

(6) MEMBER QUESTIONS

Council Procedure Rule 11 - Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the District.

Questions have been submitted, and responses provided, as follows:-

(1) From Councillor Jenny Forde to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'In 2014, former District Councillor Paul Hodgkinson presented a motion to this Council calling for primary schools waste in the Cotswolds to be collected by this Council.

This move would significantly help small schools who currently pay for this service themselves. This was a call that I fully supported and continue to do so. What is the current situation with regard to this call?'

Response from Councillor Coakley

'As previously reported, waste produced by schools is classed as Commercial Waste or non-domestic household waste, depending on how it is generated, and is not collected by the District Council. The District Council would not want to make these collections and incur costs that are the responsibility of the schools, who receive funding from the County Council, which includes funding for waste collections.

The County Council, supported by the Joint Waste Team, let a contract for the collection of food waste from Schools, which commenced in September 2015. Procurement of a contract for residual waste and recycling will commence in January, with the County Council, again supported by the Joint Waste Team, seeking to secure efficient value for money waste collections for schools. This joint procurement provides for value for money, affordable waste collections for schools whilst ensuring those services are paid for using funding already allocated by the County Council to Schools for that purpose.'

(2) From Councillor AR Brassington to Councillor Lynden Stowe, Leader of the Council

'Is the Leader aware of the on-going issue of noise pollution for many Cotswold residents living near to the A417/419 and the campaign to solve this problem which has been undertaken by the A419 NAG (Noise Action Group) of which I am an active member? What is his administration's view of this issue?'

Response from Councillor Stowe

'I am aware of what is another long-running highways saga. Indeed, I recall a Motion put forward by former colleagues Sir Edward Horsfall and Clive Bennett as far back as in November 2005 on this issue, as follows:-

'This Council calls on the Highways Agency to honour the commitment made by the Government that all concrete road surfaces would be re-surfaced by 31st March 2011.

In June of this year (2005), the Highways Agency confirmed that the A419 Cirencester to Latton bypass was included in the first phase of works to make

concrete roads quieter, with the work on the A419 scheduled for completion in 2006/2007.

In July (2005), the Highways Agency made a complete u-turn and said that no works were planned for the A419 Cirencester to Latton bypass until 2013 and even then it was not scheduled for resurfacing.

Residents living up to a mile from the concrete highway are subjected to a constant drone as the tyres on thousands of vehicles pound the surface. This noise abuse will increase as the number of vehicles using the road increases over the next decade.

This Council is prepared to take action to alleviate other intrusive noises, so should throw its weight behind residents and parish councils who have already objected to the Highways Agency about the change in dates for the resurfacing work.'

The Council resolved, without opposition, to call on the Highways Agency to honour the commitment made by the Government that all concrete road surfaces would be re-surfaced by 31st March 2011 and, in particular, to register the strongest possible objection to the change in dates for the resurfacing work originally planned for the Cirencester to Latton Bypass.

Our representations to the Highways Agency were copied to the Secretary of State for Transport; the Minister of State for Transport; our local Member of Parliament; the Highways Maintenance Manager of the Gloucestershire County Council, as local highways authority; and affected Town/Parish Councils/Meetings.

Unfortunately, our representations were not successful in that, as Councillor Brassington is more than aware, the works have neither been undertaken nor committed.

I am also aware of the continuing campaigning being undertaken by the A419 NAG - including the report produced on 'The Social Consequences of Road Noise' - and commend that work. My views, and that of the administration, remain as stated back in 2005; and we would be more than happy to support further initiatives and/or lobbying to try and expedite this work - including a joint Motion to the next Council Meeting in an attempt to reiterate this Council's unified support.'

(3) From Councillor PCB Coleman to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'Could the Cabinet Member please reveal what the original (2011/12) costs of the waste depot/transfer project were?'

Response from Councillor Coakley

'The initial budget allocation agreed by Council in February 2012 was for £1,400,000 - this amount comprised estimated sums for site purchase and site development, and was accepted by the Council as a 'marker' as it preceded any detailed work on procuring a permanent depot. Having identified three potential sites, Council agreed a further budget allocation in September 2013 of £1,029,000, which also had regard to the costs associated with the required temporary depot facility.'

(4) From Councillor Juliet Layton to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'How do the Council intend to progress the waste transfer station option at the acquired site and, if progress is intended, will Eunomia be involved in the process?'

Response from Councillor Coakley

'There is no intention to progress this at this time.'

(5) From Councillor Juliet Layton to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'Papers presented by officers to the Overview and Scrutiny Committee on 1 December 2015 show that, over the period March 2013 to April 2015, the Council paid £185,000 to its consultant Eunomia for the development of a waste transfer and transport depot facility. Financial payment figures on the Council website show that Eunomia were also paid £82,000 in the period December 2011 to July 2012 for the earlier alternative site assessment phase of the study, making the total payment to Eunomia £267,000 since the studies began in October 2011. I am deeply concerned that papers to the Overview and Scrutiny Committee show that none of this work was completed under competitive tender and that procurement rules were waived on work undertaken by Eunomia in December 2009, May 2013, and September 2013 with a non-competitive proposal accepted under delegated authority in October 2011. Could the Cabinet Member please set out the detail of how and when these waivers in procurement rules and appointment under delegated authority were reported to the Council?'

Response from Councillor Coakley

'The specific waivers were dealt with as follows:-

- (i) December 2009 - the waiver was a decision of the Cabinet;*
- (ii) May 2013 - the waiver was approved by the Chief Finance Officer and the Head of Legal Property Services, following consideration of a detailed submission/justification - such an approach was permitted within the Procedure Rules (a document approved by the Council), and no formal reporting to Members was required under such Rules;*
- (iii) September 2013 - the waiver was a decision of full Council.*

With reference to the work authorised in October 2011, this was an element of the work previously reported to Cabinet in June 2011, which referred to the commissioning of Eunomia.

I would also make the following, more general, comments:-

- (i) Terms of Reference were drawn up for the work to be undertaken by Eunomia, including the scope of work and key requirements/deliverables. Progress was then monitored and reviewed at meetings/teleconferences. Payments were made on a staged approach, upon completion of various work elements (and based on purchase orders).*
- (ii) The use of one firm of consultants throughout the process provided for consistency of approach and, as the project moved forward, a greater level of*

understanding of the Council's requirements. Eunomia also had an excellent knowledge of the local area and, specifically, of the Waste and Cleansing operations delivered by the Council; and therefore the needs of that service, having worked with the Council for some time. The continued use of Eunomia also avoided duplication of some elements of work, which might have resulted had a second consultant been employed.

Finally, I would remind Members that the work for which Eunomia were originally commissioned - in setting up Ubico (which led to the depot acquisition) - will have, by the end of this financial year, saved Cotswold taxpayers in excess of £3m over a three and a half year period.'

(6) From Councillor NP Robbins to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'In the last Council, the Liberal Democrat group pushed for greater provision of recycling in the District. One such scheme was the implementation of kerbside Tetra Pak recycling - what plans do CDC have to implement such a scheme?'

Response from Councillor Coakley

'There is now a UK processor for recycling cartons (tetrapak is a brand name and there are two other major brands) but they require separately-sorted material. If cartons are placed in with other cardboard, they are regarded as a contaminant as they are a composite of other materials such as plastic closures, waxy coatings and aluminium. They would affect the value of the material and they may not be processed.

The main barrier to collecting cartons separately is the physical limits on vehicle compartmentalisation/capacity. The current fleet does not have capacity for extra containment. Whenever new materials are added, there would also be an effect on the time taken by crews to collect and sort materials onto the vehicle from each property. Although this is small on a box-by-box basis, it would aggregate over each round across the whole District and could require redesign of rounds and, possibly, extra vehicles.

These issues were previously evaluated when the Cabinet considered a Motion, in December 2014, regarding the collection of tetrapaks. At that time, the Cabinet considered the kerbside collection of tetra packs to be an expensive option as it could have cost up to £100,000 to achieve a 0.1% increase in recycling rates - even if a higher than average collection rate could be achieved.

The best time to review the range of materials collected is at the time recycling vehicles are replaced - next due in 2019. The Joint Waste Team and Ubico will review the service specification prior to replacing the current vehicles in order for CDC to consider the options. Whilst kerbside collection is not currently viable, we are extending the provision of bring banks for the collection of cartons to increase the recycling of this material.

Members are reminded that Cotswold remains one of the highest performing Recycling Authorities in the UK.'

(7) From Councillor PCB Coleman to Councillor NJW Parsons, Deputy Leader and Cabinet Member for Forward Planning

'When will responses to January's Regulation 18 consultation be revealed?

Response from Councillor Parsons

'It is important to appreciate that the two Reg.18 consultations have dealt with separate parts of the emerging Local Plan. Responses to representations on the first Reg.18 consultation (Development Strategy and Site Allocations) will not have a direct effect on the second Reg.18 consultation (Planning Policies). They could, however, potentially affect the next stage of the process. Therefore, a summary of the main issues arising from representations on both Reg. 18 consultations - and any changes resulting for the Reg. 19 whole Local Plan - will be made available prior to publication of that document in spring 2016. The actual changes made will be manifest in the Reg.19 consultation document. In the meantime, all representations received to date can be viewed on the Council's website. In order to manage expectations, it is important to note the requirements of Regulation 22 of the Town & Country Planning Regulations 2012 as follows:

"Submission of documents and information to the Secretary of State

22. (1) The documents prescribed for the purposes of section 20(3) of the Act are -

...

- (c) a statement setting out -
 - (i) which bodies and persons the local planning authority invited to make representations under regulation 18,
 - (ii) how those bodies and persons were invited to make representations under regulation 18,
 - (iii) **a summary of the main issues raised by the representations made pursuant to regulation 18,**
 - (iv) **how any representations made pursuant to regulation 18 have been taken into account; ..."**

The Regulations do not require local planning authorities to respond to every representation received. Rather, it is necessary to summarise the main issues raised and consider how these have been taken into account in the emerging plan.

Councillor Coleman's question has already been addressed in both the Cotswold News and the latest Local Plan Reg. 18 consultation.'

(8) From Councillor JA Harris to Councillor NJW Parsons, Deputy Leader and Cabinet Member for Forward Planning

'The Cotswolds continues to have no local plan - how sure is the Cabinet Member that Cotswold won't have one imposed by central government?'

Response from Councillor Parsons

'The process for producing a Local Plan is set down in legislation, and we have another stage to complete in that process after the current Reg.18 consultation. A vast amount of work - particularly evidence gathering - is required to ensure that a sound and legal Plan can be submitted for examination. If we attempted to submit the plan now, it would not be accepted by the Planning Inspectorate, which would set the process back further. There are numerous examples of councils that have had to withdraw plans that have been submitted for examination prematurely, e.g. Ashfield, Bolsover, Bury, Runnymede, Uttlesford.'

We will continue with the programme as set out in the Local Development Scheme, which was approved by Cabinet in June 2015. There is a robust project plan in place to ensure that we remain on track to publish a complete version of the Plan for final consultation in spring 2016. Submission of the draft plan to the Planning Inspectorate will follow in autumn 2016.

As an aside, it is worth noting that the number of adopted NPPF-compliant (whole) Local Plans in England (out of over 300 local authority areas) can be counted on the fingers of two hands. A whole local plan is one that has a development strategy, site allocations to deliver the strategy, and a full suite of policies to deliver the plan's objectives. Our interrogation of the Planning Inspectorate's records reveal that the vast majority of approved 'local plans' are just Core Strategies without site allocations and/or development management policies.'

(9) From Councillor JA Harris to Councillor Lynden Stowe, Leader of the Council

'What criteria did you use to decide the preferred contractor for the new contract for cleaning public toilets?'

Response from Councillor Stowe

'This contract has been jointly procured, via a Framework Agreement, with West Oxfordshire District Council, Cherwell District Council, South Northamptonshire District Council, South Oxfordshire District Council, Vale of White Horse District Council, Stratford-on-Avon District Council, and relevant parish councils located in Oxfordshire.

The detailed evaluation was undertaken by a representative group of service managers supported by independent procurement advisors.

Turning to the process, all potential bidders were advised, prior to bidding, that all bids would be evaluated based on the following criteria. All of the following information was published in line with OJEU Procurement Rules, within the tender documentation:

Section	Assessment
1. <i>Supplier information</i>	<i>Not scored, for information only*</i>
2. <i>Mandatory grounds for exclusion</i>	<i>Pass / Fail</i>
3. <i>Discretionary grounds for exclusion</i>	<i>Pass / Fail</i>
4. <i>Economic and financial standing</i>	<i>Pass / Fail</i>

5.1 Relevant experience and contract examples (1 preferably from the public sector)	Scored 100%
5.2 Insurance	Pass / Fail
5.3 Compliance with equality legislation	Pass / Fail
5.4 Environmental management	Pass / Fail
5.5 Health & Safety	Pass / Fail

If a bidder failed to satisfy basic requirements, then they failed and were not considered further.

Bidders were then assessed on the following criteria and weighting:

Award criteria	Weighting
1. Details of fleet	2%
2. Breakdown of staff resources	4%
3. Meeting cleaning standards	5%
4. Customer complaint management & rectification	4%
5. Management of staff	2%
6. Customer satisfaction improvement	2%
7. Contract mobilisation	2%
8. Contract roll out	2%
9. Change management	1%
10. Management of disruption	1%
11. Management & supervision	2%
12. Key performance indicators	2%
13. Health & safety management	5%
14. Sustainability & environmental management	4%
15. Adding value	2%
Qualitative total	40%
Price	60%
Award criteria	Weighting

The scoring framework shown below was used to evaluate submissions:

0 Unacceptable	Response is so incomplete that it is not possible to form a judgement
1 Poor	Almost unacceptable, response is limited or inadequate or

	<i>substantially irrelevant</i>
<i>2 Very weak</i>	<i>Well below expectation, response only partially addresses the requirement, offers no explanation as to how the proposal meets a number of aspects of the requirement and gives major concerns about the potential reliability to meeting more than one aspect of the proposal</i>
<i>3 Weak</i>	<i>Below expectation, response gives considerable reservations about the proposal meeting some or some of the requirements and gives rise to a number of concerns about the potential reliability to meeting more than one aspect of the proposal</i>
<i>4 Marginal</i>	<i>Marginally below expectation, response gives some reservations about the proposal meeting some of the requirements and gives rise to a number of concerns about the potential reliability to meeting one aspect of the proposal</i>
<i>5 Meets expectations</i>	<i>Acceptable, response mainly compliant, generally meets requirement except for minor aspects, limited reservation, satisfactory</i>
<i>6 Marginally exceeds expectations</i>	<i>Satisfactory, response is considered acceptable, gives confidence as to reliability to meeting all key aspects of proposal, no reservations.</i>
<i>7 Good</i>	<i>Exceeds expectations, good response which meets requirements, gives confidence that all aspects of proposal may be relied upon, describes how requirement will be met, no reservations</i>
<i>8 Very good</i>	<i>Exceeds expectations, good robust response which meets requirements, gives confidence that all aspects of proposal may be relied upon with relevant examples/material, no reservations</i>
<i>9 Outstanding</i>	<i>Excellent response, exceeds expectations of the requirement and its objectives, gives high confidence that proposal may be relied upon without reservation</i>
<i>10 Excellent</i>	<i>Exemplary and innovative response, exceeds expectations of requirement and its objectives, gives high confidence that all key aspects of the proposal may be relied upon without reservation, offers added value that is relevant to requirement</i>

Whilst evaluation against each of these criteria was subjective, evaluators had to be able to justify their scores, in case the decision to award the contract was challenged by other unsuccessful bidders. In the case of this procurement, each bidder was evaluated separately by each of the partner councils and the scores were then aggregated to select the preferred contractor.

In the event, the officers from all partner councils selected the same preferred contractor, who scored highest both on quality and price.

In reaching its decision, the Cabinet was satisfied with the robust evaluation process that had been undertaken, and supported the selection of the preferred contractor identified on cost and quality grounds.'

Notes:

(i) If any Member who has submitted a question is present at the Meeting, he/she will be entitled to ask one supplementary question arising directly out of either the answer given or his/her original question.

(ii) The Member to whom any supplementary question is addressed will try and answer any supplementary question at the Meeting; but if this is not possible, then the Member will answer as much as possible at the Meeting and then provide a full response within five working days. If, for any reason, a full response cannot be provided within those five days, then a holding response will be sent to the questioner, along with the reason for delay and a likely timescale for the full response.

(END)