

# Resources Department

PAUL McCALLUM  
Director of Resources

Reply from Reigate & Banstead Borough Council  
to correspondence at  
[http://www.relax-well.co.uk/To\\_decision\\_makers.pdf](http://www.relax-well.co.uk/To_decision_makers.pdf)

Ms. G. Filby  
1 Howard Road  
Reigate  
Surrey RH2 7JE

*Our Ref:* AC/CJC/CMM  
*Your Ref:*  
*Date:* 13th June 2006

Dear Ms. Filby

**RE: COMPLAINT: DECISION MAKING IN RESPECT OF PRIORY PARK  
PAVILION DESIGN CONCEPT**

I refer to our previous correspondence and have now completed my internal, independent investigation of your complaint under the second stage of the Council's complaints procedure.

Before dealing with specifics, it might first be helpful if I explain that the complaints procedure operated by the Council broadly follows that of the Local Government Ombudsman (LGO). It is designed to consider allegations of injustice caused by maladministration which can arise if we do something we should not have done or fail to do something we should have done. Examples include unreasonable delay, muddle, bias, failure to follow proper procedures or decisions based on inaccurate or misleading information. Importantly, neither the Council's procedure nor that of the LGO can question actions or decisions properly taken simply because someone does not agree with them.

Having said that, your complaint is that the decision making process in relation to the selected Priory Park Pavilion design concept is fundamentally flawed. I have accordingly investigated that process in the context of the second paragraph of this letter, i.e. to determine whether there is any evidence of maladministration on the part of the Council. I would stress that my role is not to question the architectural merits of the selected design concept.



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You have detailed a number of “basic flaws” that you feel exist and I will address each of these in turn. However, I would first like to make some general comments on the selection process. The cost of the architectural competition was met through a successful bid to the Heritage Lottery Fund (HLF) and, consequently, in formulating the overall process the Council had to be mindful of certain requirements of that Organisation. In this connection, the Council chose to procure the services of the Royal Institute of British Architects (RIBA), an organisation with expertise in architectural competitions.

RIBA advised on the competition format, including the technical review of expressions of interest, jury selection of a short-list of architectural practices, submission and evaluation of design proposals and final assessment of schemes by a Jury Panel leading to selection of a winner. RIBA also advised on the composition of the Jury Panel and appointment of an expert architectural advisor. Their advice was based on a detailed specification and there is clear evidence that the processes and methodology recommended by RIBA have been correctly followed.

Turning to your listed “basic flaws” I would comment as follows.

1. The Jury Panel was not convened to make decisions before the public consultation process was complete. The consultation on the design concept ran from the 12th to 26th May and the Jury Panel selection of the winning proposal was on 6th June. It is, perhaps, worth pointing out that there was most public support for the design concept that was ultimately selected by the Panel.
2. You claim that the Jury Panel was provided with “unrepresentative statistical data”, although you have not given any specific examples. I can find no evidence to support your statement.
3. In relation to public consultation, I would refer you to my comment made above on support for the winning proposal.
4. The brief for the Pavilion did not specify a conservatory or indeed any other style/type of building. This was intentional. The brief specified various space requirements (for instance café seating area, baby changing area) but beyond that the Council was looking to the short-listed practices to propose innovative and creative design concepts that had due regard to the general and physical context of Priory Park and its interior environment.
5. I note that you agree that the selection process was “rigorous and exhaustive”. That is really one of the main issues for me to consider in terms of maladministration, whereas questioning the architectural merits of the selected design concept is not, as it falls outside the remit of the complaints procedure. I can confirm, however, the Jury Panel were fully aware of the historical background to the Park and its relevance in the selection of the winning design.
6. The composition of the Jury Panel was based on advice from RIBA. It included Borough Councillors, a County Councillor, representatives of the

HLF, a member of the Reigate Society and an expert architectural advisor appointed by RIBA. It is a matter of opinion, rather than a case of maladministration, as to whether local residents should have been further represented beyond the elected Councillors.

7. I do not accept that the Pavilion designs were unfairly or inconsistently evaluated. The strengths and weaknesses set out in the RIBA final report are submission specific and by the very nature of the different design concepts received, were never likely to be generic across all entries. A detailed selection criteria, involving weighted scoring covering nine specific areas, was strictly followed. This was supported by presentations and question and answer sessions. The Jury Panel also had the benefit of a technical report which again included a selection criteria with weighted scoring. The technical report also included independent evaluation, alongside that of the technical panel, by the expert RIBA architectural advisor.
8. Turning to your final point, it is important to remember that the Council were seeking "design concepts" and not definitive schemes. The winner of the competition has now been requested to work-up detailed design proposals that take on board comments made by the Jury Panel and the Council's professional advisors and officers. This work is, I understand, nearing completion.

Based on the foregoing, I do not consider that you have a justified complaint against the Council. I can find no evidence of maladministration and the robust selection processes recommended by RIBA, experts in the field of architectural competition work and recommended by the HLF, were correctly followed.

If you remain dissatisfied with the outcome of my investigation I would advise you that you could contact the Local Government Ombudsman requesting an investigation of your complaint independent of the Council.

In accordance with the Council's complaints procedure, I am copying this letter to the Executive Member for Leisure and Healthy Living (Councillor T.D. Stoddart) and your other local Ward Members Councillors S.A. Kulka and G.L. Norman.

Yours sincerely

Ann Coronel  
Head of Legal and Property Services  
and Monitoring Officer