



Middleton St George Parish Council

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# Middleton St George Parish Council

Water Park – Clearance of the South Facing Banks

APRIL 2021

## **A summary of the reasons for this work**

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*March 2021*

## OPENING STATEMENT

The Parish Council, in acknowledging the high level of public concern that followed the clearance of the southern bank of the Waterpark, ask that residents keep in mind the following information:-

- Since 2017, there has been a significant turnover of Parish Councillors, with the Parish Council often functioning with far fewer members than is efficient. This has continued until the present day when we have 9 councillors (out of a possible 10) in place.
- Obviously, as with any group of people, there have also been absences due to illness, work commitments etc.
- Since 2016, and particularly during 2018-19, the Parish Council has been inundated with planning applications many of which were for complex developments such as that of Homes by Carlton behind Grendon Gardens/High Stell.
- As many of you know, the Parish Council has actively supported residents in scrutinising the 'High Stell' development right through the planning stage and the ensuing work.
- At the same time, the Parish Council was commenting on the Station Road development, the 'High Scroggs' development as well as several other submissions. The Chairman pulled together our responses and attended Darlington Borough Council Planning Applications Committee meetings for all these applications, making Parish Council approved representations, reporting back to the Parish Council meetings and keeping residents informed using the website.
- During 2020, the Covid 19 pandemic seriously hampered the ability of individual councillors to be active in their roles.

We fully accept that residents are owed an apology for the way this project has been handled by the Parish Council, however, we respectfully ask you to bear in mind the factors that ran concurrently with the project (listed at the beginning). The work has been carried out in line with the, sometimes flawed, decisions made by the Parish Council and we ask that you support us now as we move forward to complete the project. We hope this report can respond in some way to the searching questions you have posed in recent weeks.

The Parish Council recognise that we failed to inform residents fully and that this has led to misunderstanding about why the work was undertaken, thus prompting a lot of concerns and questions to the Parish Council, as the clearance appeared to be extreme. An Extraordinary Meeting of the Parish Council was held on 15.02.21 in order to provide an opportunity for residents to ask questions and for the Parish Council to say that it would be addressing those questions comprehensively, but that the matter was complex.

Following this meeting, where a resolution was made to carry out investigations and fact-finding, Water Park Working Group meetings were held on five occasions. Site meetings also took place with the contractor and the developer of the homes being built to the south of the Water Park (Homes by Carlton), as part of the investigations. A report from these meetings was given at the following Ordinary Parish Council meeting on 08.03.21. As certain related matters were still the subject of subject of Freedom of Information Requests and Formal Complaints, it was explained that these matters could not be mentioned at the time, but this information would be included in a report that would be forthcoming.

## 1. BACKGROUND

This was work on the south-facing reservoir banks, and the decision to have the work done was on the basis of recommendations in a qualified Reservoir Structural Engineer's inspection and report.

During the time the planning application for the adjacent development was being considered (rear of High Stell, to the south of the Water Park), neither Darlington Borough Council (DBC) nor the developer accepted responsibility for assessing the risk by the reservoir ponds due to their proximity to the proposed development for up to 200 houses to the south of the Water Park.

2016 – 2017:

At the Outline Planning Application Stage, Darlington Borough Council Planning Committee considered objections, which had included “Nearby reservoirs will be a safety hazard”

**2018:**

Reserved Matters Planning Application Stage.

**In the MSGPC objection letter to the Reserved Matters application (17/01151/RM1) of 13th February 2018, the Parish Council wrote:**

*The proposed development would be right next door to the Water Park, which has 3 reservoir ponds. The risk to safety has been monitored by assessment (last carried out in January 2015). The risk was rated as ‘High’ with regard to proximity to existing housing. With the proposed new development to be sited alongside the Water Park, this risk would be elevated to ‘Very High’. The Parish Council questions whether the Applicant has carried out a risk assessment with regard to the building of family homes in such close proximity to the reservoirs, and whether he has proposed stringent safety and mitigation measures. In any case, RoSPA recommends that prior to any planning permission for close proximity housing being granted, the Local Planning Authority carry out a risk assessment. The Parish Council requests that this be undertaken as a matter of priority.*

**PC minutes 24.9.18 include reference to:**

**613.2 Reports and Updates Planning Applications**

*a. Land to the rear of High Stell and Grendon Gardens*

*The Clerk reported that he had met the developer of the site to discuss a payment towards the cost of the structural survey of the ponds and the cost of the health and safety warning signs for the five entrances to the Water Park. The developer was prepared to pay for the health and safety warning signs and the installation costs but he was not prepared to pay for the structural survey of the ponds. An invoice has been sent to the developer for the signs and installation costs.*

Because neither the developer nor Darlington Borough Council would accept responsibility for assessing the risk, the Parish Council therefore had no option but to commission a structural survey of the reservoirs and pay for it themselves.

## 2. ENGINEER'S REPORT

**PC minutes 14.01.19 include reference to:-**

**761. Parks and Grounds. iii. Ponds Structural Survey**

*Three quotations had been received from: -*

*Dr. Andy Hughes*

*John Falkingham Associates*

*John Laing*

**RESOLVED**

*To accept the price of £2,750 plus VAT from Dr. Hughes. This was agreed unanimously.*

The Reservoir Engineer who carried out the inspection of the structural stability of the three former reservoirs in the Water Park was Dr. Andy Hughes of Dams & Reservoirs Ltd who is on the Environment Agency's approved list of Reservoir Inspecting Engineers who advise on the structural stability and other measures to ensure the safety of reservoirs and inland water structures.

**4th March 2019**

Inspection by Reservoir Engineer Dr Hughes. The Reservoir Engineer met with two Parish Councillors and the then Secretary of the Darlington & District Model Boat Club on 4th March 2019.

NB. A copy of the full Report is available on the Parish Council Website.

**PC minutes 18.03.19 include reference to:-**

**861.1 Water Park**

**c. Structural Survey of the Ponds**

*The Chairman reported that the structural survey by the reservoir engineer had taken place on the 4 March and the report was expected to be received within six weeks of the survey date. The reservoir engineer stated during the survey work that the ponds were now within Category A, which would result in criminal prosecutions in the event of an accident because of the nearness of the housing developments.*

The Parish Council received Dr Hughes' final report and recommendations in August 2019.

**What Work did the Reservoir Engineer Recommend in his Report** - in particular with regard to the south facing banks of the reservoirs?

The Report's recommendations included:

10.3. "On the south side adjacent to the proposed housing estate, there is little grass cover and too many trees and saplings. I recommend the trees and saplings on the south side of all 3 reservoirs be drastically thinned and saplings/trees removed, so that good grass cover can be established."

10.14 "However, I understand a development is planned for the area to the south of the reservoirs. I would recommend that a 2metre strip of land is maintained beyond the toe of the southern embankment to allow maintenance to be provided to the downstream face of the southern side and also vehicle access be provided."

14.1. (Reservoir No.1)

(ii) "Any coarse vegetation on the face to be removed, and a good grass cover established."

(iii) "Any trees are either removed or "managed" by trimming or pollarding to ensure they do not become too big."

14.2. (Reservoir No.2)

- (i) "A removal of all course vegetation and saplings and management of the trees be undertaken."
- (ii) "A good grass cover to be established."

14.3. (Reservoir No.3) (i) "A number of saplings and trees be removed, and a good grass cover established"

14.4. (General)

- (i) "The trees and saplings on the south side of all three reservoirs be drastically thinned, and saplings/trees removed so that a good grass cover can be established."
- (iii) "Any trees are either removed or "managed" by trimming or pollarding to ensure they do not become too big."
- (v) "A 2m strip of land is maintained beyond the toe of the southern embankment to allow maintenance to be provided to the downstream face of the southern side and also vehicle access be provided"

At this time, the Angling Club commissioned a report (dated 14th October 2019) by C.A. Ross Design, and provided a copy to the Parish Council. This report was not written by a Structural Reservoir Engineer, but its recommendations concurred with those of the Reservoir Engineer whom the Parish Council had engaged.

14th August 2019

In an email response to a query about exactly how much clearance is needed, Engineer, Andy Hughes replied:

*"It would be best if all vegetation came off but basically individual trees can remain, saplings should come off and any brambles and low vegetation that stops the face being seen for any movement or slips."*

### 3. TENDER PROCESS

The Clerk sent out the Job Specification in September 2019.

#### **SPECIFICATION FOR THE SOUTH FACING BANK SIDE WORK IN THE WATER PARK**

*“The Parish Council has recently received the Reservoir Engineer's Inspection report on the three ponds in the Water Park at Middleton St. George which were formerly reservoirs. One of the recommendations by the Reservoir Engineer was that all bushes and saplings be removed from all the banks and any trees be pollarded to prevent further growth. The Parish Council agreed at its meeting last night to undertake a complete clearance of the bushes/saplings from the south-facing banks of all three reservoirs immediately (those which face onto the proposed High Stell housing development) and replace with grass. Any mature trees should be pollarded.*

*I am writing to ask if you will please give me a quotation for the complete clearance of the bushes/saplings from the south-facing banks of all three reservoirs (those which face onto the proposed High Stell housing development) and replacing them with grass and for the pollarding of the mature trees on the south facing banks of the three reservoirs in the Water Park. Please contact me on my mobile if you would like to visit the site in order to draw up your quotation.”*

**PC minutes 11.11.19 include reference to:-**

#### **1123.1 Water Park**

*a. Ponds Structural Survey*

*Quotations for the Bank Side Work.*

- The Vice Chairman reported that two quotations had been received for the clearance and reseeded work to the southern bank side of the ponds opposite the land to the rear of High Stell which was being developed for housing. A further quotation was awaited.*
- There was a wide disparity in the quotations received. The Clerk was asked to send the second quotation to Parish Councillors because it had recently been received. The work clearly involved a large sum of money and that grant aid be sought for the work.*
- The Parish Council were informed that £98,000 Section 106 funding had been allocated from a planning application to provide wildflower friendly informal open spaces and landscaping for use by the general public in the village. A bid had been made by the Parish Council for funding from this source for open spaces in November 2018.*
- The Parish Council considered that part of this funding may be considered for the bank side work in the Water Park.*
- The Parish Council agreed that the Chairman will bring the bid letter made last year to the next meeting and further consideration be given to a bid for funding from this source for the bank side work*

**PC minutes 16.12.19 include reference to:-**

#### **1161. Bid for Section 106 Funding for bank side work in the Water Park Update**

*The Clerk reported that he had written to the Section 106 Officer at Darlington Borough Council following the last meeting on the 25th November, 2019 to ask if part of the Section 106 amenity space contribution from the 27 houses in Middleton Lane, Middleton St. George can be transferred from the provision of wild flower meadows to work within the Water Park. The response was that the Parish Council's request was being considered and would be informed when a decision had been taken.*

#### **1168. Water Park**

*1168.1 Ponds Structural Survey – Quotations for the Bank Side Work*

*The Parish Council received three quotations from companies for clearing the southern banksides of the three ponds.*

**The original quotations:**

- |                         |                                       |                  |
|-------------------------|---------------------------------------|------------------|
| • E&M Leighton          | – Bank Clearance                      | £12,780 plus VAT |
| • All Seasons Arborists | – Bank Clearance                      | £11,840 plus VAT |
|                         | – Bank clearance and removal of hedge | £14,980 plus VAT |
| • Wilkinsons            | – Bank Clearance and Reseeding        | £45,113 plus VAT |

**E&M Leighton – wording of original quotation (10.10.19):**

“Close access path and secure with herras fencing at each end. Fell all thorn and elder etc. trees from the top to the bottom of the embankment on the southern embankment (approx. 358 linear meters). Pollard broadleaved trees, ash, maple etc. to approx.3 metres. Stack debris on footpath. Chip debris and flow over embankment into the base. Access for plant machinery via the community centre car park and grass embankment (some reinstatement will likely be required on completion of works). Total £15,336 (including VAT).”

The Parish Council agreed that the quotations be examined by a small group consisting of the Chairman, Vice Chairman and Councillor l’Anson. This group was called the Water Park Reservoirs Group. The group were tasked to discuss the quotations and make recommendations to a subsequent meeting of the Parish Council. An email sent by the Chairman on 21.01.20 arranged the Working Group meeting for 03.02.20. Unfortunately, Councillor l’Anson was unable to attend.

**PC minutes 10.02.20 include reference to:**

**1247.1 Water Park**

*a. Reservoir Bank Side Work*

*The minutes of the Reservoirs Group meeting on the 3rd February 2020 were submitted with the papers for the meeting. The Working Group recommended to the Parish Council that:*

- 1. The clearance of the southern bank side of the reservoirs is carried out as an immediate priority. The Parish Council to pay for the work from its reserves, which have been set aside in case of major structural repairs. It was considered that the work would come under this category, as well as from the budget category for Water Park maintenance, and from other Parish Council funds.*
- 2. Once the Vice Chairman has clarified the quotes and specifications with the two companies, it will be recommended the Parish Council decide upon which company to carry out the work. (see also response to Q 9 on page 11)*
- 3. The work to be carried out on the southern bank side of the reservoirs will be the clearance of all vegetation on the bank side, the removal of the hedge at the foot of the bank side, the pollarding of the trees on the bank side and the grass re-seeding of the bank side.*
- 4. A decision on the bathymetric survey quotes can be taken subsequently, together with registration of the reservoirs under the Reservoirs Act as recommended by the Structural Engineer.*
- 5. As the Parish Council hopes to meet with the Head of Planning at Darlington Borough Council to discuss the type of projects in the village, which can and cannot be funded from Section 106, any questions regarding possible funding for the Water Park could be raised during such a meeting.*

*The Parish Council received three quotations for the work of clearing the southern bank side and re-seeding. The Vice Chairman reported that he would be meeting one of the contractors, who quoted for the work to clarify the boundary issues. Following a discussion, the Parish Council agreed that the Vice Chairman will make a recommendation to it on the contractor who will be asked to carry out the bank side work following his meeting with the contractor.*

In February 2020 several emails between the Vice Chairman and Clerk with reference to the work and liaising with the Contractor included:

“I went with [the Contractor] to inspect the south bank of the Water Park today. He pointed out that the bushes had grown into the adjoining field, beyond what appeared to be a boundary fence that separated the base of the bank from the field. His tender for the work will involve cutting the hedges back that have grown onto the field.” (from Vice Chairman’s email to Clerk 13.02.20)

**E&M Leighton – revised quotation dated 20.02.20 and following a site meeting with the Vice Chairman on 13.02.20:**

“Close access path and secure with herras fencing at access point.

Separate and move to one side historic fencing, concrete and foreign objects. Use forestry mulcher to reduce thorn hedge and saplings at bottom of embankment to mulch (approx. 380 linear meters). Fell trees on southern embankment to ground level and chip into vehicle and remove from site via pond access path. Access for plant and machinery via stone track on embankments (some reinstatement and litter picking will likely be required on completion of the work. Clearance £17,240 +VAT (£20,688 incl. VAT)”

**PC minutes 24.02.20 include reference to:**

**1262.4 Reservoir Bank Side Work**

*The Vice Chairman reported that he had met the contractor to discuss the work of clearing the undergrowth and hedges, pollarding the trees and reseeding the bank side. A revised quotation was received from the contractor. The Vice Chairman recommended that the revised quotation from E&M Leighton of Stockton on Tees for £20,688.00 (including VAT) be accepted by the Parish Council. The Vice Chairman also reported that the Clerk had asked for permission from the developers of the land to the rear of High Stell, Homes by Carlton, for the contractor to enter their site to work on the bank side. However the response from Homes by Carlton was that they could not allow the contractor to enter the land until the Autumn of this year.*

*The Parish Council **agreed** that:*

- 1. The revised quotation of £20,688.00 (including VAT) from E&M Leighton of Stockton on Tees be accepted.*
- 2. The work to clear the bank side be delayed until October or November 2020 to enable the contractor to be given access to the land to the rear of High Stell by Homes by Carlton.*

**PC minutes 09.03.20 include reference to:-**

**1300.1 Water Park**

*a. Bank side work update*

*The Clerk reported that no response had been received from Darlington Borough Council to the question if the bank side work needed planning permission or not.*

*The Vice Chairman reported that as it was now close to the nesting season the work will not take place until September 2020. A revised estimate for the work had been received from the contractor.*

*The Parish Council agreed that the Clerk will write to the contractor to explain the reasons for the delay in the work on the bank sides.*

**PC minutes 11.05.20 include reference to:-**

**1375.1 Water Park**

*c. Work to southern facing slope of the 3 former reservoirs –update*

*The Clerk reported that the planning application for work to the south facing bank had been submitted to Darlington Borough Council on 11.May 2020*

*The Vice Chairman asked if access for the contractor to carry out the work on the bank from the field, which was being developed for housing, could not be achieved in the Autumn of 2020 because the*



*field was waterlogged. The alternative would be over land owned by the Community Centre and to the side of the MUGA.*

*The Parish Council agreed that the Clerk will ask the contractor to clarify how he will access the bank to carry out the work*

**PC minutes 08.06.20 include reference to:-**

**1401.1. Water Park**

*b. Clearance and re-seeding work to the south facing bank of the ponds*

*The Clerk reported that the Head of Planning at Darlington Borough Council had confirmed that planning permission was not required for the work to the south facing bank side of the ponds.*

*The Clerk expressed concern that it was proposed to carry out the clearance work and grass seeding work in the Autumn of 2020 and suggested that the work be deferred to the Spring of 2021 on the grounds that the grass seeds would not be effective in the Autumn as the ground would be too cold.*

*The Parish Council considered the access to the bank side for the contractor to carry out his work. The Parish Council agreed that:*

- 1. The contractor be asked to carry out the clearance work and grass seeding work in the Spring of 2021 before the bird nesting season started.*
- 2. The Clerk will ask the Managing Director of Homes by Carlton if the contractor can gain access to the bank side through the land to the rear of High Stell which was being developed for housing by his company.*

Because the work had to be delayed until the January/February 2021 the price charged by the Contractor for the work increased by 10%.

The Clerk reported the 10% increase to the Parish Council meeting on 14.12.20, together with information as to where the increase would be able to be provided for within the budget. According to the minutes of the meeting, the Parish Council approved the increase, but there was no discussion or questions about it. This was a mistake for which the Parish Council would like to apologise.

## 4. EVENTS ON SITE

### December 2020

Following a series of emails requested by the Vice Chair and sent by the Clerk, the contractor confirmed that he understood to only remove diseased / damaged trees and any hawthorn or blackthorn. This is what he did.

### Beginning of January 2021

Contractor delivers his Method Statement and Risk Assessment to Parish Council  
Notices posted on Website and Facebook Page etc. re the forthcoming work to be carried out for two weeks starting 25th January.

### February 2021

The work eventually started on 08.02.21 (see response to Q13 page12). Unfortunately, no one from the Parish Council supervised the work being done that day.

From the site meeting with the contractor (on 23.02.21) following the clearance work, it was ascertained that the contractor had in fact carried out the work as instructed by the Parish Council. He did the job he was asked to do and consequently the Parish Council paid his invoice in full on 02.03.21.

As per one of the recommendations in the qualified Reservoir Structural Engineer Report, the Contractor has completed the clearance and tidying of undergrowth, scrub and small trees along the south-side bank of the ponds and is now awaiting instruction about when to begin to reseed the bank with grass. Many residents have expressed unhappiness at the fact that so many trees have been removed. In fact, the only trees removed were those that were diseased or damaged or were self-seeded scrub.

In March 2021 the Parish Council received confirmation from the Engineer that the work carried out is in compliance with his recommendation.

## 5. THE BOUNDARY

There would certainly have been a boundary hedge between the Water Park and the agricultural land to the south. This is evident from maps and local knowledge. However, it is also clear that this boundary hedge had not been maintained for decades and so, had grown wild. It had self-seeded over a far wider area than originally intended.

The Parish Council did not ask Homes by Carlton to confirm their boundary line, which, in hindsight, would have been very helpful. Two blue pegs have now marked that boundary and it shows that it lies approximately 2 metres from the base of the embankment. The Engineer's report clearly states that we must leave a 2metre gap at the base to allow for regular visual inspections of the bank.

The clearance work extended by several metres into the developer's field at certain points. This is land that the Parish Council does not own. The removal of the boundary between the two properties and destruction of a natural habitat area were contributory factors in the additional cost to the project overall. This was a mistake for which the Parish Council would like to apologise.

## 6. NEXT STEPS

### i) Re-seeding

On 02.03.21 the Reservoir Engineer wrote:

“A good grass cover is essential and you can incorporate a grass mixture with a wildflower mix. I would prefer not to have fruit trees planted on the embankments for the reasons I've asked trees to be taken off. A typical mix would be a general mix - 40% perennial Ryegrass, 30% creeping red fescue, 20% smooth stalked Meadow Grass and 10% creeping bent.”

Subsequent research shows that “it is unwise to plant wildflower mix in the first year, but instead plant a low-maintenance grass mix that must include creeping red fescue as that is the plant that holds the ground together. This can be left for a year so we see how many weeds regrow. We then need to reduce the weed growth before planting a wildflower mix as the soil needs to be very low in nutrients for that to take.”

Possible methods of re-seeding include, hydro-seeding, hydro-mulching or attempting hand seeding. (This latter method would be too big a job to be practical) Further professional help is needed in order to ascertain any substantive reason whether hydro-seeding, which is the less expensive system, carries any greater risk to the environment.

At the Parish Council meeting on 08.03.21 it was resolved that:

- We needed to investigate what the Parish Council agreed with the Contractor regarding the second phase of the works
- We needed to investigate and research the various different methods of re-seeding and their impacts
- Look at the issue of timing of when this second phase of work could be carried out

ii). Since that time, and following our tracking of events and decisions, we have found that there have been some significant issues that are largely procedural and will be rectified by the Parish Council as we adopt tighter policies on things like: Tendering and Work Specification, Procurement, Project Management and Communication.

- Frequent delays in actions being carried out as they appear in the minutes month after month.
- Long gaps between something being discussed and then any further reference being made to it in the minutes
- Reference made to ‘concerns or issues’ that have been mentioned but are not supported with either a report or explanation within the Minutes.
- Gaps in time during which criteria change but with no reference to these changes in the minutes.

iii) We will also begin an overhaul of the way we set-up and use Working Groups and Sub-Committees. (This will be easier now that we have a greater complement of Councillors)

iv) Many Councillors have recognised the need for each individual to challenge reports, especially verbal reports brought to Parish Council meetings. We recognise the need to ensure correct procedure during meetings to enable clear Minutes to be produced.

v) Clearly another lesson learned is that of the ways we, as a Parish Council, inform residents of decisions or actions that need to be taken.

## QUESTIONS AND ANSWERS

### 1. Why was a Reservoir Safety Report requested?

During the planning process for the Homes by Carlton development it was realised that there was a potential safety issue if the banks of the reservoirs were to fail. It was therefore essential that a safety report was commissioned.

### 2. Why did the Parish Council have to pay for this?

The Parish Council is the owner of the reservoirs. The developers of the Homes by Carlton site and Darlington Borough Council refused to pay for the report.

### 3. How much did the report cost?

The report by Dr Andy Hughes cost £2750 plus VAT.

### 4. What did the report say?

The report did not identify any immediate safety issues. However, it was impossible to properly inspect the south-facing bank because of vegetation which had grown up from below. The report's recommendation was to clear this vegetation and promote the growth of grass and pollard the mature trees to prevent growth. It was also recommended that a 2m strip at the base of the bank be cleared to allow access. This work would allow future inspection so that we would be able to spot a failure of the banks.

### 5. Did anyone ask the reservoir engineer whether that was the only option, or could there have been a different approach that wasn't so destructive to the wildlife habitat?

No. The Parish Council did not ask the engineer this question because flood protection and inspection were his main focus.

### 6. Did the Parish Council get a second opinion from another reservoir engineer?

No. Dr Hughes of Dams and Reservoirs Ltd. is on the Environment Agency's approved list of Reservoir Inspection Engineers and, this being the case, the Parish Council did not consider obtaining a second opinion.

### 7. How were the contractors contacted?

The Clerk wrote a specification of works and sent this to seven companies. Three replied and were shown the site.

### 8. What tenders were received?

- |                         |                                       |                  |
|-------------------------|---------------------------------------|------------------|
| • E&M Leighton          | – Bank Clearance                      | £12,780 plus VAT |
| • All Seasons Arborists | – Bank Clearance                      | £11,840 plus VAT |
|                         | – Bank clearance and removal of hedge | £14,980 plus VAT |
| • Wilkinsons            | – Bank Clearance and Reseeding        | £45,113 plus VAT |

### 9. How was the contractor appointed?

The Vice Chairman said at the Parish Council meeting on the 10.02.20 that he would meet with the cheaper two contractors to discuss issues. However, he only met with one, Mark Leighton, on 13.02.20. After this meeting Mark Leighton increased his tender to £17,240 plus VAT. The Vice Chairman recommended acceptance of this tender at the next Parish Council meeting on 24.02.20 and the Parish Council agreed to this.

**10. Why was the tender increased?**

The Vice Chairman says that it may have been that the contractor remeasured the site and realised it was bigger than first thought. However it may also have been that the contractor was asked to clear the vegetation growing into the developer's field by more than the 2 metres specified by the Engineer.

**11. Why was All Seasons Arborist tender not followed up since it was considerably cheaper?**

The Vice Chairman says that in his understanding, regardless of the Minute of the meeting, he was asked to meet E&M Leighton who, again in his understanding, was the preferred bidder.

**12. Why did Mark Leighton then increase his tender by 10%?**

This is because the work had to be delayed into 2021. The precise reason for this was never questioned by the Parish Council. This is a mistake for which the Parish Council would like to apologise.

**13. Was a scope of works discussed at a pre-start meeting, including all method statements and signing off risk assessments?**

No, there was no pre-start meeting. This is an omission by the Parish Council

**14. When was the work started?**

The work commenced on Monday 08.02.21. The Parish Council as a whole was not made aware of this start date, but coincidentally there was a Parish Council meeting that night. At that meeting it was reported that there were irate comments on the village Facebook page about the clearance work.

**15. Did the Parish Council oversee the work carried out, or engage someone to do that on its behalf?**

No, no one from the Parish Council attended the clearance on Monday 08.02.21 and the Parish Council did not engage someone to do this.

**16. Was the work sub-contracted?**

Mark Leighton employed Premier Tree Services to do the work, who then employed RG Blakey Forestry, who have heavy machinery, to mulch the vegetation. Mark Leighton states that he was present on site to supervise proceedings so it could be argued that the work was not sub-contracted.

**17. Why were the trees not pollarded as the engineer recommended?**

The contractor was asked by the Vice Chair not to pollard the remaining trees in order to reduce the adverse visual impact of the clearance.

**18. Why was the vegetation extending into the developer's field removed?**

This was a mistake for which the Parish Council would like to apologise.

**19. What was the final bill from Mark Leighton?**

The final bill was £18,964 plus VAT. The decision about the re-seeding quotation has not been taken any further.

**20. Why did it cost this much when All Seasons Arborists would have done the clearance for £11,480 plus VAT?**

This is a mistake for which the Parish Council would like to apologise