would be preferable. Councillor Hilton further stated that an airport in the Cotswold could damage Staverton and that there was a need to do more with regards to Gloucestershire’s cultural offer.
- 19.4 Councillor Pullen thanked the Managing Director for meeting with the political Groups. He stated that much of the document captured what the Labour Group had in mind and expressed doubt with regard to how the proposed projects related to the ambitions. He further stated that it would be positive to improve economic links between Cheltenham and Gloucester and that a ‘super city’ may hinder this endeavour.
- 19.5 Councillor Stephens commented that good local government was needed to deliver a vision for 2050. He further stated that the future of the County was

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in its youth and that, as part of the process, there should be a standing panel of young people.

- 19.6 Councillor Coole noted that one of the drivers of the project was the need to appeal to Gloucestershire's young people and further noted that there were no young people on the consultation panel. Councillor Coole also commented that any proposed projects needed to benefit people in all areas of the County.
- 19.7 Councillor Melvin stated that should support a tram service between Gloucester and Cheltenham and shared her view that a new airport in Gloucestershire would be detrimental to the environment.
- 19.8 Councillor Gravells stated that health inequalities were stark and that a submission could be more robust on health matters.
- 19.9 Councillor James stated that he was grateful for the broad consensus. He shared the view that having a panel of young people would be a positive step. Given there would be authority to amend the submission, Councillor James advised that matters on health inequality could form part of the submission.
- 19.20 **RESOLVED that:-**
- (1) The Vision 2050 consultation be **welcomed**;
  - (2) Council **resolves** to submit a response to the consultation on behalf of the Council. A draft response submission is attached at appendix B;
  - (3) Authority be **delegated** to the Leader, in consultation with the other political Group leaders, to agree the final wording of any response submission and to submit any response by the end of July.

**20. NOTICES OF MOTION**

Notice of motion from the Labour Group.

- 20.1 Proposed by Councillor Haigh and seconded by Councillor Hansdot.

"This Council notes:

The extraordinary contribution that the Windrush generation have made to our country and the appalling treatment they have received from the British Government.

That British citizens, who arrived here as children, have been denied healthcare and passports, threatened with deportation and in some cases, detained in immigration centres, such as Yarl's Wood, for not having the correct documentation.



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That residents and Citizens of Gloucester are amongst those who have been denied their rights. They have lost jobs, been refused passports and had their access to healthcare and benefits question despite paying into the tax and National Insurance system for decades.

Council further notes the events organised by the community to mark the 70th anniversary of the Windrush arriving in the UK.

This Council therefore resolves to:

Celebrate the contribution of the Windrush Generation by adding to our traditional Jamaican Independence Day celebrations on 5th August in the following ways:

- a. Fly the Jamaican Flag at North Warehouse
- b. For the Mayor and Sheriff to invite members of the Windrush generation in Gloucester to visit North Warehouse and to express the City's appreciation for the contribution then have made to the life and prosperity of the City and to invite Councillors to come and meet with them.

This Council further resolves

- a. To support the events organised by the community during the anniversary year.
- b. To fly the Jamaican flag on Windrush Day 22 June 2019 and every anniversary of that day.
- c. to write to the Home Secretary to ask that he ensure that Government act swiftly as promised to ensure that Windrush victims are granted their rights swiftly and fully compensated for any financial hardship that they may have suffered."

20.2 Councillor Watkins, seconded by Councillor James proposed the following amendment:

"This Council notes:

The extraordinary contribution that the Windrush generation have made to our country and ~~the appalling treatment they have received from the British Government~~ **acknowledges the fact that the State has let some of these people down.**

That **some** British citizens, who arrived here as children, have been denied healthcare and passports, threatened with deportation and in some cases, detained in immigration centres, such as Yarl's Wood, for not having the correct documentation.

That **some** residents and Citizens of Gloucester are amongst those who have been denied their rights. ~~They have lost jobs, been refused passports~~

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~~and had their access to healthcare and benefits question despite paying into the tax and National Insurance system for decades.~~

Council further notes the events organised by the community to mark the 70<sup>th</sup> anniversary of the Windrush arriving in the UK.

This Council therefore resolves to:

Celebrate the contribution of the Windrush Generation by adding to our traditional Jamaican Independence Day celebrations on 5<sup>th</sup> August in the following ways:

- a. Fly the Jamaican Flag at North Warehouse
- b. For the Mayor and Sheriff to invite members of the Windrush generation in Gloucester to visit North Warehouse and to express the City's appreciation for the contribution then have made to the life and prosperity of the City and to invite Councillors to come and meet with them.

This Council further resolves

- a. To support the events organised by the community during the anniversary year.
- b. To fly the Jamaican flag on Windrush Day 22 June 2019 and every anniversary of that day.
- c. to write to the Home Secretary **Richard Graham MP on behalf of those constituents affected** to ask that he ensure that Government act swiftly as promised to ensure that Windrush victims are granted their rights swiftly and fully compensated for any financial hardship that they may have suffered."

20.3 The mover and seconder of the amendment indicated their acceptance of the amendment which became the substantive motion and was carried.

20.4 **RESOLVED that:**

"This Council notes:

The extraordinary contribution that the Windrush generation have made to our country and acknowledges the fact that the State has let some of these people down.

That some British citizens, who arrived here as children, have been denied healthcare and passports, threatened with deportation and in some cases, detained in immigration centres, such as Yarl's Wood, for not having the correct documentation.

That some residents and Citizens of Gloucester are amongst those who have been denied their rights.

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This Council further resolves

- a. To support the events organised by the community during the anniversary year.
- b. To fly the Jamaican flag on Windrush Day 22 June 2019 and every anniversary of that day.
- c. to write to Richard Graham MP on behalf of those constituents who have been affected to ask that he ensure that Government act swiftly as promised to ensure that Windrush victims are granted their rights swiftly and fully compensated for any financial hardship that they may have suffered."

Notice of motion from the Liberal Democrat Group.

20.5 Proposed by Councillor Hilton and seconded by Councillor Wilson that:

"This council records its dissatisfaction with the household waste collection services operated by the council's contractor Amey PLC.

This council notes that 2,000 tonnes of recyclable waste is unaccounted for with a market value of £246,000 and that there are stories of recyclable household waste being inappropriately sent to landfill.

This council also raises concerns about the quality of the client side management of the streetcare contract overseen by the cabinet.

This council, therefore, calls upon the cabinet member for the environment to up his game and increase the frequency of meetings he holds with Amey PLC from current quarterly meetings to monthly meetings until the matter of poor performance by Amey PLC is resolved."

20.6 Councillor Cook, seconded by Councillor James proposed the following amendment:

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“This council records its dissatisfaction with the household waste collection services operated by the council’s contractor Amey PLC.

~~This council notes that 2,000 tonnes of recyclable waste is unaccounted for with a market value of £246,000 and that there are stories of recyclable household waste being inappropriately sent to landfill~~ an account has been given to explain a significant proportion of the identified discrepancy of 2000 tonnes of recyclable household waste but there is a considerable gap between Amey’s offer and the Council’s expectation of appropriate compensation.

~~This council also raises concerns about the quality of the client side management of the streetcare contract overseen by the cabinet.~~ This council also thanks officers who identified the discrepancy in the figures supplied by Amey and are working hard to resolve the situation.

~~This council therefore, calls upon the cabinet member for the environment to up his game and increase the frequency of meetings he holds with Amey PLC from current quarterly meetings to monthly meetings until the matter of poor performance by Amey PLC is resolved.~~ notes that the cabinet member for the environment and officers are meeting representatives of Amey on a frequent basis and will continue to do so until this matter is resolved.

- 20.7 The mover and seconder of the motion indicated their acceptance of the amendment which became the substantive motion and was carried.

20.8 **RESOLVED that:**

“This council records its dissatisfaction with the household waste collection services operated by the council’s contractor Amey PLC.

This council notes that an account has been given to explain a significant proportion of the identified discrepancy of 2000 tonnes of recyclable household waste but there is a considerable gap between Amey’s offer and the Council’s expectation of appropriate compensation.

This council also thanks officers who identified the discrepancy in the figures supplied by Amey and are working hard to resolve the situation.

This council notes that the cabinet member for the environment and officers are meeting representatives of Amey on a frequent basis and will continue to do so until this matter is resolved.”

Notice of Motion from the Labour Group

- 20.9 Proposed by Councillor Coole and seconded by Councillor Haigh that:

“Council notes the recent decision to close the City Council’s reception on the last Wednesday of each month for staff training, in addition to the existing closure between 3-5pm each day.

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Council also supports staff training as a valuable way of meeting the needs of residents and officer development.

The limited hours that Council is open to the public means that many residents have to take time off work or make a special trip to resolve issues face to face. Residents, many of them, in urgent need of Council services, expect the Council to be open on normal working days in order that they can access services, make payments and seek advice.

During the recent closures, hundreds of people turned up expecting the Council to be open, many of whom did not have the means to use the phone line provided, or the internet.

Council resolves to cease the full-day closure of reception on the last Wednesday of each month, and establish an alternative means of staff training, that allows face-to-face Council services to be accessible to all residents in business hours.

Council resolves that during any future closure, a skeleton staff should operate at reception, and that a more effective communication strategy is put in place to target those most likely to visit the City Council's reception."

20.10 The motion was put to the vote and was lost.

Notice of motion from the Liberal Democrat Group.

20.11 Proposed by Councillor Wilson and seconded by Councillor Hilton that:

"This council notes that, according to the Government's own figures, under all Brexit scenarios the UK will be considerably worse off, not only in terms of international reputation but also the negative social, environmental and economic impact it will have on the people of Gloucester.

This council agrees that there should be a 'people's vote' on the final Brexit deal, which should include an option for the United Kingdom to remain a full member of the European Union."

20.12 The motion was put to the vote and was lost.

Notion of Motion from the Labour Group

20.13 Proposed by Councillor Pullen and seconded by Councillor Stephens that:

"Council notes the statement made by Councillor Richard Cook – Cabinet member for the Environment to Overview and Scrutiny Committee on Monday 4<sup>th</sup> June 2018 where he reported:

- Amey were unable to account for 2,000 tonnes of recyclable material and this had resulted in a loss of £246,500 in expected income.

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- Amey had sold recyclable materials at below market rates at a cost to the Council of £50,000 in lost income.

Council further notes that Councillor Cook is on record as describing Amey as being “horrible” to work with and that the contract was “one of the worst he has ever seen”.

Recent allegations from two distinct ‘whistle-blowers’ have claimed that operatives were instructed by Amey management to cut up and dispose of recyclable material via landfill. If true, this is a clear breach of the contract.

The Amey contract has seen a litany of failures in service delivery since its inception. This includes missed collections, failures in the grass cutting programme, lack of contingency planning for adverse weather, failures in weed spraying programme and street cleaning standards and improper handling of fly-tipped waste.

Council resolves:

1. That urgent action is taken by the Council to investigate whether the recent allegations concerning the disposal of recyclable waste in landfill, or the returns submitted to the Council in respect of that waste, amount to fraud and whether a referral to the police is appropriate.
2. That the Council’s legal representatives are instructed to advise whether sufficient grounds exist for Amey to be issued with notice to terminate the contract.
3. That the Cabinet bring forward alternative arrangements for the delivery of the contract. The preference is to bring the contract back ‘in-house’ to be delivered directly by Council employed staff.
4. If this is not feasible; to break the contract into smaller parts to enable local businesses to tender for the work in ways which comply with the Council’s procurement obligations.
5. That consideration also be given as to whether it would be possible to join the Ubico trading company that was established by neighbouring authorities.”

20.14 Councillor Cook, seconded by Councillor James proposed the following amendment:

“Council notes the statement made by Councillor Richard Cook – Cabinet member for the Environment to Overview and Scrutiny Committee on Monday 4<sup>th</sup> June 2018 where he reported:

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- Amey were unable to account for 2,000 tonnes of recyclable material and this had resulted in a loss of £246,500 in expected income.
- Amey had sold recyclable materials at below market rates at a cost to the Council of £50,000 in lost income.

Council further notes that Councillor Cook is on record as describing Amey as being “horrible” to work with and that the contract was “one of the worst he has ever seen”.

Recent allegations from two distinct ‘whistle-blowers’ have claimed that operatives were instructed by Amey management to cut up and dispose of recyclable material via landfill. If true, this is a clear breach of the contract.

The Amey contract has seen a litany of failures in service delivery since its inception. This includes missed collections, failures in the grass cutting programme, lack of contingency planning for adverse weather, failures in weed spraying programme and street cleaning standards and improper handling of fly-tipped waste.

Council resolves **notes that:**

1. ~~That~~ **Urgent action is has been** taken by the Council to ~~investigate whether the recent allegations concerning the disposal of recyclable waste in landfill, or the returns submitted to the Council in respect of that waste, amount to fraud and whether a referral to the police is appropriate to establish why there is a discrepancy in the figures supplied by Amey in relation to volumes of recyclable waste and to recover the shortfall in income to the Council as a result of it.~~
2. ~~That~~ **The Council’s legal representatives are have been** instructed to advise whether sufficient grounds exist for Amey to be issued with notice to terminate the contract.
3. ~~That~~ **The Cabinet will** bring forward alternative arrangements for the delivery of the contract, **including providing services in-house, breaking the contract into smaller elements and.** ~~The preference is to bring the contract back ‘in-house’ to be delivered directly by Council employed staff.~~
4. ~~If this is not feasible; to break the contract into smaller parts to enable local businesses to tender for the work in ways which comply with the Council’s procurement obligations.~~

~~That consideration also be given as to whether it would be possible to joining the Ubico trading company that was established by neighbouring authorities.”~~

20.15 The mover and seconder of the motion indicated their acceptance of the amendment which became the substantive motion and was carried.

20.16 **RESOLVED that:-**

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“Council notes the statement made by Councillor Richard Cook – Cabinet member for the Environment to Overview and Scrutiny Committee on Monday 4<sup>th</sup> June 2018 where he reported:

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- Amey had sold recyclable materials at below market rates at a cost to the Council of £50,000 in lost income.

Council further notes that Councillor Cook is on record as describing Amey as being “horrible” to work with and that the contract was “one of the worst he has ever seen”.

Recent allegations from two distinct ‘whistle-blowers’ have claimed that operatives were instructed by Amey management to cut up and dispose of recyclable material via landfill. If true, this is a clear breach of the contract.

The Amey contract has seen a litany of failures in service delivery since its inception. This includes missed collections, failures in the grass cutting programme, lack of contingency planning for adverse weather, failures in weed spraying programme and street cleaning standards and improper handling of fly-tipped waste.

Council notes that:

1. Urgent action has been taken by the Council to establish why there is a discrepancy in the figures supplied by Amey in relation to volumes of recyclable waste and to recover the shortfall in income to the Council as a result of it.
2. The Council’s legal representatives have been instructed to advise whether sufficient grounds exist for Amey to be issued with notice to terminate the contract.

The Cabinet will bring forward alternative arrangements for the delivery of the contract, including providing services in-house, breaking the contract into smaller elements and joining the Ubico trading company that was established by neighbouring authorities.”

### **21. WRITTEN QUESTIONS TO CABINET MEMBERS**

- 21.1 Councillor Wilson asked, by way of a supplement to his written question, Councillor James if the Council would contact the Local Government Association in relation to any contingency plans in the event of no agreement being reached with the European Union at the point of withdrawal.
- 21.2 Councillor James advised that the Council would continue to work through the proper channels including the Local Government Association.



**COUNCIL  
12.07.18**

**Time of commencement: 6.30 pm hours  
Time of conclusion: 9.55 pm hours**

**Chair**