

SUMMONS TO THE MEETING of the MILTON KEYNES COUNCIL

WEDNESDAY 16 SEPTEMBER 2015
7.30 PM

COUNCIL CHAMBER, CIVIC OFFICES
CENTRAL MILTON KEYNES



Stephen Gerrard
Interim Service Director (Legal and Democratic Services)

For more information about the meeting please contact Simon Heap on (01908) 252567 or by e-mail simon.heap@milton-keynes.gov.uk

AGENDA

Item No:

1. Procedure

(a) Apologies

(b) Minutes

To approve, and the Mayor to sign as a correct record, the Minutes of the meeting of the Council held on 15 July 2015 (Item 1) (**Pages 13 to 26**).

(c) Disclosure of Interests

Councillors to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

(d) Announcements

To receive announcements, if any.

2. Public Involvement

(a) Deputations and Petitions

No deputations have been submitted for consideration at this meeting.

Any petitions received will be reported at the meeting.

(b) Questions from Members of the Public

To receive questions and provide answers to questions from members of the public.

3. Business Remaining from Last Meeting

None

4. Reports from Cabinet and Committees

(a) Constitution Commission – 22 July 2015

Administrative Changes to the Constitution

“That the Council be recommended to agree that the following words be added to Article 17 of the Constitution:

‘The Service Director (Legal and Democratic Services) / Monitoring Officer is authorised to up-date the titles of officers and the management structure to ensure that they remain current and other consequential amendments to reflect Council decisions to ensure that the Constitution remains a contemporary document, provided that no changes undertaken by the Service Director will take effect until they have been agreed by the Council.’”

(b) Cabinet – 14 September 2015

(i) Wolverton Town Centre Neighbourhood Plan

“That the Council be recommended to ‘make’ the Wolverton Town Centre Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.”

A copy of the report considered by the Cabinet is attached at Item 4(b)(i) (**Pages 27 to 32**)

(ii) Investment in Property Fund for Temporary Accommodation

“That the Council be recommended to approve Prudential Borrowing of £5m to fund a £5m investment in the Real Lettings Property Fund, and to approve an addition to the 2015/16 Capital Programme Resource Allocation and Spend Approval of £5m.”

A copy of the report considered by the Cabinet is attached at Item 4(b)(ii) (**Pages 33 to 36**)

This is a recommendation coming to Council from Cabinet as a matter falling outside of the previously agreed budget framework.

5. Councillors’ Matters

(a) Councillors’ Questions

Councillors to ask questions of the Leader, a Cabinet Member, the Chair of any Committee, or the Leader of a Political Group on the Council.

(b) Notices of Motions:

(i) Right to Buy for Housing Association Tenants

Councillor C Williams – 19 August 2015

”1. That the Council notes:

- (a) the Conservative Government’s proposal to extend the Right to Buy to Housing Association tenants, to be paid for by selling off the most expensive Council Housing stock;
- (b) the shortage of affordable rented homes in Milton Keynes (currently estimated to be at least 850 and due to rise to over 1,000 within the next three years) and expresses its concern that the Conservative government’s plans will make matters far worse;
- (c) the recent Local Government Association “First 100 Days” campaign which highlighted there are 1.7 million households on waiting lists for affordable housing across England and that more than 3.4 million adults between 20 and 34 live with their parents;

- (d) the research carried out by the National Housing Federation which shows that just 16% of the public believed that extending Right to Buy to housing association tenants would be the most useful way of tackling the affordability crisis, and that the public's top choice, selected by 46% of the people, was to help housing associations and / or councils to build more affordable homes;
 - (e) a report by the Financial Times on 14 June 2015 which shows that there could be a funding gap of over £1 billion to pay for the scheme; and
 - (f) agrees with the following warning from UNISON: *"Solving the housing crisis requires a significant increase in all types of housing – particularly affordable social housing – to meet housing demand, and will not be solved by selling housing association homes and depleting the nation's social housing stock. The acute shortage of housing is leading to spiralling housing costs, which families across the nation are struggling to meet"*.
2. That the Council opposes the forced sell off of council housing to pay for this Conservative plan and is concerned that the Conservative Government has also:
- (a) failed to address the situation for many local authorities which no longer have any housing stock to sell as they have transferred theirs to housing associations;
 - (b) failed to address the situation in areas of high housing demand where there are often few suitable sites to build replacement social housing stock; and
 - (c) failed to recognise that this means housing associations will simply be trying to catch up with replacing homes rather than building affordable housing to give more people homes they need.
3. That the Council notes that even the Conservative Mayor of London has said he did not want to see councils "deprived at a rapid rate of their housing stock" if more homes were not being built to replace them.
4. That the Council recognises the desire by many to own their own homes, and suggests that proposals put forward by the Liberal Democrats for a "Rent to Own" model and Shared Ownership housing would represent a better way of reaching this goal.

5. That the Council also notes that there are existing routes for housing association tenants to own their own properties – some Housing Association tenants already have the Right to Acquire.
6. That the Council condemns the Conservative Government’s scheme and resolves to:
 - (a) work with other neighbouring authorities and housing associations to oppose the current Conservative government proposals;
 - (b) work with housing associations, developers and other ‘interested parties’ to find innovative ways to build more affordable homes and to begin to redress the chronic shortage; and
 - (c) write to both Members of Parliament to insist that they:
 - (i) show their public support for this Council’s position;
 - (ii) speak up in Parliament for more social and affordable housing, and not less; and
 - (iii) demand a genuine “one for one” replacement but not at the cost of losing more Milton Keynes Council housing.”

(ii) Housing in Milton Keynes

Councillor O’Neill – 1 September 2015

“1. That this Council recognises that:

- (a) Milton Keynes, like other areas, is in the midst of a housing crisis, with house prices and private rents increasing dramatically year on year and according to statistics, released by Danny Dorling, Milton Keynes is in the five most unaffordable places to live in Britain, outside of London, with an average house price to earnings ratio at 10:1;
- (b) private renting now costs tenants 40% of their income and in Milton Keynes average rents are £175 more than the national average;
- (c) homelessness is inevitably increasing, for both families and individuals, with Milton Keynes Council placing more families than ever into temporary accommodation at a cost of over £1million a year and that the human cost to those families on the frontline is incalculable,
- (d) when asked about a strategy to deal with the housing crisis Brandon Lewis, the Housing Minister, recently stated *‘I’m not entirely convinced that publishing a strategy actually achieves what we want’* and this

indicates that the Government has no clear policy to deal with the housing crisis and in addition many commentators believe that the decision to attack and minimise social housing by the Government is an ideological stance rather than one embedded in genuinely trying to resolve the housing crisis;

- (e) the Conservative Government's decision in the recent Emergency Budget to freeze the Milton Keynes Local Housing Allowance for a two bed property at £656.50 per month, almost £200 less than the average rental price, will see homelessness increase further as people become less able to afford private rent;
- (f) in addition, the Emergency Budget was particularly damaging to the aspirations of Milton Keynes Council to build a mix of sizes, types and tenures of homes, including social rented accommodation and the reduction of social rent by 1%, whilst beneficial to tenants in the short term, will cost the Housing Revenue Account an estimated £22 million and 162 homes over the next four years; and
- (g) the new Pay to Stay scheme for households earning over £30,000 with the extra income going to the Treasury, will see an end to mixed communities and inevitably lead to an increase in Right to Buy for those who can afford it and a debt crisis for those who cannot.

2. That this The Council therefore:

- (a) requests that the Cabinet Member for Housing writes to Brandon Lewis, George Osborne and our two local MPs asking them to come to Milton Keynes to meet with families placed in Bed and Breakfast to explain their decisions;
- (b) requests that the Cabinet members for Housing and Resources investigate the possibility utilising existing, or establishing new, Joint Ventures to develop a rolling housebuilding programme across Milton Keynes;
- (c) looks to build on the recent success of the Housing Summit and helps develop a Milton Keynes Housing Alliance;
- (d) asks the Cabinet Member for Community Safety to develop a robust strategy to support those finding themselves street homeless;
- (d) requests the Chief Executive to ask Government to release the constraints currently on Right to Buy receipts; and

- (e) asks for Shared Ownership to be investigated as an alternative offer to Right to Buy with the caveat that any shares sold must be offered back to Council before being resold.”

(iii) MK Futures 2050 Commission

Councillors Bald, D McCall and Marland – 3 September 2015

“1. That this Council believes that:

- (a) the time is right to initiate an ambitious project to explore potential long-term futures, as part of the emergence of Milton Keynes as a UK city and economy of increasing significance, and as it continues to grow as a place;
- (b) external experts with a strong connection to Milton Keynes and the region should be engaged in the project to provide wider perspectives, knowledge and external challenge, including insights from national and international benchmark cities;
- (c) such a project must ensure the full range of Milton Keynes residents and communities are engaged, especially young people; and
- (d) consideration of the future of Milton Keynes through such a project should be integrated with the process for developing Plan:MK, to allow the two distinct work streams to take full benefit from each other as part of a formal process.

2. That the Council therefore resolves to:

- (a) establish a MK Futures 2050 Commission comprising experts from a range of sectors and backgrounds to engage local people, organisations, businesses, parish and town councils and the Elected Members of Milton Keynes Council in a process to explore the long-term future of Milton Keynes;
- (b) ask the Commission to deliver the following key outcome, based on the Terms of Reference for the Commission (included at Item 5 (**Pages 37 to 42**) that were developed with contributions from key stakeholders:

‘A view of potential longer term futures for Milton Keynes, noting the need to ensure flexibility for as yet unknown possibilities; making recommendations to the Council for its consideration in development of its medium and longer term policy framework’;

- (c) consider the Commission's report at a dedicated Council meeting at an appropriate time in the next municipal year, where it will be used as the basis for the Council to seek the following outcomes through engagement with the Government and other relevant stakeholders to:
 - (i) re-establish Milton Keynes as a project of national importance (as when the city was first designated in 1967);
 - (ii) develop a framework and/or "deal" with Government and other relevant stakeholders that will provide optimal arrangements to deliver the vision for the city's future; and
 - (iii) fully inform and complement the process for developing key strategies and policies, including the parallel programme of work on Plan:MK (the Council's spatial plan).
- (d) invite Sir Peter Gregson, Vice Chancellor of Cranfield University, to Chair the Commission and deliver by July 2016 a report and recommendations for the Council to consider;
- (e) ask the Commission to consider a range of possible futures for Milton Keynes through to 2050 and address the following three key questions in order to provide focus to its work:
 - (i) what might be the role and significance of Milton Keynes as a place and economy in the region, the UK and more widely including how it relates to other major places, cities and nearby large towns?
 - (ii) what might be the character of Milton Keynes as defined by its people, environment and culture?
 - (iii) what are the opportunities to pursue and challenges to address if we are to compete with other UK and international benchmark cities economically and in quality of life?;
- (f) require that the work of the Commission:
 - (i) recognises the unique character of Milton Keynes;
 - (ii) challenges both positive and negative preconceptions about the city, whether held by internal or external stakeholders;
 - (iii) makes provision to test its thinking and emergent recommendations and allow input from the political leaders of the Council;

- (iv) ensure the process is transparent, with evidence gathering in public and made publicly available, but with deliberations being in a closed environment, with a summary of these deliberations being made publicly available;
- (v) to be responsible for ensuring the engagement and input of the full range of MK residents, communities and Milton Keynes Council Elected Members, especially young people;
- (vi) engages regional (including neighbouring councils), national and international stakeholders and seeks insights from national and international benchmark cities; and
- (vii) is timetabled such that it can formally draw from, complement and inform the work to develop Plan:MK, including the consultation on the Plan:MK Vision and Development Options and feed into the development of the Preferred Options stage.”

Councillor Bald – 3 September 2015

“1. That this Council:

- (a) takes very seriously the role that the Administration and every councillor have in ensuring that tax payers’ money is carefully managed and stewarded;
- (b) against this backdrop, notes that:
 - (i) the Council was taken to Court by Woods Building Services regarding the award of an £8m contract for the removal of asbestos which they claimed had been incorrectly scored;
 - (ii) the Council decided to defend its position in court;
 - (iii) it appears that the Council did this without first thoroughly investigating and reviewing the scores awarded;
 - (iv) in so doing the Council failed to protect tax payers against a claim for costs; and substantial legal costs;
 - (v) the Court (July 15) ruled against the Council in favour of Woods and awarded costs against the Council of £122k; and
 - (vi) the Court ordered the tender to be rerun and left open a potential challenge for loss of profit from Woods, arising from flawed procurement.

2. That having due regard to the fact that contracts of more than £100k are determined by the Council's Cabinet Committee (Procurement and Commissioning), Council believes that this failure may signpost a systemic weakness in the Procurement process for large contracts which needs to be thoroughly investigated.
3. That the Council further notes that despite the very significant value of contracts being considered by the Procurement and Commissioning Committee, meetings rarely last more than 30mins.
4. That the Council believes that the Procurement and Commissioning Committee may be taking the approach of rubber stamping recommendations, rather than adopting a more challenging and rigorous process with difficult questions being asked and the Council further believes that this approach has potentially serious financial consequences in terms of securing value for money for tax payers and in the safeguarding of public funds.
5. That the Council therefore asks the Audit Committee to mount an investigation into what went wrong on this particular contact and based on these findings, to recommend any changes/ actions with regards to the Procurement process overall; with the aim of this investigation being to safeguard tax payers money and to protect the Council's reputation.
6. That the Council calls for a full financial evaluation of the costs of this judgement, including legal cost, potential claims for damages and the costs of rerunning the tender process."

6. Leader's Executive Scheme of Delegation

In accordance with Cabinet Procedure Rule 1.2, the Council is invited to receive the Leader's Executive Scheme of Delegation (Item 6) (**Pages 43 to 60**) and note the following amendments relating to the Terms of Reference for Procurement and Commissioning which have been made since the Scheme was reported to the June meeting of the Council:

- (a) the membership requirement has been amended to a minimum of three and the quorum being amended to reflect this;
- (b) removing a duplication under the 'Functions' section and adding headings for clarity; and
- (c) unify with the Key Decision Limit the authorisation levels at which officers and Procurement and Commission can agree specifications, invite tenders and award contracts in the Procurement and Financial Scheme of Delegation.

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Minutes of the MILTON KEYNES COUNCIL held on WEDNESDAY 15 JULY 2015 at 7.30 pm

Present: Councillor McLean (Mayor)
Councillors Alexander, Bald, Baume, Betteley, Bint, Brackenbury, Brunning, Buckley, M Burke, Cannon, Clancy, Clifton, Crooks, Dransfield, Eastman, Exon, Ganatra, Geaney, A Geary, P Geary, E Gifford, R Gifford, Gowans, Green, D Hopkins, V Hopkins, Hosking, Khan, Legg, Lewis, Long, Marland, D McCall, I McCall, McDonald, McKenzie, McPake, Middleton, Miles, Morris, Nolan, O'Neill, Small, Walker, Wallis Webb, White, C Williams, P Williams and Wilson
Aldermen Bristow, E Henderson and Howell and Alderwoman Saunders

Apologies: Councillors Bradburn, Bramall, Coventry, Ferrans, Morla and Patey-Smith and Alderman Beeley and Alderwomen I Henderson, Irons and Lloyd

Also Present: 41 members of the public

CL33 MINUTES

RESOLVED -

That the Minutes of the meetings of the Council held on 27 May 2015, 10 June 2015 and 17 June 2015, be approved and signed by the Mayor as correct records.

CL34 DISCLOSURES OF INTEREST

Councillors declared the following personal interests in Item 5(b)(i) (European Capital of Culture 2023):

- (a) Councillor Marland as a Council appointed member of MK Gallery Board;
- (b) Councillor R Gifford as a Council appointed member of Arts Gateway MK; and
- (c) Councillor E Gifford as a Council appointed member of MK Gallery Board and MK Arts Centre.

Councillor Bint informed the Council that he, and all other councillors, had received lobbying material in respect of Item 5(b)(i) (European Capital of Culture 2023).

Councillor Marland declared a personal interest in Item 5(b)(iv) (Devolution of Powers) as a Council nominated member of SEMLEP and a SEMLEP Board member.

CL35**ANNOUNCEMENTS**

1. Bill Berrett

The Mayor welcomed Mr Bill Berrett and his wife Sheila to the Council meeting

The Mayor informed the Council that Mr Berrett was an architect credited with significant work in shaping Milton Keynes while with Buckinghamshire County Council and the former Milton Keynes Development Corporation.

The Mayor thanked Mr Berrett for his very interesting presentation earlier in the evening and presented Mr Berrett and his wife with gifts to commemorate their visit to the Council.

2. Queen's Birthday Honours

The Mayor welcomed

The Council congratulated the following persons who been awarded Honours in the Queen's Birthday Honours:

- Mr Nicholas John Hartley OBE for Services to Young People;
- Mrs Elizabeth Bull OBE for Services to Education;
- Mr Charles Hedges MBE for Services to Law Enforcement;
- Dr Ann Limb CBE for Political Science;
- Mrs Roberta Sharp BEM for Services to Gymnastics; and
- Mr Philip Edward Smith BEM for Services to the Community in Sherington.

Janice Flawn, Derek Harvey, David Hill, Rebecca Kurth and Eleanor Marland were in attendance.

Mr Hartley, Mrs Bull, Mr Hedges and Mr Smith were in attendance.

CL36**QUESTIONS FROM MEMBERS OF THE PUBLIC**

Question from Mr Henk van Aswegen to Councillor E Gifford (Cabinet member for Community Services)

Mr van Aswegen asked Councillor E Gifford if there could be an in-depth consultation on the Cultural and Community Services Review with Heritage Stakeholders, which included a cost benefit analysis and an analysis of the risks involved as the various Arts and Heritage Groups in Milton Keynes were keen to be involved.

Councillor E Gifford indicated that if her motion this evening was successful then there would be an extensive and systematic consultation with stakeholders and much more detailed work undertaken. A detailed cost benefit analysis would also be a crucial

part of the bid and she would address the finance issue as part of her address on the motion.

Councillor Gifford thanked Mr van Aswegen for his offer of involvement by the Arts and Heritage Groups in any bid by the Council.

CL37 MINERALS LOCAL PLAN – DRAFT PLAN FOR PUBLICATION AND SUBMISSION TO THE SECRETARY OF STATE

Councillor Legg moved, and Councillor Marland seconded:

“That consideration of the referral from the Cabinet in respect of the Draft Minerals Local Plan be deferred to the meeting of the Council on 16 September 2015”.

The Council’s agreement was given by acclamation.

CL38 CORPORATE PARENTING ANNUAL REPORT

In accordance with Council Procedure Rule 2, the Mayor brought forward the Corporate Parenting Annual Report.

Councillor Miles moved and Councillor Marland seconded:

“That the Corporate Parenting Annual Report be received.”

The Council’s agreement was given by acclamation.

CL39 MEMBERS’ QUESTIONS

- (a) Question from Councillor Lewis to Councillor Betteley (Cabinet member for community Safety and Public Access)

Councillor Lewis, referring to the Council’s decision at its budget setting meeting in February when the Chief Executive was requested to undertake a review of staffing structures and identify £250,000 savings from management costs, asked Councillor Betteley to update the Council on progress.

Councillor Marland (Leader of the Council) provided a response on behalf of Councillor Betteley. Councillor Marland stated that staffing structures and management reporting were a matter for the Head of the Paid Service and indicated that the Chief Executive would be in a position to report to the Scrutiny Management Committee by the end of July and had made the required savings.

Councillor Marland also indicated that the Administration was determined to keep management costs and other staff costs, such as sickness, under close scrutiny.

- (b) Question from Councillor Dransfield to Councillor Miles (Cabinet member for Children and School Improvement)

Councillor Dransfield, referring to the time it takes to complete Disclosure and Barring Service checks, asked Councillor Miles if he knew how long the individual stages in the process were taking to complete and whether Thames Valley Police was causing any delay. Councillor Dransfield also asked if

consideration was being given to seeking an alternative system if the Police were proving to be adding significant delay into the process.

Councillor Miles indicated that as he did not have such detailed information to hand, he would provide a written response. However, he was able to report that he had discussed the matter previously with officer colleagues, but he was not aware whether the processing times had got significantly worse over the last few months.

As a supplementary question, Councillor Dransfield asked Councillor Miles if he would consider using an alternative to the Police to process the checks if it was to speed up the process.

Councillor Miles, recognising that it probably would not be his decision to use a different agent, indicated that he might consider suggesting that alternatives were looked at.

(c) Question from Councillor White to Councillor Marland (Leader of the Council)

Councillor White, referring to the recent decision by the Development Control Committee to defer the planning application in respect of the Agora at Wolverton following a viability assessment being made available to the Committee at the last minute, despite the assessment apparently being available to the Council well in advance, asked Councillor Marland for clarification of the situation and to explain what measures he would be putting in place to ensure that the different roles of the Council as planning authority and land owner were understood.

Councillor Marland in response referred to the Council's different roles and the role of Milton Keynes Development Partnership in the Agora Development, particularly the efforts which were being made to ensure the different roles were kept separate so as not to compromise the process.

Councillor Marland indicated that the Council's planning officers had sought confirmation from the developers, just before the Development Control Committee report was due to be published, as to the terms of the Section 106 Agreement and had received a positive response from the Developer. It was only after the agenda for the Development Control Committee was published that the Developer raised concerns about the Section 106 Agreement which necessitated the deferment.

Councillor Marland advised that to take the matter forward an independent viability report had been commissioned at the Developers expense and the planning application was now

scheduled to be considered by the Development Control Committee on 3 September 2015, with the benefit of the independent viability assessment.

Councillor Marland further indicated that the Council, as landowner, was committed to getting best value for the land.

- (d) Question from Councillor Geaney to Councillor Legg (Cabinet member for Public Realm)

Councillor Geaney, referring to the recent Electric Daisy Carnival event held at the Milton Keynes Bowl, promises by the organisers to provide marshalling and the extensive anti social behaviour by a number of event goers in South Furzton, asked Councillor Legg why residents of South Furzton were subject to such anti social behaviour with no attempt to control it.

Councillor Legg indicated that licensing events at the Bowl was not an executive function, but he understood the Licence did make a number of requirements and discussions were ongoing with the organisers, both about the conduct of the event and the costs incurred by the Council in clearing up the area.

As a supplementary question Councillor Geaney sought reassurance that there would not be a repeat of the anti social behaviour.

Councillor Legg responded that he was unable to give such an assurance, but he was sure that the Regulatory Committee would make sure that the licence conditions were enforced.

- (e) Question from Councillor Gowans to Councillor Legg (Cabinet member for Public Realm)

Councillor Gowans asked Councillor Legg when the potholes in various roads in Bletchley, particularly Highfield Close and Viscount Way would be repaired.

Councillor Legg indicated that the resurfacing programme for the next twelve months had recently been published. Highfield Close was due to be resurfaced in November and Viscount Way would be treated once the necessary Traffic Regulation Order was in place.

- (f) Question from Councillor Eastman to Councillor Clifton (Cabinet member for Economic Growth and Inward Investment)

Councillor Eastman, referring to a previous scheme which allowed the Council to ban motorists from parking on the pavement where they were creating a problem for pedestrians and noting a perceived interest in the practice,

asked Councillor Clifton what measures were to be taken to stop pavement parking from inconveniencing pedestrians once and for all.

Councillor Clifton indicated that he would look into possible measures and also referred to the ongoing review of parking arrangements and other transport issues in Central Milton Keynes, which would also cover a number of issues wider than Central Milton Keynes, so he would include pavement parking as part of that work.

As a supplementary question Councillor Eastman asked Councillor Clifton if a Borough-wide ban on pavement parking would be considered.

Councillor Clifton agreed to consider the possibility of a Borough-wide ban on pavement parking.

- (g) Question from Councillor Bint to Councillor Legg (Cabinet member for Public Realm)

Councillor Bint, asked Councillor Legg if he could provide a report as to the frequency of street light scouting / inspections, including how many lights were identified as not working, reported and repaired. Councillor Bint also asked that the report include Redways as well roads.

Councillor Legg agreed to provide the report in time for a meeting he had scheduled with Councillor Bint for the following week.

- (h) Question from Councillor P Williams to Councillor Betteley (Cabinet member for community Safety and Public Access)

Councillor P Williams, noting with concern the apparent increase in rough sleeping and begging in Central Milton Keynes asked Councillor Betteley if this issue could be investigated.

Councillor Marland (Leader of the Council) provided a response on behalf of Councillor Betteley. Councillor Marland reported that rough sleeping in Central Milton Keynes had been on the increase since 2010. The central area was a popular place because of the numerous underpasses and Porte Coucheres and provided a feeling of safety for people who felt vulnerable.

Councillor Marland, stated that Councillor Betteley, recognised the damage rough sleeping caused to both the person and the reputation of Milton Keynes, and she would be working with the Corporate Director – Place to refresh the Council's Rough Sleeper Strategy. Rough sleeping and begging would also feature as part of discussions at the Safer:MK Partnership and with the City Centre Management.

Councillor Marland stated that the Administration was clear that the Council needed to provide support for those who needed it, while sending the signal that begging, particularly aggressive begging, was not acceptable and would not be tolerated.

- (i) Question from Councillor Ganatra to Councillor E Gifford (Cabinet member for Community Services)

Councillor Ganatra, referring to the quality of service provided by the Council's Contractor at Tattenhoe Pavilion and the apparent reductions in service, asked Councillor E Gifford if she would look into the issue as a matter of urgency.

Councillor E Gifford indicated that she was already aware of concerns of councillors and the community and was considering options with officer colleagues. Councillor Gifford recognised the urgency of the situation, with the current contract due to expire shortly.

CL40

EUROPEAN CAPITAL OF CULTURE

Councillor E Gifford moved the following motion which was seconded by Councillor Marland:

- "1. That the Council notes that:
- (a) Milton Keynes has a growing and well-deserved reputation as an emerging centre for the Arts and Cultural sector;
 - (b) Milton Keynes Council is proud of its history of support for this sector and the educational, cultural and economic benefits our investment brings is typically many times that of our funding contribution;
 - (c) in recent years our commitment to Arts and Culture has produced enormous successes such as the biennial International Festival, enabling the MK Gallery expansion and the upcoming Festival of Rugby that is part of hosting Rugby World Cup 2015;
 - (d) such investments are rightly subject to searching scrutiny at a time when the Council is facing major financial challenges. But the Council must also play a role in promoting prosperity and profiling the city to investors and skilled workers and such events also play an important part in Milton Keynes growing to become a major and influential UK city;
2. That the Council also notes:
- (a) the request to Cabinet from the Economy and Regeneration Select Committee to enable exploratory work to be undertaken to explore the feasibility of bids for UK City of Culture and European Capital of Culture;

- (b) that Cabinet fulfilled this request and the report that has been made available to all councillors and stakeholders which highlights the feasibility of such bids, their possible benefits and costs;
 - (c) the Council's ongoing and deep commitment to the Arts and Cultural sector;
 - (d) the reputational, economic and social benefits a bid would bring to the City and believes Milton Keynes would be able to offer a unique and compelling bid to become European Capital of Culture which we believe would stand a good chance of securing a victory; and
 - (e) the costs and risk associated with such a bid and that the Council's budget includes sufficient funds for a bid to the shortlist stage.
3. That the Council, in affirming its strong support for the sector, resolves to request the Cabinet:
- (a) to lead work on developing our borough wide cultural offer; and
 - (b) to initiate a process to take forward a bid for Milton Keynes to secure shortlisting to become European Capital of Culture 2023.”

The Council heard from two members of the public during consideration of the motion.

On being put to the vote the motion was declared carried unanimously.

RESOLVED -

1. That the Council notes that:
- (a) Milton Keynes has a growing and well-deserved reputation as an emerging centre for the Arts and Cultural sector;
 - (b) Milton Keynes Council is proud of its history of support for this sector and the educational, cultural and economic benefits our investment brings is typically many times that of our funding contribution;
 - (c) in recent years our commitment to Arts and Culture has produced enormous successes such as the biennial International Festival, enabling the MK Gallery expansion and the upcoming Festival of Rugby that is part of hosting Rugby World Cup 2015;
 - (d) such investments are rightly subject to searching scrutiny at a time when the Council is facing major financial challenges. But the Council must also play a role in promoting prosperity and profiling the city to

investors and skilled workers and such events also play an important part in Milton Keynes growing to become a major and influential UK city;

2. That the Council also notes:
 - (a) the request to Cabinet from the Economy and Regeneration Select Committee to enable exploratory work to be undertaken to explore the feasibility of bids for UK City of Culture and European Capital of Culture;
 - (b) that Cabinet fulfilled this request and the report that has been made available to all councillors and stakeholders which highlights the feasibility of such bids, their possible benefits and costs;
 - (c) the Council's ongoing and deep commitment to the Arts and Cultural sector;
 - (d) the reputational, economic and social benefits a bid would bring to the City and believes Milton Keynes would be able to offer a unique and compelling bid to become European Capital of Culture which we believe would stand a good chance of securing a victory; and
 - (e) the costs and risk associated with such a bid and that the Council's budget includes sufficient funds for a bid to the shortlist stage.
3. That the Council, in affirming its strong support for the sector, resolves to request the Cabinet:
 - (a) to lead work on developing our borough wide cultural offer; and
 - (b) to initiate a process to take forward a bid for Milton Keynes to secure shortlisting to become European Capital of Culture 2023.

CL41 COMMUNITY ASSETS TRANSFER

Councillor Crooks moved the following motion which was seconded by Councillor Eastman:

- "1. That this Council:
 - (a) is committed to the principle of a co-operative Council;
 - (b) notes that this implies active engagement with residents, working with citizens as equal partners, and promoting community leadership to achieve local outcomes, and
 - (c) is aware that the Council's policy on Community Assets Transfer was laid down on 31 July 2012 and has not been subsequently amended in any material way.

2. That this Council regrets that recent procedural actions by the Cabinet in respect of timescale, the concealment of costs and the refusal to supply draft leases and operating agreements has prevented a number of voluntary and community organisations from bidding on some community assets.
3. Resolves to refer these issues to the Cabinet for urgent re-consideration lest they blight the positive outcomes hoped for from the Community and Cultural Services Review.”

On being put to the vote the motion was declared carried with 27 councillors voting in favour, 0 councillors voting against and 21 councillors abstaining from voting.

RESOLVED -

1. That this Council:
 - (a) is committed to the principle of a co-operative Council;
 - (b) notes that this implies active engagement with residents, working with citizens as equal partners, and promoting community leadership to achieve local outcomes, and
 - (c) is aware that the Council's policy on Community Assets Transfer was laid down on 31 July 2012 and has not been subsequently amended in any material way.
2. That this Council regrets that recent procedural actions by the Cabinet in respect of timescale, the concealment of costs and the refusal to supply draft leases and operating agreements has prevented a number of voluntary and community organisations from bidding on some community assets.
3. Resolves to refer these issues to the Cabinet for urgent re-consideration lest they blight the positive outcomes hoped for from the Community and Cultural Services Review.

CL42

VOTES AT 16

Councillor Brackenbury moved the following motion which was seconded by Councillor Cannon:

- “1. That further to the Council’s decision at its 10 June 2015 meeting, this Council believes the electoral franchise for all local and general elections, and any referenda, should include all young people age 16 and over.
2. That in anticipation of such a change, Milton Keynes Council should prepare an engagement and registration plan for 14-16 year olds resident in the borough.”

The Council heard from two members of the public during consideration of the motion.

On being put to the vote the motion was declared carried with 31 councillors voting in favour, 8 councillors voting against and 4 councillors abstaining from voting.

RESOLVED –

1. That further to the Council's decision at its 10 June 2015 meeting, this Council believes the electoral franchise for all local and general elections, and any referenda, should include all young people age 16 over and over.
2. That in anticipation of such a change, Milton Keynes Council should prepare an engagement and registration plan for 14-16 year olds resident in the borough.

CL43

DEVOLUTION OF POWERS

Councillor Bald moved the following motion which was seconded by Councillor D Hopkins:

“That this Council:

1. notes and welcomes the current Government's commitment 'to devolve powers and budgets to boost local growth in England' and in particular to devolve 'far reaching powers over economic development, regeneration and transport' and that these commitments are enshrined in the Cities and Local Government Devolution Bill, included in the Queens Speech to Parliament in May 2015, which is currently going through the statute process;
2. notes that the principle of devolution of powers to local government is supported by all political parties, and the Local Government Association, and that the door at Westminster is open for sound proposals to come forward and to be seriously considered;
3. considers carefully the opportunity that these powers could bring to Milton Keynes, particularly as Milton Keynes is one of the top growth areas in the country, evidenced by its "take" on business rates and their consistent year on year growth, even during the recession, and yet, despite collecting £154m in business rates, Milton Keynes will retain only £45m of this total in 2015/16. The Council accordingly suggests that there is surely a more equitable way of sharing this income with Government to provide a greater overall benefit to the local and national economies;
4. weighs up these opportunities, taking into account the following:
 - (a) the twin financial pressures facing Milton Keynes on the General Fund and the deficit on the capital account on infrastructure, especially transport, in the medium term;

- (b) the potential to provide relief to the General Fund by working cooperatively with neighbouring authorities in order to increase scale and reduce overheads;
 - (c) the work that is already happening on Plan MK and Vision MK 2050 which if done with greater involvement of neighbouring councils, could provide synergies in terms of infrastructure funding and provision;
 - (d) the greater likelihood that a Devolution Deal would be successful if Milton Keynes worked with its neighbours;
 - (e) the necessity for any proposed deal to have cross party support in order to be successful;
5. recognises the key role that Milton Keynes must play in these explorative, proactive discussions and recommends that the Leaders of all three political parties at Milton Keynes Council support the Leader of the Council in discussions with neighbouring authorities to assess the opportunities for a devolution proposal;
 6. notes that MPs Mark Lancaster and Iain Stewart pledge their full support in these discussions; and
 7. requests that the Leader of the Council proposes a formal framework to engage and involve all three political parties in these discussions and reports progress to Council in October 2016.”

Councillor Brackenbury moved the following amendment which was seconded by Councillor Alexander and on which a recorded vote was requested:

- “1. That the words ‘and welcomes’ be deleted from Clause 1’.
2. That the remaining Clauses (2 to 7) be deleted and replaced with:
 - ‘2. is aware that the Institute for Government has estimated that 70% of Government spending in the UK is centralised, the second highest rate in the EU behind Malta, and compares to 20% in Germany, 35% in France, and 55% in the USA, and also notes the January 2015 comments by the second permanent secretary to the Treasury that the UK is ‘almost the most centralised developed country in the world’;
 3. believes that a national culture change is needed to transform devolution from being an exception to be requested, to the standard model for public spending in these areas, however, believes the Cities and Local Government Devolution Bill is an inadequate vehicle for this transformation due to its focus on structures and mayors rather than the national need to allow effective local solutions and prioritising;

4. recognises both its successes and further potential in the areas of economic development and regeneration, in particular as one of the top growth areas in the country, as evidenced by its 'take' on business rates and the consistent year on year growth, even during the recession, and yet despite collecting £154m in business rates, Milton Keynes will only retain £45m of this in 2015/16. The Council accordingly suggests that there is surely a more equitable way of sharing this income with Government to provide a greater overall benefit to the local and national economies;
5. recognises, on regeneration, the potential and progress of Regeneration:MK, but is frustrated that the Government has not agreed to the Council's request for further headroom for borrowing, ring fenced to fund Council housing;
6. is sceptical that elected mayors across combined authorities are the solution to issues such as these, which relate more to the inflexibility of Government policy;
7. further regrets the Government's proposals for English Votes for English Laws, which serve only to restrict power ever more tightly in the centre, which are opposed by other political parties, and cast doubts on how committed the Government truly is to devolving power;
8. calls for a Constitutional Convention to consider the complex issues that are arising, including how to ensure that rural areas and those far from cities can benefit from additional powers (as requested by the Local Government Association) as well as to form a cross-party agreement on a more sustainable and planned future for devolution across British Government and asks the Leader of the Council to write to the MPs for Milton Keynes setting out the case for such a Convention."

On being put to the vote, the voting on the amendment was as follows:

FOR: Councillors Alexander, Baume, Betteley, Brackenbury, M Burke, Cannon, Clifton, Crooks, Eastman, Exon, E Gifford, R Gifford, Gowans, Legg, Lewis, Long, Marland, D McCall, I McCall, McKenzie, Middleton, Miles, Nolan, O'Neill, White, P Williams and Wilson (27)

AGAINST: Councillors Bald, Bint, Brunning, Buckley, Clancy, Dransfield, Ganatra, Geaney, A Geary, P Geary, D Hopkins, V Hopkins, Hosking, McDonald, McLean, Small and Walker (17)

ABSTENTIONS: Councillors (0)

The amendment was declared carried.

On being put to the vote, the voting on the substantive motion was as follows:

FOR: Councillors Alexander, Brackenbury, Cannon, Crooks, Eastman, Exon, D McCall and I McCall (8)

AGAINST: Councillors Bald, Bint, Brunning, Buckley, Clancy, Dransfield, Ganatra, Geaney, A Geary, P Geary, D Hopkins, V Hopkins, Hosking, McDonald, McLean, Small and Walker (17)

ABSTENTIONS: Councillors Baume, Betteley, M Burke, Clifton, E Gifford, R Gifford, Gowans, Legg, Lewis, Long, Marland, McKenzie, Middleton, Miles, Nolan, O'Neill, White, P Williams and Wilson (19)

On being put to the vote the substantive motion was lost.

CL44 WARD BASED BUDGETS - 1 APRIL 2014 TO 30 JUNE 2015

The Council noted that for the period 1 April 2014 to 30 June 2015, one application for £250 had been approved.

CL45 QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS

The Council noted that in accordance with Access to Information Procedure Rule 17.4, that the Provisions for Special Urgency, as set out in Access to Information Procedure Rule 16, were not used during the period 31 December 2014 to 30 June 2015.

THE MAYOR CLOSED THE MEETING AT 10:45 PM

Wards Affected: <i>Wolverton Ward</i>

Report considered by Cabinet – 14 September 2015

WOLVERTON TOWN CENTRE NEIGHBOURHOOD PLAN

Responsible Cabinet Member: Councillor Legg (Cabinet Member for Public Realm)

Report Sponsor: Anna Rose (Service Director: Planning and Transport)

Author and contact: Fiona Robinson (Senior Planning Officer) - 01908 252318

Executive Summary:

The report seeks Cabinet's agreement to recommend to Council that it 'makes' the Wolverton Town Centre Neighbourhood Plan following the referendum held on 30 July 2015. The referendum returned a majority 'Yes' to the question asked – whether those voting wanted Milton Keynes Council to use the neighbourhood plan when deciding planning applications in the neighbourhood area. Given the 'Yes' vote, the Council is now obliged to 'make' the Plan.

1. Recommendation(s)

1.1 That the Cabinet recommends that the Council 'makes' the Wolverton Town Centre Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.

1.2 That, subject to the Council's agreement to the making of the Neighbourhood Plan:

(a) the decision document (at Annex A to the report) and the Wolverton Town Centre Neighbourhood Plan (at Annex B) be published on the Council's website and in other manners, to bring them to the attention of people who live, work or carry out business in the neighbourhood area; and

(b) the decision document and details on how to view the plan be sent to the qualifying body (Wolverton and Greenleys Town Council) and any person who asks to be notified of the decision.

1.3 That Wolverton and Greenleys Town Council and Future Wolverton be congratulated on the successful outcome of the referendum.

2. Issues

2.1 The Wolverton Town Centre Neighbourhood Plan was submitted to the Council for examination and was subsequently publicised for comments from 7 January and 18 February 2015. All comments received were then submitted to the Examiner, Mr Chris Collison, who submitted his report in April 2015.

- 2.2 On 9 June 2015, the Cabinet Member for Public Realm made the decision to accept the Examiner's report and the modifications to the neighbourhood plan that the examiner had recommended. It was also agreed that the Plan, as modified, should proceed to a referendum of those residents eligible to vote within Wolverton and Greenleys Parish area. As the Wolverton Neighbourhood Plan is not a Business Neighbourhood Plan, it was not necessary for a business referendum to also be held.
- 2.3 The referendum took place on 30 July 2015. 1,452 residents voted Yes (90.2% of those voting) and 153 voted No (9.5% of those voting), with 4 ballot papers left blank. The turnout for the referendum was 1,609 residents; 16.74% of the electorate.
- 2.5 Once a neighbourhood plan has successfully passed all the stages of preparation, including an Examination and Referendum, it is 'made' by the local planning authority and forms part of that authority's Development Plan, meaning that it will be a material consideration when deciding development proposals within the area covered by the Plan.
- 2.6 As with any planning decision there is a risk of legal challenge but that risk has and is being managed by ensuring that the regulations are followed and that the Council's decision making process is clear and transparent.

3. **Options**

- 3.1 Once a neighbourhood plan has been supported by a majority of those voting in a referendum the Council is obliged to proceed to 'make' the Plan under section 38(A)(4) of the Planning and Compulsory Purchase Act, 2004. The Council is not subject to this duty if the making of the plan would breach, or otherwise be incompatible with, any EU obligation or any of the convention Rights. The Neighbourhood Plan does not breach and would not otherwise be incompatible with the conventions or obligations.
- 3.2 There are, therefore, no other options than to 'make' the Wolverton Town Centre Neighbourhood Plan so that it will form part of the Milton Keynes Development Plan and specifically part of the Development Plan for Wolverton.

4. **Implications**

4.1 Policy

The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies, and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than is set out in the Local Plan, or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the adopted Milton Keynes Local Plan and the emerging Core Strategy.

Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'made' by the local planning authority and forms part of the authority's Development Plan,

meaning it will be a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted, carries more weight than a Supplementary Planning Document.

4.2 Resources and Risk

The Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (“the 2012 Regulations”) place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have considerable implications for Council resources. In recognition of the additional burdens that these new duties place on local planning authorities, DCLG has made available grants to local planning authorities up to £30,000 for each neighbourhood plan.

Publicity costs associated with making the Plan will be met within the Development Plans budget and staff resources to implement the Plan will come from the existing staff within the Development Plans and Development Management teams.

A recent internal audit of the Neighbourhood Plans service has shown that that the additional costs incurred delivering the service are only just covered by the extra burdens funding.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

The proposal does not impact on carbon and energy management.

4.4 Legal

Neighbourhood planning is part of the Government’s initiative to empower local communities to take forward planning proposals at a local level, as outlined in Section 116 of the Localism Act, 2011. The Act and the subsequent 2012 Regulations confer specific functions on local planning authorities in relation to neighbourhood planning and lays down the steps that must be followed in relation to Neighbourhood Planning.

The Wolverton Town Centre Neighbourhood Plan has been consulted on and subjected to a referendum in accordance with the 2012 Regulations.

As with any planning decision, there is a risk of legal challenge to the plan and/or judicial review of the Council’s decision to proceed with the referendum.

Risk is being managed by ensuring that the 2012 Regulations are followed and that the Council’s decision making process is clear and transparent. Once a Neighbourhood Plan is made it carries real weight and the LPA is obliged to consider proposals for development against the policies in the Plan.

In accordance with Section 61E(4) of the Town and Country Planning Act, as modified by the Localism Act 2011, the Council must, as soon as possible after deciding to make the neighbourhood development plan;

- (a) publish on the website and in such other manner as is likely to bring the Plan to the attention of people who live, work or carry on business in the neighbourhood area:
 - (i) the decision document,
 - (ii) details of where and when the decision document may be inspected;
- (b) send a copy of the decision document to:
 - (i) the qualifying body and
 - (ii) any person who asked to be notified of the decision.

In addition, the council will, as soon as possible after deciding to make the neighbourhood development plan;

- (a) publish on its website and in such other manner as is likely to bring the order to the attention of people who live, work or carry on business in the neighbourhood area:
 - (i) the Wolverton Town Centre Neighbourhood Plan; and
 - (ii) details of where and when the plan may be inspected;
- (b) notify any person who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.

4.5 Other Implications

Included in the Basic Conditions that the Wolverton Town Centre Neighbourhood Plan must meet are the requirements for the plan to:

- (a) Contribute to the achievement of sustainable development;
- (b) Not breach and otherwise be compatible with EU obligations (including Human Rights, the Strategic Environmental Assessment Directive and the Habitats Directive)

The Examiner's report has confirmed that the Plan meets those Basic Conditions and officers are satisfied that there are no conflicts with these aspects.

The consultations on the draft plan have helped to raise awareness of the development of the plan.

N	Equalities/Diversity	Y	Sustainability	Y	Human Rights
N	E-Government	n	Stakeholders	N	Crime and Disorder

Annex A Decision document for making the Wolverton Town Centre Neighbourhood Plan

Annex B Wolverton Town Centre Neighbourhood Plan, online at <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/wolverton-neighbourhood-plan>

Background Papers: The Localism Act, 2011
 The Neighbourhood Planning (General) Regulations 2012

**MILTON KEYNES COUNCIL
WOLVERTON TOWN CENTRE NEIGHBOURHOOD DEVELOPMENT PLAN**

Decision Statement

1 Summary

- 1.1 Following referendums of all residents eligible to vote within Wolverton and Greenleys Parish area, Milton Keynes Council now makes the Wolverton Town Centre Neighbourhood Plan part of the Milton Keynes Council Development Plan.

2 Background

- 2.1 Wolverton and Greenleys Town Council, as the qualifying body successfully applied for their area to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force 6 April 2012.
- 2.2 Following the submission of a draft of the Wolverton Town Centre Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 18 February 2015.
- 2.3 Milton Keynes Council appointed an independent examiner, Mr Chris Collison, to review whether the Draft Plan should proceed to referendum. The Examiner's report concludes that the plan is in general conformity with the adopted Core Strategy and with regard to national policies and guidance, and subject to amendments the plan could proceed to a Neighbourhood Planning referendum.
- 2.4 A parish wide residential Neighbourhood Planning Referendum was held on 30 July 2015. The turnout in the referendum was 16.74% and 90.2% of the votes cast were in favour.

3 Decision

- 3.1 The Council makes the Wolverton Town Centre Neighbourhood Plan part of the Milton Keynes Council Development Plan.
- 3.2 The Council agrees to the decision notice and the Wolverton Town Centre Neighbourhood Plan being published on our website and in other manners to bring them to the attention of people who live, work or carry out business in the neighbourhood area; and for the decision notice and details on how to view the plan to be sent to the qualifying body and any person who asked to be notified of the decision.

Report considered by Cabinet – 14 September 2015

INVESTMENT IN PROPERTY FUND FOR TEMPORARY ACCOMMODATION

Responsible Cabinet Member: Councillor O'Neill (Cabinet Member for Housing and Regeneration)

Report Sponsor: Jane Reed (Service Director Housing and Community)

Author and contact: John Russell (Housing Development Officer) Tel: 01908 253212

Executive Summary:

The Council has a duty to provide temporary accommodation to households that it accepts as statutory homeless and that have no immediate settled housing. This accommodation is increasingly Bed & Breakfast (B&B) mostly located outside the Borough.

B&B cost the Council £979k last year, and due to an increase in demand is forecast to cost an estimated £1.6m in 2015/16. In addition, B&B is unsuitable housing for family households. The Council is working on a variety of options to obtain more self-contained temporary accommodation for rent to reduce or eliminate the use of B&B.

The option recommended here is for the Council to invest £5m in the Real Lettings Property Fund (match-funded by £5m from Big Society Capital) to purchase a portfolio of up to 70 flats in the open market in Milton Keynes. Managed and maintained by St Mungo's Broadway with tenancy and 'move-on' support, they will be let as temporary accommodation to homeless households nominated by the Council at Local Housing Allowance (LHA) rent levels.

During the fixed term of the investment, the scheme will result in net savings of up to £3.3m in B&B costs and the investment will provide a financial return to the council which will largely off-set the cost of borrowing. The Real Lettings model will provide an opportunity to test this approach for future use.

This expenditure is not budgeted for in the Council's Capital Programme and is therefore outside the Council's Budget and Policy Framework. It will require approval for Resource Allocation and spend approval by the Council, with the scheme funded by Prudential Borrowing.

1 Recommendation(s)

- 1.1 That the Council be recommended to approve Prudential Borrowing of £5m to fund a £5m investment in the Real Lettings Property Fund, and to approve an addition to the 2015/16 Capital Programme Resource Allocation and Spend Approval of £5m.

- 1.2 That, subject to the Council approving the additional expenditure, the Corporate Director of Place be authorised, in consultation with the Corporate Director of Resources, to agree the detailed terms of investment and complete the agreement with Resonance UK (the Real Lettings Property Fund Manager).

2 Issues

- 2.1 Milton Keynes Council has a duty to secure housing for households that it accepts as statutory homeless (within the meaning of Part VII of the 1996 Housing Act) or to provide interim temporary accommodation. This is increasingly out of area B&B as there is a shortage in Milton Keynes of alternative accommodation. While demand continues to increase, the supply of properties available for temporary or permanent rent is reducing.

- 2.2 B&B accommodation cost the Council's General Fund £979k in 2014/15 - in 2015/16 the cost is forecast to be £1.6m and there were 137 households in B&B at 9 August 2015. B&B also provides an unsuitable environment for families to live in - short-stay rooms generally located out of the Borough away from work, schools, and friends and family, and without the facilities such as cooking and washing that self-contained accommodation offers. The Council is working on a variety of short, medium and long-term options to reduce or eliminate its use.

2.3 Real Lettings Fund

- 2.3.1 The Council's investment (and the match-funding) in the Real Lettings fund will provide up to 70 self-contained flats to address the urgent need for suitable temporary accommodation. The Council will invest £5m in the Real Lettings Property Fund managed by Resonance UK - a Social Investment Company - to purchase up to 70 properties in the open market in Milton Keynes over 18 months.

- 2.3.2 St Mungo's Broadway - a Registered Charity and, as St Mungo Community Housing Association, a Registered Provider with the HCA - will manage the properties which will be let to homeless households nominated by Milton Keynes Council at LHA rates. The placement fee of £3000 paid by the Council for each new nomination will go toward a comprehensive support package provided by St Mungo's to help each family to set up and manage its tenancy, and to move on to permanent housing.

- 2.3.3 As rent will be charged at LHA level, those households eligible for full Housing Benefit should have the full rent paid through benefit and the Council should have no additional 'top-up' costs for any shortfall in rent. St Mungo's Broadway will be responsible for the maintenance of the properties and collection of the rent.

- 2.3.4 The fund offers a far better temporary housing solution for families in need as well as reducing the need for B&B. The ability to provide additional temporary accommodation for homeless families within Milton Keynes will also reduce the costs of Home to School Transport.

- 2.3.5 The Council's investment will initially fund the acquisition of up to 70 properties over 18 months. It is then tied in for 5 years. The Council then has an option to extend its investment for 2 years, withdraw or buy out the match funder. The

Real Lettings Fund is open to other local authorities outside of London and the rate of return will be linked to the overall performance of the fund. The Council's equity will also be a proportion of the overall fund, not the assets which are in Milton Keynes.

2.4 **Medium Term Position**

2.4.1 The Real Lettings proposal is for an investment by the Council of £5m (which will be match-funded) for the purchase of up to 70 flats for temporary accommodation. Purchase will be over a period of 18 months - time to evaluate the scheme's success as the number of units increase. If it works as intended, there may be an option to extend the investment to meet further demand.

2.4.2 However there is a risk due to the time limited nature and the refinancing risk at the end of five years- the risk of the changes to investors at the end of five years and the value of properties at this point. Homelessness is likely to be an issue for the longer term for the Council.

2.4.3 Therefore the intention is to use the experience gained from this fund to create a local pool of temporary accommodation, purchased directly by the Council, but managed by an external provider to ensure successful outcomes are achieved, with a limited risk to the Council. This will be fully considered based on the experience gained from this investment fund model.

2.5 No external consultation is required or has been carried out.

3 **Options**

3.1 **Do Nothing** - as there is insufficient alternative temporary accommodation available locally, the Council would continue to place homeless households in expensive and largely out of area B&B with an increasing cost to the General Fund. Homeless families would be placed in an unsatisfactory and disruptive environment. It would also miss a low-risk investment opportunity to reduce B&B costs.

3.2 **Purchase Properties for Temporary Accommodation on the Open Market** - the Council would need to invest £10m for the purchase of up to 70 properties. This would need political support, would take time to implement any purchase programme through procurement and approval requirements, and the Council would take the risk for its investment.

3.3 **Invest in Real Lettings Property** - the investment will provide speedy delivery of up to 70 properties over 18 months to address the urgent need for temporary accommodation for homeless households, and reduce reliance on expensive B&B. It will also provide a low-risk investment for the Council. This is the recommended Option.

4 **Implications**

4.1 Policy

It will contribute towards the Housing Strategy 2012 objective - Reduction of the number of Households in Bed and Breakfast. Housing performance measures it will help to achieve are: B&B cost reduction

4.2 Resources and Risk

Failure to invest would result in continuing spending on B&B accommodation, which is not currently budgeted for in the Council's Budget 2015-16 or the Medium Term Plan, and on Home to School Transport.

Investment through the fund and with management through St Mungo's Broadway secures match-funding, minimises and shares risks, and provides opportunities to learn from the Council's and partners' experiences of this approach to investment in additional temporary accommodation.

The Treasury Management Strategy does not currently provide for investment in vehicles such as Real Lettings, and amendments will be brought forward as part of the mid-year report to November Cabinet.

The Resource Allocation and Spend Approval amendment of £5m will be added to the capital programme for 2015/16. This project will be funded by prudential borrowing

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

All properties will be at Decent Homes Standard or above.

4.4 Legal

4.4.1 The Council has a legal duty to secure housing for homeless families (Housing Act 1996).

4.4.2 The Right to Buy would not be triggered, as the Council would not own the properties.

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers:

MK Futures 2050 Commission

Terms of Reference

1. Commission Purpose

The MK Futures 2050 Commission has been initiated by Milton Keynes Council to explore the emergence of Milton Keynes as a UK city and economy of increasing significance, and as it continues to grow as a place. It will reveal possibilities for the long-term, including how the city might choose to define itself.

The Commission will aim to deliver the following outcome by July 2016:

‘A view of potential longer term futures for Milton Keynes, noting the need to ensure flexibility for as yet unknown possibilities; making recommendations to the Council for their consideration in development of their medium and longer term policy framework.’

The Commission’s report will be used as the basis for Milton Keynes Council to seek the following outcomes through engagement with the Government and other relevant stakeholders to:

- re-establish MK as a project of national importance (as when the city was first designated in 1967);
- develop a framework and/or “deal” with government, business and other relevant stakeholders that will provide optimal arrangements to deliver the vision for the city’s future; and
- inform key strategies and policies, including the parallel programme of work on Plan:MK (the Council’s spatial plan).

2. Commission Focus

The Commission will consider a range of possible futures for Milton Keynes through to 2050, addressing three key questions in order to provide focus to its work:

1. What might be the role and significance of Milton Keynes as a place and economy in the region, the UK and more widely, including how it relates to other major places, cities and nearby large towns?
2. What might be the character of Milton Keynes as defined by its people, environment and culture?
3. What are the opportunities to pursue and challenges to address if we are to compete with other UK and international benchmark cities economically and in quality of life?

The Commission's process will recognise the unique character of Milton Keynes. It will ask both local people and existing and potential investors what they value about the city, as well as perceived unfavourable conditions. It will seek to challenge both positive and negative preconceptions about the city, whether held by internal or external stakeholders.

3. Overall role and process of the Commission

The Commission is an advisory body that will make a report and recommendations for Milton Keynes Council to consider. The content of the final report to the Council is the decision of the Commission.

The Commission will make provision in its main meetings and through dedicated meetings to secure input from, and test its thinking and emergent recommendations with, the political leaders of Milton Keynes Council. There is a strong commitment to ensuring the Commission is transparent, and the evidence gathering process will be in public and made publicly available. In order to maintain the integrity of the process the deliberations will be a closed environment but a summary of these deliberations will be made publicly available. Dedicated arrangements will also be made to ensure that all elected members of Milton Keynes Council can feed into the process of the Commission.

Commission members will in the main be drawn from outside Milton Keynes but with strong associations to the region and city, in order to provide wider perspectives, knowledge and external challenge.

Local views, knowledge and experience will be engaged through the process of the Commission. It will take active steps to ensure the full range of MK residents and communities are able to engage, especially young people.

The Commission will also engage regional (including neighbouring councils), national and international stakeholders and seek insights from national and international benchmark cities.

The Commission's methodology will include:

- A sequence of formal meetings that will focus on specific topic areas and include input from topic specialists and those who may be requested to present evidence.
- Appointment of expert sub-committees and/or designation of individual lead Commissioners to gather and consider evidence on specific topic areas between the formal meetings.
- Open calls for evidence, comment and other contributions, including through social media.
- Workshop events, exhibitions and attendance at relevant local events.
- Assembly of a baseline evidence and information base.

- Modelling techniques to explore different potential future scenarios for the city.
- Assessment of opportunities, challenges and threats.

The Commission will have a series of formal meetings, and will be responsible for ensuring there is strong public engagement by organising specific events as part of a transparent process. Members of the public and other stakeholders will be invited to attend specific meetings. Provision will be made to engage the public and will explicitly work with elected members of Milton Keynes Council.

The Commission's report will summarise the main points of evidence produced and the key choices facing the city, with recommendations linked to the evidence and analysis. These recommendations will take account of potential future prospects for Milton Keynes, and are likely to include some where the Commission has a clear and preferred view and others where alternative courses of action are suggested for debate. It might also identify issues that require further development or thought.

4. Role of Commissioners

The Commission has considerable collective expertise but is not designed to be a representative body covering all the perspectives and possessing all the knowledge necessary to draw its conclusions. A core part of its role is to oversee a process that secures the necessary information, evidence and engagement, especially from local sources, to allow it to draw conclusions.

The Commissioners will be supported in their individual and collective roles by the Executive Team.

Commissioners are expected to:

- Retain an open mind about the Commission's outcomes during the process of gathering evidence.
- Act as a "critical friend" in reviewing evidence and contributions, seeking to tease out through questions and debate the most important points in answering the five key questions.
- Provide a range of perspectives and ensure opportunities for the contributions of others, ensuring active steps are taken to ensure the full range of MK residents, communities and Milton Keynes Council elected members can contribute, especially young people.
- Work as a team to produce and agree the Commission's recommendations.
- Attend meetings of the Commission – currently estimated at five full days and one half day. There is also the possibility of individual Commissioners leading specific pieces of work or engagement events outside the main meetings. Such additional commitments are not expected and would be by agreement only (reference attached timetable).

- Read documentation supplied by the Commission secretariat, notably any papers provided in advance of Commission meetings.
- Act as “lead” Commissioner on specific topics, by agreement.

5. Role of Milton Keynes Council Group Leaders

The Leaders of the three political groups on Milton Keynes Council will attend the formal meetings of the Commission but are not full Commission members. Their attendance is to allow them to understand the emerging “story” of the Commission’s proceedings and provide input and comment as requested by the Chair at key points in the proceedings.

The Leaders will:

- Attend the three formal evidence gathering meetings of the Commission and any dedicated meetings that are established for the purpose of securing their input and sounding out findings and recommendations with them.
- Make contributions at formal meetings at appropriate points, as indicated by the Chair.
- Review and comment on draft documents produced by the Commission, as requested and provide advice on engaging with the wider body of elected members on Milton Keynes Council.

6. Expert Advisers

Expert advisers will work with the Commission through two main routes:

- Working with the Executive Team to design the process and to develop evidence, data and analyses to inform the Commission’s deliberations.
- Attending individual meetings of the Commission where specific topic expertise is required.

The main expert advisers are:

- Foresight Future of Cities Team (Government Office for Science).
- Centre for Cities
- Future Cities Catapult

Specialist expertise will also be drawn from

- Open University (across various disciplines, in particular communications and community engagement)
- Cranfield University (across various disciplines)

7. Executive Team

The Executive Team will:

- Be led by the Council's Director of Strategy. It will provide project management, research and administrative support for the Commission and individual Commissioners.
- Include a dedicated project manager and a dedicated communications & engagement officer.
- Commission, organise and undertake, where appropriate, the gathering of evidence, attendance at meetings and any bespoke analyses required by the Commission.
- Capture the proceedings of Commission meetings and events and providing general secretariat services to the Commission and the Commissioners.
- Organise and deliver programmes of communications and public engagement activity, and act as a point of co-ordination with the Plan:MK process and engaging with the elected members of Milton Keynes Council.
- Work with the Chair and other designated contributors to draft the final report
- Manage the Commission's budget.

END

DRAFT Timetable

MK Futures 2050		Plan:MK
<i>Executive team prepares for initial meeting Engages key stakeholders to secure buy-in and invites local and wider input</i>		
16th October 2015, 9-12 am	SHORT Commission inception meeting What is the role of MK 2050? Why think about the far future? <ul style="list-style-type: none"> • Aims, ways of working 	Drafting of vision and development options on workshop outputs
2nd November 2015, 9am-4pm	1st Formal Commission meeting (full day) <ul style="list-style-type: none"> • The Economy – what will be the role and significance of MK's economy and how will MK relate to other places? • What will MK's identity (cultural & environmental) be in the future? 	Draft vision and development options to be approved at 9 th Nov Cabinet for consultation 25 th November. Consultation on Vision and Development Options begins
10th December 2015, 9-4pm	2nd Formal Commission meeting (full day) <ul style="list-style-type: none"> • Population and employment scenarios (inc. Plan:MK options) • Future Disruptors 	
Late February /early March 2016	3rd Formal Commission meeting (full day) <ul style="list-style-type: none"> • Practical implementation issues • 'Backcast' from meetings 2 and 3 futures to ground the vision 	15 rd February. Consultation on Vision and Development Options ends
April - June 2016	Commission drafting meeting (over 2-3 full / half days) <ul style="list-style-type: none"> • Development of preliminary report and drafting recommendations 	Preferred Options Document drafted (outputs from MK Futures 2050 reflected)
July 2016	Milton Keynes Council considers recommendations	

LEADER'S EXECUTIVE SCHEME OF DELEGATION

Responsibility for Leader and Cabinet Functions

Remit

1. The Leader has established a Cabinet to include eight other Members of the Council, including a Deputy Leader. The Leader has allocated a portfolio of executive and leadership responsibilities for each of these Cabinet Members, whose terms of reference are described in the following pages.
2. The Leader and Cabinet are responsible for all of those functions of the Authority that are not expressly reserved to other parts of the Council under these constitutional arrangements. These are known as executive functions.
3. The Leader may discharge any of the functions that are the responsibility of the Leader and Cabinet him or herself or may arrange for the discharge of those functions by the Cabinet as a whole, by another member of the Cabinet, by a committee of the Cabinet or by an officer of the authority. These arrangements are described below.
4. More information is set out in Article 7 of the Council's Constitution

Limitations

5. Those functions that may not be executive functions and do not fall under the responsibility of the Leader or Cabinet, in whole or in some other specified way, are listed in Part 3 of the Council's Constitution.
6. In discharging responsibility for the executive functions of the authority, the decision maker must be aware of the limitations placed upon them. These limitations are that any decision in exercise of an executive function is to comply with:
 - (a) the Budget set by full Council;
 - (b) the Policy Framework set by full Council;
 - (c) the Authority's
 - Access to Information Procedure Rules (including key decision and call-in provisions);
 - Executive Procedure Rules;
 - Budget and Policy Framework Procedure Rules;

- (d) an expectation that the Authority's
 - Financial Regulations;
 - Contract Procedure Rules; and
 - other applicable Articles, procedure rules or standing orders as set out elsewhere in the Council's Constitution;will have been complied with in all but the most exceptional circumstances (and if not then explained fully in the minuted reasons for the decision); and
- (e) any legislative requirements and all applicable rules of law.

Arrangements for Discharge of Functions

7. The following sets out how the Leader has decided to arrange for the discharge of executive functions. The Leader may amend these arrangements, but will [normally] only do so after first informing a public meeting of the Cabinet.
8. Key Decisions (defined at Article 14 of the Council's Constitution) may be taken by a relevant Cabinet Committee, by the Cabinet Member under whose portfolio the function falls or by the Chief Executive, Corporate Director, Service Director or Assistant Director under whose managerial responsibility the executive function falls.
9. Where a Cabinet Committee has been established, its terms and functions are described below.
10. Certain procurement and financial decisions will, according to the value of the transaction concerned, be reserved to the Cabinet, Procurement and Commissioning or grade of officer as set out in the Annex to this Scheme.
11. Each Cabinet Member's portfolio of responsibility is described below. That portfolio sets out the range of executive functions for which the Cabinet Member may be called upon to make a key decision about or to lead the debate when related matters come before a meeting of the Cabinet.
12. Under each portfolio, certain decisions that would otherwise fall within the scope of each Cabinet Member's portfolio will be reserved for consideration and decision by a meeting of the Cabinet or Cabinet Committee.
13. Under each portfolio, certain decisions that would otherwise fall within the scope of the managerial responsibility of the Corporate Director, Service Director or Assistant Director concerned may be reserved for consideration and decision of the Cabinet Member under whose portfolio the function falls.
14. Regardless of any other delegation or rule within these arrangements, the Chief Executive may take any key decision which he or she considers necessary on the grounds of urgency, efficiency, or cost.

15. All other matters that do not constitute a key decision are delegated to the Chief Executive, Corporate Director Service Director, or Assistant Director under whose managerial responsibility the executive function falls.
16. Even where the Chief Executive, Corporate Director, Service Director or Assistant Director hold delegated authority, they must consult the relevant Cabinet Member where the circumstances are particularly sensitive or if the decision in question involves changes to policy or strategy and, following consultation, they will normally report the matter to the Cabinet where the Cabinet Member indicates a preference for this.
17. The Chief Executive, Corporate Director, Service Director or Assistant Director may delegate any of their responsibilities or powers in exercise of executive functions to any other officer to whom they consider it appropriate to discharge those functions.
18. There are additional executive and non-executive functions allocated to specific statutory and non-statutory officers as set out in the Constitution.
19. The management structure of the Authority is set out in Part 7 of the Constitution.

LEADER

COUNCILLOR PETER MARLAND

Portfolio Terms of Reference

1. Council Strategy
2. Policy Development
3. External Relations
4. Communications
5. Growth Deal and Devolution
6. South East Midlands Local Enterprise Partnership (SEMLEP)
7. Milton Keynes Service Partnership Review
8. All other executive functions not otherwise listed within Cabinet portfolio terms of reference listed below
9. Any executive functions that fall to be discharged by the Leader and Cabinet that the Leader may wish from time to time to have reserved to him or herself or to be discharged in a different manner to the general delegation arrangements described below.

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to a portfolio's Terms of Reference.
- (iii) Such other matters as the Leader may from time to time reserve to Cabinet for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader may from time to time reserve to him or herself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

DEPUTY LEADER

CABINET PORTFOLIO: HOUSING AND REGENERATION

COUNCILLOR HANNAH O'NEILL

Portfolio Terms of Reference

1. New Build Policy
2. Regeneration
3. Housing Revenue Account
4. Tenant Involvement
5. Landlord Function
6. Major Events
7. Private Rented Sector Schemes

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: RESOURCES AND COMMERCIALISM

COUNCILLOR ROBERT MIDDLETON

Portfolio Terms of Reference

1. Finance and Resources
2. Income Generation
3. Strategic Economic Development
4. Capital Investment
5. Infrastructure Funding
6. Audit and Risk
7. Contracts and Commissioning
8. Milton Keynes Development Partnership
9. Land Assets and Property

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: ECONOMIC GROWTH AND INWARD INVESTMENT

COUNCILLOR MATT CLIFTON

Portfolio Terms of Reference

1. Economic Development
2. Inward Investment
3. Skills
4. Business Engagement
5. Small and Medium-sized Enterprises Growth
6. Transport Strategy
7. Public Transport

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iv) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.

Matters reserved within this portfolio to the Cabinet Member:-

- (ii) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: PUBLIC REALM

COUNCILLOR MICK LEGG

Portfolio Terms of Reference

1. Waste and Recycling
2. Highways
3. Plan:MK and Strategic Planning
4. Planning Services
5. Regulatory Services

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: COMMUNITY SAFETY AND PUBLIC ACCESS

COUNCILLOR SARAH BETTELEY

Portfolio Terms of Reference

1. Community Safety
2. Equalities
3. Social Inclusion
4. Public Access
5. Service Access
6. Future Working Programme
7. Facilities
8. Human Resources and Employee Relations

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: COMMUNITY SERVICES

COUNCILLOR LIZ GIFFORD

Portfolio Terms of Reference

1. Cultural Strategy
2. Community and Cultural Services Review
3. Community Asset Transfer
4. Leisure
5. Libraries
6. Youth Offer
7. Children's Centres
8. Landscaping
9. Voluntary and Community Sector Engagement
10. Co-operative Council
11. Parish Liaison

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (v) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.

Matters reserved within this portfolio to the Cabinet Member:-

- (iii) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: HEALTH AND WELLBEING

COUNCILLOR NIGEL LONG

Portfolio Terms of Reference

1. Adult Social Care Agenda, including Commissioning and Strategy
2. Supporting People
3. Strategic Health
4. Public Health
5. Safeguarding Adults
6. Reducing Health Inequalities
7. Health Partnerships

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) To consider proposals for establishing, closing or a school.
- (iv) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: CHILDREN AND SCHOOL IMPROVEMENT

COUNCILLOR NORMAN MILES

Portfolio Terms of Reference

1. School Partnerships
2. School Improvement
3. School Placements
4. Special Educational Needs
5. Corporate Parenting
6. Children's Social Care
7. Safeguarding

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

PROCUREMENT AND COMMISSIONING

TERMS OF REFERENCE

1 Terms of Reference

To exercise the functions of the Cabinet in respect of all Procurement and Commissioning decisions not otherwise delegated or reserved to the Cabinet.

2 Membership

- (a) **Membership:** Procurement and Commissioning will consist of a minimum of three members of the Cabinet. There is no power to co-opt.
- (b) **Chair:** The Leader or Deputy Leader, will take the role of Chair and Vice-Chair of the Committee, in the absence of the Leader or Deputy Leader, the Committee will be chaired by the Cabinet member responsible for Resources and Commercialism.
- (c) **Quorum:** Except where decisions are to be made by the Leader as advised by the Committee, business shall not be transacted at a meeting of the Committee unless at least three members of the Cabinet are present.

3 Functions

Procurement and Commissioning will exercise the following functions and those matters which flow from them, which are executive functions.

- (a) To undertake initial consideration of large procurement related projects, defined as non-property related projects between the value of £100,000 and £20,000,000, including the consideration of initiation documents, full business cases and specification and the consideration of procurement projects where there is a TUPE transfer by the Council.
- (b) To authorise officers to issue specification and invitations to tender and, where within budget, to make an award of contract to the tenderer assessed as providing the highest score against the agreed MEAT (most economically advantageous tender) criteria in respect of large procurement projects
- (c) To oversee and monitor procurement, commissioning and contract activity, including:
 - on a quarterly basis:
 - (i) reviewing the S151 Officers decisions to waive Contract Procedure Rules;
 - (ii) review of tenders and award of contracts on behalf of Cabinet in accordance with the Scheme of Delegation;

when required:

- (iii) approval of contract variations, extensions and novations;
 - (iv) benefit realisation (post implementation) reviews;
 - (v) contract performance management; and
 - (vi) the commissioning cycle.
- (d) To review, approve or make recommendations to Cabinet concerning the Procurement Strategic Plan and the Procurement Forward Plan;
 - (e) To review the Contract Procedure Rules from time to time and make recommendations for change to Council; and
 - (f) To advise the Cabinet on all matters concerned with procurement generally and to make recommendations on any of the above matters to (as appropriate) the Cabinet or Council.

In acting under the Committee's Terms of Reference and in exercising responsibility for those functions listed above, the Authority's Procedure Rules, any limitations on authority and all legislative requirements and applicable rules of law must be complied with.

ANNEX

Procurement and Financial Scheme of Delegation

These delegations should be read in conjunction with Council's Contract Procedure Rules and the Council's procurement guidance as appropriate, along with the linked Financial Procedure Rule (FPR).

Note that the Chief Financial Officer may delegate authority from time to time as he sees fit.

	Function	FPR	Cabinet/ Cabinet member	Procurement and Commissioning	Chief Executive	Corporate Director	Service Director/ Assistant Director	Head of Service	Budget Manager
1.	Virements	5	All non-technical virements	N/A	N/A	Technical virements – Chief Financial Officer	None	None	None
2.	Raising customer invoices (excluding grants) and credit notes.	10	N/A	N/A	Unlimited (Chief Financial Officer to deputise)	Unlimited	Up to £100,000	Up to £50,000	Up to £10,000
3.	Recommend write-off of debts to Chief Financial Officer	11	N/A	N/A	Unlimited	Up to £500,000	Up to £100,000	Up to £50,000	Up to £10,000
4.	Write-off authority	11	Any amount over £20,000	N/A	N/A	Any amount up to £20,000 approved by Chief Financial Officer			

	Function	FPR	Cabinet/ Cabinet member	Procurement and Commissioning	Chief Executive	Corporate Director	Service Director/ Assistant Director	Head of Service	Budget Manager
5.	Write-off due to insolvency/court order	11	Any amount over £20,000 reported	N/A	N/A	All – Chief Financial Officer			
6	To agree grants and benefits to external bodies and other non-procurement commitments	14	If proposed expenditure will cause pressure in future years.	N/A	Up to £100,000	Up to £100,000	Up to £100,000	Up to £50,000	Up to £10,000
7.	Signing grant agreements for grants and benefits paid by the council to external bodies	14	N/A	N/A	N/A	Above £20,000 Must be recorded in the grants payable register	Up to £20,000	None	None
8.	Authorisation of official orders for grants and benefits to external bodies	14	N/A	N/A	Unlimited (Chief Financial Officer to deputise)	Up to £1m	Up to £500,000	Up to £50,000	Up to £10,000
9.	Applying for new external funding (including European bids). (All are subject to Chief Financial Officer certification)	15	N/A	N/A	N/A	Unlimited	Up to £100,000	None	None

	Function	FPR	Cabinet/ Cabinet member	Procurement and Commissioning	Chief Executive	Corporate Director	Service Director/ Assistant Director	Head of Service	Budget Manager
10.	Sign off of grant claims (Government Departments, EU)	15	N/A	N/A	N/A	Chief Financial Officer	N/A	N/A	N/A
11.	Assets and stocks – maintain register of assets over £10,000	16-20	N/A	N/A	N/A	N/A	Yes	Yes	N/A
12.	To agree specification, invite tenders and approve delegated authority to award contract for supplies and services	21	Over £20m	£100,000 to £20m	Up to £100,000	Up to £100,000	Up to £100,000	Up to £50,000	Up to £10,000
13.	Award of contract	21	Over £20m	£100,000 to £20m	As above, subject to the award being made to the tenderer who has submitted the most economically advantageous bid (the highest score against the valuation criteria) and the resulting contract being within budget.				
14.	Termination of contract	21	Over £20m	£100,000 to £20m	Up to £100,000	Up to £100,000	Up to £100,000	None	None
15.	Authorisation of official orders for procurement (This follows formal approval through appropriate decision making as above)	21	N/A	N/A	Unlimited (Chief Financial Officer to deputise)	Up to £1m	Up to £500,000	Up to £50,000	Up to £10,000
16.	Petty cash limit for a single item	22	N/A	N/A	Unlimited	Up to £250	Up to £100	Up to £50	Up to £25

	Function	FPR	Cabinet/ Cabinet member	Procurement and Commissioning	Chief Executive	Corporate Director	Service Director/ Assistant Director	Head of Service	Budget Manager
17.	To agree any other form of financial commitment not covered above		If proposed expenditure will cause pressure in future years.	N/A	Up to £100,000	Up to £100,000	Up to £100,000	Up to £50,000	Up to £10,000