

17.1. David Talling – Lengthsman’s tender letter.

Matter was discussed in the meeting.

20171017 20:04 Email from David Talling

Date: 17 October 2017 at 20:04
To: holfordpc@gmail.com

Hema - I do not understand how we get in touch with our councillors direct and the Chair in particular when you all seem to have the same email address. Does this mean that all councillors see any email sent to Holford Parish Council.

Could. You please ensure that the Chair (Debbie) receives the attachment regarding the Lengthman Tender. I had already sent an email regarding this subject direct to Debbie's home email address with no response.

Regards

David Talling
www.holfordvillage.com

Dear Debbie (Chair of Holford Parish Council)- I was present at the Parish Council meeting when you decided to accept the tender supplied by Greenslades for Lengthman work in preference to the other two tenders. I did write to Hema expressing my surprise and I have copied that email below.

After reading the latest Council Minutes I see that my concern was not discussed nor have I had any correspondence relating to my concerns. Surely it is a dangerous precedent to accept a higher Tender over a lower Tender even though the lower Tender fulfilled all provisions listed in the Tender process. To accept one tender over another based purely on just because 'we know him' surely is not good practice. If you need confirmation of honesty, ability to fulfil the work stated and ability to adapt to the needs of the council surely that should be stated in the Tender process and if necessary references could be obtained. To give work to someone because 'we know him' should not happen. How well do the councillors who proposed the acceptance of the Tender from Greenslades know the people involved. Are they close friends? As councillors you MUST spend OUR money to get the BEST AND CHEAPEST deal possible and without favour.

I would appreciate your comments.

Regards

David Talling
www.holfordvillage.com

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Hema - on reading the Draft Minutes for the July meeting of the Holford Parish Council I see that the following is stated:-

11 Minute 060/17 Parish Maintenance – All Lengthsman (CH) P:CH; S:TA
3 quotes presented: 1st – don't know them, 2nd – too expensive, 3rd - ok Approved 3rd quote - David Greenslade.

I was present at the meeting as a member of the public and was surprised when this subject came up that the first quote, although the cheapest, was discarded out of hand because 'they did not know them'. Surely, providing they met the terms stated in the Formal Tender document they should have been approved. It is disturbing to hear that contracts can only go to 'people we know'. Was that stated in the Tender document? If a company fills the criteria listed in the Tender document and they are the lowest quote then surely we must accept that quote to ensure value for money for the electors.

Please can you let me know who the others two companies were who tendered and the quotes given by all three. The information was given at the meeting but is not included in the Minutes.

Regards
David Talling
www.holfordvillage.com

20171017 220:17 HS email to David Talling

Thank you for your email David.

I have forwarded your email to Debbie in this reply.

We are in the process of getting separate emails addresses with our new website. Until then please use the holfordpc@gmail.com to contact the parish council.

Many thanks,
Hema.

20171115 Email to David Talling:

Dear David,

In response to your email. The matter was discussed at our parish meeting on Monday and all Cllrs unanimously agreed that a number of key factors were considered in the selection process before a decision was taken.

Many thanks,
Hema.

20171117 11:53 Email from David Talling

Date: 17 November 2017 at 11:53
To: Holford Parish Council <holfordpc@gmail.com>

Dear Debbie - With regard to the Lengthman tender it is still not clear if the decision was reached fairly. You state that the councillors considered a number of key factors in the selection process before a decision was taken. I was present at the meeting and the overwhelming consideration that was given was that 'we know him'. I say again that if the tender requirements were fully complied with then that should be enough. Even in the initial Draft Minutes it was stated that Greenslades had been given the job because 'we know him'. Perhaps the 'key factors' can be stated. If these factors were an important part of the decision process why were these 'key factors' not in the original tender document. Yes I know that you are not obliged to accept the lowest tender but a reason for rejecting a tender must be reasonable (not complying with the terms of the tender).

Hema please ensure that the Chair gets this email. I expect confirmation of receipt from the Chair and a reply within the week. Having to wait weeks if not months for confirmation and a reply is not acceptable. If no reply is received within the week then I will have to progress the issue further elsewhere. If I had received an answer to my original letter promptly then we could have laid the issue to rest then.

Could you let me have a copy of the original tender to see what criteria was set.

Regards
David
www.holfordvillage.com

20171117 19:26 Email to David Talling

Dear David,

Just to let you know, Debbie has received your email and will be in touch.

Many thanks,
Hema.

20171120 19:46 Email to David Talling:

Dear David,

As requested I have also added the lengthman tender documents on our website under the Agenda & Minutes > Current year > July

I have 3 documents:

- Tender document
- QUOTES received
- Greenslade quote in detail

Many thanks,
Hema.

20171121 08:52 Email from David Talling

Date: 21 November 2017 at 08:52
To: Holford Parish Council <holfordpc@gmail.com>

Hema - thank you for letting me know.

Regards

David
www.holfordvillage.com

20171206 10:40 Email from David Talling

Cc: Hema Stanley <clerk@holford-pc.gov.uk>
Date: 06/12/2017 10:40 AM

To the Chair of Holford Parish Council

Dear Debbie - I have still not received a reply from you regarding my last email to you. You did phone me and left a message but I replied I would prefer a written reply to avoid any misunderstanding. This written reply has not been received.

I say again - what were the 'key factors' that determined your decision and if these factors were key to a decision why were they not in the Tender document?

Reading through Minutes of the Parish Council I cannot find a record of when the decision was taken to cancel the Lengthman project. Please let me know when and where this decision was taken.

In the May 2017 Minutes reference to purchasing the equipment required for the Lengthman project and Insurance is recorded. The following Parish Council meeting in July 2017 records 3 quotes for grass cutting and calling it Lengthman project. This is not the Lengthman project but a continuance of the old grass cutting that was done in previous years by Brett Bates and Andrew Date - both Brett and Andrew did this job at much reduced cost. When was it decided and by whom that grass cutting should be called Lengthman project and tenders be put out for the work?

1. What were the 'key factors' that determined your decision making regarding the grass cutting contract and if they were key to the decision why were they not in the Tender document?
2. Why was the Lengthman project discarded? Funding and person in place.
3. If the County Council provided funds for Lengthman equipment then this should be reserved funds for that particular function and should not be used for alternative use. It is still time to reinstate the Lengthman project.
4. The Lengthman project was to have a local person able to carry out maintenance jobs in the village and to be controlled by a councillor with a log kept of items requiring attention sent in by members of the village. Was no Councillor willing to take that overseeing responsibility on?

I asked for a reply to my concern No. 1 nineteen days ago but am still waiting.

I am not asking for a council decision just an explanation of when and where and how decisions were taken. If you are unwilling or unable to answer my concerns then please let me know so I can go elsewhere for the answers I need.

Regards

David
www.holfordvillage.com

20180105 10:43 Email from David Talling

To: Hema Stanley <clerk@holford-pc.gov.uk>
Date: 05/01/2018 10:43 AM

Dear Hema - this is just a courtesy email to let you know that as I have had no reply to my emails sent to the Chair of Holford Parish Council regarding my concerns I have asked Bruce Lang (the Standards and Compliance Officer) to assist me in getting answers.

I had hoped not to have to involve anyone else but I have been forced to do so.

I admire the way you are trying to bring the Council into Transparency and Openness and just wish the councillors could follow your example.

Perhaps you could remind them all of their obligations under the Code of Conduct they sign up to when becoming a Councillor, especially the two sections detailed below.



ACCOUNTABILITY
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS
Holders of public office should be as open as possible about the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Regards

David
www.holfordvillage.com

20180105 03:42 PM Email from David Talling

To: Debbie Salvidge <chairman@holford-pc.gov.uk> 
Cc: Hema Stanley <holfordpc@btinternet.com> 
Date: 05/01/2018 03:42 PM

Dear Debbie - because of your reluctance to answer my concerns, I wrote to Bruce Lang (standards and compliance officer) asking for his help and I have had a very detailed and prompt reply from him. He suggests that before taking the issue of my concerns further that we try again to resolve it between us I would prefer that. He is open to talk with you if you so wish.

All I am asking is for some clarification on the points I raised in my email dated 6th December 2017.

Please refer to the Accountability and Openness sections of the code of conduct agreed by Holford Parish Council.

Looking forward, in hope, for answers to my queries.

Regards
David
www.holfordvillage.com

20180105 09:39 PM Email to David Talling

Date: 05/01/2018 09:39 PM

Thank you for your email David.

I will bring up the subject of Code of Conduct and councillor obligations in our forthcoming meeting on Monday 08 January.

Many thanks,
Hema Stanley.

20180108 Minute 016/18

Matter discussed, All Cllrs except EC who was not a member of the council at the time, agreed on the decision Greenslades was the correct choice.

20180108

DS to contact David Talling

20180111 14:12 DS Email to David Talling

Subject: Lenghtman

Dear Mr D. Talling, With your concerns in the lenghtman's tender last year, tenders were put out by councillor Chris Hayes and three came back. It came up in the next parish council meeting where all councillors discussed the thrae tenders and all councillors agreed on having greenslades to do the years work, as all councillors believed this was the best option for the parish. At our meeting 9th January 2018 we have all agreed for tenders to go out for the 2018 maintenance work. Yours sincerely Debbie.

20180112 11:47 Email from David Talling

HOLFORD PARISH COUNCIL

Cc: <scars@holford-pc.gov.uk>, <chairman@holford-pc.gov.uk>
Date: 12/01/2018 11:47 AM

Dear Hema – thank you for your prompt and clear email regarding the Minutes of the Parish Council meeting held on Monday 8th January 2018. Your diligence is greatly appreciated. I have copied the councillors in on this email so perhaps one may be able help in answering my concerns.

Unfortunately I have not had the same response from the Chairman of the Parish Council. An email received after the January 2018 PC meeting from Debbie just reiterated what was said at the November PC meeting. I had not asked the Chairman for confirmation of the decision to employ Greenslades for grass cutting but had asked a number of other points which have yet to be answered.

I cannot understand what the problem is in giving answers to my concerns. If the Chairman is incapable of answering the concerns then perhaps it is time for one of the other councillors to answer for her.

I remind the Chairman and all Councillors of their obligation under the Code of Conduct that they all accept upon taking office. This Code of Conduct clearly states:-

ACCOUNTABILITY
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS
Holders of public office should be as open as possible about the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

My concerns expressed in the letter I sent to the Chairman and copied to yourself included:-

1. The November 2017 Minutes state that a number of key factors were considered in the selection process (for grass cutting) before a decision was made (to employ Greenslades). **I ask what these Key Factors are and if they were key to accepting a tender why these Key Factors were not in the Tender document?**
2. There is no record in the council Minutes recording when/where/and by whom the decision to cancel the Lengthman project was taken. The May 2017 Minutes record references to equipment costing for purchase using the £3,00 given by SCC for that purpose. There is also reference to Insurance for the Lengthman project. The following Parish Council meeting in July 2017 records 3 quotes for grass cutting and calling it Lengthman project. This is not the Lengthman project but a continuance of the old grass cutting that was done in previous years by Brett Bates and Andrew Dale – both Brett and Andrew did this job at much reduced cost. **When/where/by whom was it decided that grass cutting should be called Lengthman project and tenders be put out for the work?**
3. **Why was the Lengthman Project cancelled – Funding and person were in place.**
4. SCC provided £3,000 for equipment for the Lengthman Project and therefore must be ring-fenced for that purpose. **Is this money ring-fenced for purchase of equipment for the Lengthman Project if/when it does eventually go ahead?**

1. The Lengthman project (working well in a number of other Somerset Parishes) was to have a local person able to carry out maintenance jobs in the village and to be controlled by a councillor with a log kept of items requiring attention sent in by members of the village. **Was no Councillor willing to take on that overseeing responsibility?**

I also stated that I was not asking for any PC decision but only clarification of how/where/ by whom/why decisions are being made. I fully understand that Councillors can change their minds and rescind previous decisions but these decisions must be openly done at the PC meetings and NOT behind closed doors or at the end of the bar. As stated in the Code of Conduct the Councillors making the decisions should be willing to give reasons for, and justify, their decisions.

I have been trying to get answers since September last year and am still trying to get answers. I will persist until my concerns are answered.

In hope,
David

20180116 05:29PM Chair emailed David Talling together with letter from CH.

Date: 16/01/2018 05:29 PM

@ attachment 1.pdf (~44 KB) = lengthman letter.docx (~13 KB) =

Dear Mr Talling
As I said to you previously I would look into your questions regarding the Lengthmans project. I forwarded your concerns to my fellow councillors.
I have recently received the attached letter from councillor Hayes and thought you would like to read it. I would be more than happy to hear your thoughts on this.
After reading the letter I have decided to discuss how to proceed with SALC, Bruce Lang and the Parish council at our next parish council meeting in March.
I have heard from other councillors who all believe that the decision to discuss the tenders and then appoint the contractor was held in a Parish Council Meeting and therefore should not be an issue.

In regards to your question on the finances secured by former councillor Grandfield, The funds were discussed in the July meeting although I think our new clerk may not have done the minutes in enough detail. It was one of her first meetings and an issue we are resolving. Both the district and county councillors were present and it was decided that the £3000 would stay in the reserve fund until we have some information on what to do with it. The money is still there.
I hope this has answered all your questions but feel free to contact me again if necessary.
Yours sincerely
Debbie

Chris Hayes
The Plough Inn
Holford
TA5 1RY

Dear Chair,

In response to your email regarding Mr Tallings enquiry into the 'parish maintenance' project.

After reading Mr Tallings questions I fear I may have done something incorrect. As we know we had previously spent many months discussing this project whilst it was in the hands of former Councillor Grandfield, He had obtained a grant towards equipment and had stated he had someone in mind for the position (Mr Atkins), this process had taken many many many months.

During the meeting of May '17 Mr Grandfield resigned and I took over project, we discussed a training course and Insurance. I then spoke to Mr Atkins, he informed me he had waited so long for information he was no longer interested.

Back to me doing something incorrect. I approached the New Clerk and asked for a tender letter to be sent out to establish the viability of a parish lengthsman. Both Brett and Andrew were approached and indicated they were no longer interested in the work even without the added verges and layby that were previously being done by members of the public and we had discussed the insurance issue that comes with this. (I think dog fouling was a concern to either Brett or Andrew).

I then brought the tenders to the parish council and proposed that Greenslades complete the work. I fear now I did not follow the correct procedure in asking the clerk to send out letter without discussing with full council and have placed the Parish Council in an awkward position. The decision to then except the tenders and choose a contractor was done during a Parish council Meeting (July '17) which I believe is how it should be done.

Whilst I believe I was doing what was best for the village and I believed time was running out to get any works done in the season I fully understand that I have to be held accountable for my actions.

Therefore should yourself or the Parish Council Or indeed Mr Talling or any other member of the Parish wish for there to be any repercussion in regards to myself I willing to except any decision you make.

Yours Sincerely

Chris Hayes

20180116 19:00 David Talling closed issue.

Date: 16/01/2018 07:00 PM

Dear Debbie – thank you for your email and the attached letter from Cllr. Hayes. The information given answers almost all my concerns except for the 'Key Facts' that was stated some time ago. One of my main concerns was the appearance of decisions being taken in non public meetings and this has been answered. I will now let the issue go. Thanks go to Cllr. Hayes for being honest.

I contacted Bruce Lang only because I was not getting any replies from the Chairman. There is now no need for me to proceed further with this.

As regards the content of Minutes. Councillors have the ability to correct the DRAFT Minutes at the following meeting and it is their responsibility to ensure they are a full and correct record of the previous meeting. It is very easy for the Clerk to miss something when taking the notes. It is not easy job.

I am pleased this issue regarding Lengthman is now finished.

Regards

20180312 Correspondence shared with HPC; issue closed.