

Council – 25 September 2019

Public questions:

1. From Dr Burrell to Councillor Monk, Leader of the Council

Will the Leader please explain how and why a £1.132m Call-Off contract could rightfully have been awarded to Faithfull & Gould (F&G) and why this was done without the recorded authorisation of the s151 officer or anyone more senior in the council than level K. F&G were appointed lead project management consultant for the Princes Parade development and commenced work 3 months prior to planning consent being granted on 18 July 2019. The Pagabo Framework Agreement, under which F&G were the single pre-nominated consultant, did not provide the opportunity for competitive tendering for either the contract nor the Framework. In all respects this was an irregular commitment from an already insufficient Capital budget that should not have occurred and I ask that this should be explained.

ANSWER:

The use of framework agreements by district councils for procurement is commonplace and often recommended for large and complex projects. The use of framework agreements is allowed under UK and EU procurement law and the council's contract standing orders. The benefits of using framework agreements are that they streamline administration, reduce the procurement risk and allow councils access wider economies of scale. Companies listed on framework agreements will have already gone through a competitive process and depending on how the framework is set up, it is possible to make a direct award to a supplier.

With reference to the Princes Parade Project, the business case (C/18/69) reported to cabinet on 13/2/19 set out the procurement strategy for the project. This was covered in sections 2.16 to 2.26 of the cabinet and was further expanded on in Appendix 1 of the report, which set out in detail the frameworks considered for the appointment of the main project consultant and main points for consideration. Several frameworks were considered for the appointment of the project consultancy team and the eventual decision was to use the PAGABO National Framework for Professional Services in Construction and Premises mainly due to the flexibility offered by the agreement and the track record and experience of the companies listed within each professional discipline on the framework, many of whom had good local experience having been involved in the design of the new leisure centre in Dover. This includes the main project consultants Faithful & Gould.

In answer to the question around budget authorisation this is straightforward. The Chief Strategic Projects Officer, as the budget holder and responsible officer for the project has the delegated authority to award contracts for the project. This is position as set out in the Council's contract standing orders and there was no requirement for authorisation by the Council's S151 Officer.

The budget is sufficient to cover the project. I consider therefore that the decision was taken correctly and in accordance with the council's procedures.

SUPPLEMENTARY QUESTION:

Will you please confirm your recognition of the urgent need to put in place a more rigorous financial control system for Princes Parade and other similar projects being undertaken by this authority?

ANSWER:

I have already answered this question. I believe the current procedures are adequate

2. From Mrs Lawes to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

Can the cabinet member explain how and what they are doing to actively reduce the deprivation in the district?

ANSWER:

Much work is being done to address deprivation in the District. There are ambitious plans-eg the Otterpool Park Garden Town, Princess Parade, Mountfield Road Industrial Estate, Town centre regeneration projects to improve the area, provide more affordable housing, create more jobs, and ensure residents have opportunity for better chances in life. We are working with the education providers who are keen to improve skills levels and are involved in projects with the LCPG and CSP which are looking at resilience issues in young people and helping to set them up for a better start in life and to raise aspirations. The Folkestone Community Works CLLD programme is all about getting people living in the deprived areas of Folkestone into work through dealing with the barriers they face in getting into employment and thereby helping to improve their quality of life. Health inequalities are also being addressed through a more joined up care system. Local community projects such as the fit and fed hunger project to address hunger amongst children during school holidays is an example of support to deprived communities.

SUPPLEMENTARY QUESTION:

What are you doing right now to solve the problem and reduce the deprivation, lack of opportunity and jobs for the deprived people of this district?

ANSWER:

I have already said that the groups we are working with, and have been for a period of time – the local childrens partnership in particular, the community

safety unit, and the Folkestone works programme is all aimed at deprivation in the East of Folkestone.

3. From Mr Cooper to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control

As a council tax payer in St Mary's Bay I have noticed that the council is clearly not fulfilling its statutory duties towards the environment. Could you please inform me when I and other residents of the Bay can expect to receive a real, meaningful and proper street sweeping service from you and your council in order to ensure, in accordance with the associated codes of practice and the advertised schedules on the councils website, that the pavements, gutters and alleyways are cleared and swept of all rubbish, leaf matter and other accumulated detritus including weeds, or is the council expecting its tax payers to issue Litter Abatement Orders through the Magistrates Court before it will act.

ANSWER:

I have checked, and the service has not received any complaints from you.

The council takes seriously its commitment to Appearance Matters and meeting the national and local standards for street cleansing.

In response to the question I have asked the Waste Team to increase the inspections of St Mary's Bay and to ensure that standards are maintained. The latest round of weed spraying is underway and if problems are identified as suggested by Mr Cooper these will be addressed.

SUPPLEMENTARY QUESTION:

It's clear that the Council does not have any control over Veolia, would it not be better for the Council to bring the waste service back in house when it is next out to tender?

ANSWER:

There is a long track record across the country of outsourced services being far more efficient than those in-house and we have had that discussion, and undertaken the review, and a decision has been made.

4. From Mr Deane to Councillor Monk, Leader of the Council

In the light of growing concerns over environmental quality, will the council commit to an air quality monitoring exercise along the Dymchurch Road from the Dymchurch side of the new Aldi store to the traffic lights at the junction of the light railway station? This to be recorded at different periods throughout the day, week and year.

ANSWER:

The Council is already committed to monitoring air quality within the district and we currently have 16 monitoring sites, one of which is located along Dymchurch Road approximately 500 yards from the new Aldi site. The monitoring site has been there for a period of 4 years and it has been compliant in meeting the Air Quality objectives and as such, there are no concerns requiring us to increase monitoring sites in this area.

The Environmental Protection Team monitor all 16 sites within the District on a monthly basis which involves the removal of existing Air Quality tubes, erecting new tubes and sending the 16 used ones to a laboratory for assessment. A report is returned each month which would detail any significant changes that could highlight a change in the air quality and the results are shared with the Department for Environment, Food and Rural Affairs (DEFRA).

However, whilst there is no significant impact to air quality within the local area at this time, I can confirm that the Environmental Protection Team will continue to monitor this site accordingly.

SUPPLEMENTARY QUESTION:

Given the current traffic situation, what is the plan to relieve the residents of west Hythe who already are facing a rat run situation, with foresight for the opening of Otterpool, which this road would be the direct route to the Aldi store?

ANSWER:

KCC are the people to talk to about the traffic situation. Whether or not it comes under Otterpool park, those houses will be built in this district come what may, as that is what the government requires.

5. From Mr Rylands to Councillor Wimble, Cabinet Member for the District Economy

What is the total expenditure by our Council for the delivery of the Mountfield Rd Phase IV project New Romney, up to the 26th Sept 2019.

ANSWER:

Over the past 3 years, the Council has developed proposals for designated employment land at Mountfield Road Industrial Estate, New Romney (Phase 4) to diversify the local economy and create alternative employment to compensate for job losses arising from the de-commissioning of Dungeness A Power Station and programmed closure of Dungeness B in 2028. To date, £65,701.26 has been spent on masterplanning the 6 hectares, planning application fees and related studies, half of which was match funded by Magnox.

THERE WAS NO SUPPLEMENTARY QUESTION.

6. From Mr Goode to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

Is the council practising social exclusion in its service delivery by abandoning and neglecting the maintenance or replacement of play equipment; and closing children's playgrounds often unexpectedly and without, or at short, notice by only allocating the total sum of £15,000 in this years budget to cover the maintenance and replacement of play equipment for the whole of the district?

ANSWER

No. Officers work extremely hard despite budget pressures to provide high quality, high value play areas across the district. This work includes working with Town Councils and Community groups. Unfortunately we do not have the funding available to provide new equipment in every play area across the District. The draft Play Strategy that will be presented to Cabinet later this year outlines how we will provide high quality play areas moving forward. The District Council cannot do this alone and needs the help of Town and Parish Councils along with community groups who may be able to apply for funding that the District Council cannot and take over the management of the smaller play areas leaving the District to fund a smaller number of larger, high quality play areas.

The funding you refer to is correct however this does not include the play areas at two of our Green Flag parks, The Coastal Park and Radnor Park which have separate budgets. It also does not include our management and extensive surveyor time and the two dedicated Maintenance Officers, their vehicle or equipment who work tirelessly to keep the play areas in the best condition possible.

The recent redevelopment of the Radnor Park play area is an example of how local community groups, the District Council, the Town Council and other key stakeholders can come together to create a truly amazing facility. This has been further improved this year with the addition of an inclusive wheel chair swing and an outdoor fitness zone.

Officers are currently working closely with developers Taylor Wimpey to create another similar scale destination play area at Shorncliffe and a community group has been formed at East Cliff to look at improving facilities at this other key site.

Talks are under way with several Town Councils about how they might provide improved play facilities within their local areas.

SUPPLEMENTARY QUESTION:

Can you give a categoric assurance that children's playgrounds will be adequately maintained, and protected from development in the future?

ANSWER:

The answer is no.

7. From Ms Glen to Councillor Monk, Leader of the Council

Talk of Compulsory Purchase of the Leas Pavilion has been ongoing for months now, but is this appropriate given that the owners have been attempting to comply with the works requested in the Repairs Notice dated February 2019? May we therefore now have a clear statement as to what actually is the Council's position with regards to the future of the Leas Pavilion?

ANSWER:

Following the issuing of the Repairs Notice officers we became aware that there may have been a potential buyer for the site and as a result it was decided to hold off with costly further action until the position was clearer. As the buyer has not materialised, officers are currently considering next steps. Whether this is a CPO or a new buyer, we must try to get the best value for money.

SUPPLEMENTARY QUESTION:

We were told only days ago by one of the officers in planning that no decisions have been made regarding next steps for the site. What, if anything are you going to do to safeguard the listed building over the coming winter months because it's falling to bits.

ANSWER:

Nothing you have said negates my earlier reply. The position is that we as the council want to preserve the Leas pavilion, but without it costing the council a lot of money. The repairs notice will cover any further dilapidation, although a lot of work has already been done to secure the building.