

Supplementary Council Questions & Responses - 13 October 2020

	From	To	Public Supplementary Questions at Council
1	Cristina Gosney	Councillor Hilary Gander	<p>The residents have taken over planters on the road. Replaced with planter which has been good for the road but have problem with trees</p> <p>Are they going to be pollarded? If so, can this be done in a sustainable way without destroying the canopy and affecting the play of light through the leaves?</p> <p>Could you please make sure the vehicles covering the drains are moved or we find a way to move them?</p> <p>Put out bollards or fine them for being in that spot.</p>
2	James Giles	Councillor Caroline Kerr	<p>On 15 September the Maldens and Coombe Neighbourhood Committee met, on 16th Kingston Town Neighbourhood</p> <p>On 17 September Surbiton Neighbourhood and on 23 South of the Borough.</p> <p>At all of those meetings residents were informed to submit their questions one working day in advance of the meeting which is a clear breach of the procedural rules and standing orders of this borough.</p> <p>What is the point of having standing orders if her administration on a whim will breach the standing orders and restrict public participation at public meetings of the Council?</p>
3	Justin Quirk	Councillor Rebekah Moll	<p>Are we going to have to sit back and watch the site being destroyed?</p> <p>- Can we meet up and talk about this?</p>
4	Simon Bentham	Councillor Rebekah Moll	<p>What happens with the services that the council provides with the amount of housing that is going to be increased you said 600 odd to 900 odd. Schools and hospitals are already stretched. What are the options then?</p>

Member Questions to be answered in writing:

	From	Member Supplementary Questions
Lib Dem (B)	Councillor Mark Durrant To Cllr Andreas Kirsch	Do you believe the central government is leaning on local gov to do the work here but not properly funding us for this?
Lib Dem (C)	Councillor Christine Stuart To Cllr Caroline Kerr	The visually impaired community are obviously a very special case and I am aware officers are working on an arrangement for those cases. How will separate arrangements can be implemented, possibly with nurses going to peoples houses?
Conservative (A)	Councillor Rowena Bass To Cllr Rebekah Moll	I didn't get answer to original question so need full answer. My supplementary is - During the summer playground equipment was removed from Cumberland house without informing residents, the warden or Ward Councillors causing much angst to residents. We chased that up and officers report said: 'Cumberland house is a relatively high density estate. We understand the value of open spaces for people to enjoy particularly during the Covid Pandemic. Given these examples of Poor consultation and administration are pushing through small sites programme at quick place Can the Cllr Davey and the administration ensure Cumberland house residents concerns will be listened to and they will get a fair hearing and decision will not be predetermined.

Conservative (B)	Councillor Kevin Davis To Cllr Emily Davey	Can the member tell us when the Council contact centre will be reopened so vulnerable residents and students will get information? Response in writing
Conservative (C)	Councillor David Cunningham To Cllr Hilary Gander	How will she judge how the Low Traffic Neighbourhood schemes will be a success or not?
Green (A)	Cllr Falchikov-Sumner To Cllr Caroline Kerr	<p>Awaiting written reply from last Council meeting on following question:</p> <p>Supplementary Question from Council on 7 July 2020</p> <p><i>Thank you for your response, however my question has not been answered. I very deliberately asked for information not just in relation to Contract Standing Orders but also the system of delegation for financing.</i></p> <p><i>Bearing in mind that I have shown on a number of occasions that the Council has waived procedures to commission work for prominent Liberal Democrat members and former and sitting Councillors. The Council has awarded work without any formal tendering process of competitive bidding and I have waited 6 months for a reply. Today I released information of £450k worth for Covid grants which have been appropriated without any oversight to companies that do not supply us at all.</i></p> <p><i>Therefore I ask the leader of the Council to Committee to two things:</i></p> <p><i>1. Bring back to Finance and Partnerships Committee the information on delegations.</i></p>

		<p>2. Have these instances deferred to the external auditors.</p> <p>In which case could perhaps Cllr Kerr comment on some situations regarding three points -</p> <p>I myself have been given an incorrect FOI response where I was told a contract was awarded that was under £25k with no contract renewal.</p> <p>Then at the time later after 8 months of trying to get contract information the contract was of a value £64k.</p> <p>At the point of submitting the freedom of information request had already accumulated over £30k of invoices.</p> <p>Could you also comment on the fact on two occasions I Have made two requests under environmental information regulations on Cambridge Road Estate and Sinc Review</p> <p>The law is clear with regards to data transparency - Data held by any Council contractor or partner must be provided. Can you explain why contracts have not been published over £5000 since June 2019 and routinely not published on Council's website for over £500?</p> <p>Can we get a commitment to those points?</p>
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	From	To	Public Supplementary Questions responses
1	Cristina Gosney	Councillor Hilary Gander	<p>The London plane trees on Wolverton Avenue are scheduled for crown reductions as part of the Council's cyclical tree maintenance programme within Coombe Hill ward. The trees will be reduced to previous years pruning points in line with good arboricultural practice and management.</p> <p>Maintenance and pruning was due to be carried out in Coombe Hill ward April-August 2020, however this was delayed by Covid 19 restrictions. We have since resumed borough wide tree work and I anticipate that Coombe Hill ward will be completed within the next 3 months.</p>

			Parking bays will be suspended as required to ensure that all gullies can be accessed and cleaned out.
2	James Giles	Councillor Caroline Kerr	<p>We wanted to reinstate the Neighbourhood Committees at the earliest opportunity and so it was agreed with Neighbourhood Chairs that the cycle of meetings in September would go ahead and we would try to do it with as much public participation as practicably possible.</p> <p>As you will appreciate, advanced notice is required to allow people to participate in virtual meetings. That's to make sure officers can send them the links, to brief them on joining restrictions and any technical requirements. It was for that reason it was necessary to ask speakers to register before the meeting. We also asked them to supply the question they wanted to ask in advance of the meeting and that was in case any technical issues arose during the meeting which prevented them speaking for themselves. It meant that we could have ensured that the question was read out on their behalf.</p> <p>Now you are right that this varies slightly from the Constitutional requirements but it replicates the same provisions applied to Strategic Committees held in the Guildhall and it was agreed with the Monitoring Officer as a pragmatic solution in extraordinary circumstances, which allowed us to mirror the normal arrangements for public participation as closely as possible. Had we not made this change we would have not been able to facilitate questions at all.</p> <p>You will also see from the agenda this evening that there is also a proposal to formally imbed similar arrangements in the Constitution while meetings are held virtually and members of the public will not need to submit their full question in advance if they do not want to.</p>
3	Justin Quirk	Councillor Rebekah Moll	<p>As stated in the original response the Council has no statutory powers at its disposal with which to address the destruction of habitats of protected species of wildlife as it is protected by law under the Wildlife and Countryside Act. The Council has ensured that the necessary planning policy measures are in place and monitors the site closely. Officers are currently assessing the situation to determine whether other measures are available through the planning process through which to further strengthen the protection of the biodiversity habitats on site.</p>

4	Simon Bentham	Councillor Rebekah Moll	As previously mentioned, in line with its statutory responsibilities the Council is currently preparing the new Local Plan (LP). The LP assesses the evidence based need for housing, jobs and the associated development required within the borough and sets out the spatial distribution of where and how these needs are to be met. In parallel and aligned with the LP preparation, the Council is also in the process of producing an Infrastructure Delivery Plan (IDP). Working with agencies and stakeholders, the IDP assesses, identifies and prioritises the wider infrastructure required to support growth across the borough, when this will be required, how it is to be provided. The IDP also identifies the mechanisms, responsibilities and phasing of delivery and funding to align with the housing development trajectory over the lifetime of the plan. A proportion of the funding will come from planning obligations through CIL and s106 and other funding from agencies, statutory bodies, stakeholders and the Council responsible for specific provision. The purpose of the IDP is to identify need, priorities and the timing and phasing of delivery.
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	Member Supplementary Questions responses
Lib Dem(B)	At present the level of central government funding provided to support the Covid-19 response has been less than the financial impact caused by the pandemic. Some of this relates to additional responsibilities given to us by government (and some of those responsibilities come with additional funding) but in other instances the funding is insufficient to support the new activities or the financial pressure arises from a knock-on effect on other council activities such as the ability to deliver planned savings and so is not directly compensated for.
Lib Dem(C)	‘A special arrangement has been put in place to assist residents with visual impairment, and who are unable to to visit the assisted testing offer at the Regional Testing Unit at Chessington World of Adventures, undertake a COVID-19 test in their own homes. Your Healthcare will provide a trained staff member to make a home visit to the home of the visually impaired resident to assist the resident to take the test and arrange for it to be collected. The council has worked with YourHealthcare and local residents and voluntary groups to put this arrangement in place.’

Conservative(A)	<p>A letter and survey has been sent to Cumberland House residents (and ward councillors) asking for residents' opinions about the replacement equipment on the existing playground.</p> <p>The one item of play equipment that was cordoned off and removed was done based on health and safety advice. The council employs an independent company to complete inspections of the play equipment and received a recommendation to replace the particular equipment. A letter of apology was sent to local residents because they were not informed prior to the decision to replace the one item, along with advice that theirs and their children's views will be sought before a replacement is put in place.</p> <p>The letters were sent out on 9th October and since the Councillor Bass has been in contact with the Resident Services Officer to thank her for being kept informed.</p>
Conservative(B)	<p>The Council Contact Centre has remained open and fully operational throughout covid 19. Since 01/04/20 the contact centre has answered over 75,000 calls from residents. We have requested that residents contact us via our website where possible to ensure the contact centre has capacity able to prioritise urgent and emergency calls as well as providing an additional Covid19 support line</p>
Conservative(C)	<p>The schemes will be assessed against a number of factors, predominantly traffic and air quality data on a number of roads in the surrounding area, compared with before the schemes were implemented, feedback received from the public and stakeholders, and any formal representations received in response to the traffic order consultation. Legally, there is no significance to the number of representations but the authority needs to have given each representation due consideration depending on its merits. Then, a view is taken on the overall success of the scheme and the council makes a decision on how to continue with each scheme. A successful scheme is one that has an overall positive impact on the local area.</p>
Green(A)	<p>Prior to the publication of the new Contract Regulations in October 2019, the Contract Standing Orders were in place. These only require a Waiver for contracts over £100k. Below this value contracts were entered into in accordance with the Financial Regulations which delegated authority to Assistance Directors/ Heads of Services for awards below £100k. If staff intended to seek exemption from the Contract Standing Orders for contracts below £100k they were required to complete a CSO Exemption form which was signed by their AD/Head of Service. As the authority to award was delegated to service level there was no corporate register of CSO exemption forms during this period and staff in the relevant service area were required to hold the completed form on file.</p>

The Delegated Decision form was introduced in November 2019 and we have a register listing all waivers from this period. In the period from November 2019 to 22 May 2020 there were 16 waivers approved for contracts below £150k. All waivers from this period were approved by the Corporate Head of Commissioning or the AD for Contracts & Commercial.

With regard to the publication of contracts valued £5000 and over to the contract register, we can confirm that an extensive data validation exercise has been undertaken since late 2019 to improve our compliance with the contract register. All of our contracts are published on the public contract register at the link below:

<https://procontract.due-north.com/ContractsRegister/Index?resetFilter=True&applyFilter=True&p=2241eb95-058a-e511-80f7-000c29c9ba21&v=1>

We recognise that there have been some issues with uploading the contracts transparency data to the Kingston Data website and we are taking urgent action to resolve this.

With regard to the two requests made:

- (1) Bring back to the Finance and Partnerships Committee the information on delegations.
- (2) Have these instances deferred to the external auditors.

There is no obligation to meet either of the requests. We could bring information on delegations to F&P, however as decisions under the value of £150k are executed by officers across the Council under the officer delegated powers provided under the Financial Scheme of Delegation, the responsibility sits with each Directorate to have a record of the decisions taken and to ensure compliance. It is therefore unclear how this requirement will be met unless the Council decides to allocate suitable corporate resources to support centralisation of the records for all purchases below £150K. The information held corporately on delegations includes those requiring a waiver to Annex 2 of the contract regulations since November 2019 when the refreshed contract regulations came in force.

No referral has been made to the external auditors as we have found no evidence of a breach of the financial scheme of delegation or annex 2 of the contract regulations. The audit team have completed a contracts audit in 2019 focusing on low value spend and actions identified by the audit team have been progressed and reported back to the audit.