

## ITEM 1[a]

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.

**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.

**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