

A councillor's primary role is to represent their ward and the people who live in it. You as Councillors provide a bridge between the community and the council. As well as being an advocate for local residents you are to keep us informed about the issues that affect us, this is one of those issues.

Numerous FOIs and an inspection carried out by Mr. Ellis have shown a level of ineptitude that is staggering. Concerns have been raised, and you have offered no form of apology, rather you as a council believe you have no need to apologise...I beg to differ. This simple refusal to acknowledge your failings demonstrates a level of contempt for the people you represent. Moreover, this megalomania has brought the council into disrepute and it is extremely concerning that you are only giving us, the public, 15 minutes.

This raises one fundamental question-What are you hiding?

I will limit my time to one area of your demonstrated incompetence, Construction Design Management Regulations 2015. These are regulations governing the way construction projects of all sizes and types are planned in the UK.

The principal implication of CDM 2015 is that the person or business for whom the construction services are carried out, 'the client, of which you were', is accountable for health, safety and welfare on the project.

CDM 2015 places legal duties on all involved in a construction project, duties which are enforceable by criminal law. Every construction project must meet the requirements of CDM 2015.

Duties of the Client

- **Appoint Project Roles** — If more than one contractor is working on the project, the client will need to appoint principal designers and principal contractors. This needs to be done in writing, otherwise, the client will remain legally responsible for the principal contractor and principal designer duties.

Did you appoint?

- **Prepare a Client Brief** — Before the project begins, clients should prepare a brief that outlines the reason for the construction work, what the client is envisioning from the completed project, expectations of how the project will be carried out and expected health and safety standards. This is used to communicate the expected standards and project requirements to the project team.

Did you provide this brief? Paul Jones states "I received no brief or particulars pertaining to a street works permit in fact no brewed whatsoever. And at no point was I advised that a permit was needed".

This has a ramification for the other duties;

Allow Sufficient Time and Resources — Clients are required to allow contractors sufficient time and resources to complete the project safely.

As shown, this is questionable.

And

Provide Pre-Construction Information — Clients need to provide all possible information about the construction site or building on which the project will be completed. Information about boundaries and access, existing structures, site security or health hazards are all examples of pre-construction information that contractors may need to complete the project.

Did you provide PCI?

Clearly not and is evident in Harvey's reply to Angie Price. In an email Paul Jones concerning a request for yet more public money on the 2nd April, Angie conveys Harvey's opinion,

"Her (Harvey) reasoning for this is that as a contractor **it is likely that you undertake work like this** regularly and **therefore it would be reasonable to believe** that you would have been aware that there was a need for the license, even though **we had not made you aware** of this as it is the contractors that would be required to apply for the licence and not the council and therefore the need to apply for a licence **should not have come as a surprise to you**.

This made harrowing reading. The assumptions alone demonstrate that you are completely unaware of your legal duties under CDM. A point to note, Ignorance or mistake of law is no defence to a criminal charge; mens rea does not involve knowledge on the part of a defendant that his acts or omissions were against the law and constituted a crime.

This is pertinent as Steve Ellis pointed out, and as FOIs have you shown, you are aware that trip hazards are present...You have not attempted in reasonable time to address these H and S risks and make the area safe. You are instead more interested in wasting yet more public funds on reports.

You have made a debacle of simple low risk, low value project. You have acted in blasé, condescending manner to members of the public, with one of classing this as "Flag Shagging". You offer no apology for wasting a kind and generous donation and show no accountability for wasting public funds.

In this however, you have acted criminally. You have not adhered to your legal duties. You must now do the right thing, refer yourselves and this project to a scrutiny committee, or better yet the HSE and resign.