

Milton Keynes Cabinet Members  
Civic Offices  
1 Saxon Gate East  
Central Milton Keynes  
MK9 3EJ

Our ref: RLH/SJA/097918.00001

02 October 2017

Dear Councillors,

### PROPOSED SUBMISSION VERSION OF PLAN:MK

I write to you on behalf of our clients, Wavendon Residential Properties LLP and Merton College Oxford, in advance of Milton Keynes Council's Cabinet Meeting scheduled for tomorrow (3 October). We understand that one of the items of the Agenda (Item 12) relates to the emerging Plan:MK and seeks Cabinet approval to progress to the Proposed Submission version of the document.

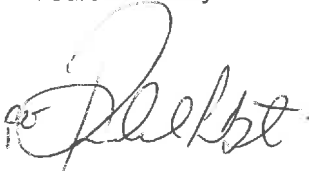
For the reasons outlined in our representations on the Initial Sustainability Appraisal dated February 2017 supporting the Draft Plan:MK 2016-2031 (the **SA**), the SA fails to meet the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004. It does not properly consider all reasonable alternatives. It is a fundamentally flawed document. Both the SA and the documents which it is reliant upon need to be reviewed afresh before the Plan:MK can properly progress to the regulation 19 stage i.e. the Proposed Submission version. To progress to the regulation 19 stage now would be premature in light of the emerging evidence base, and would be legally flawed, opening the plan up to the unnecessary risk of statutory challenge.

We urge members not to approve the Plan:MK progressing to the regulation 19 stage and to stay all work on the Plan:MK until the emerging work relating to significant infrastructure projects within the sub-region have been finalised. Any subsequent Plan: MK would be better informed, make the most of the opportunities offered by the infrastructure investment and be free from the risk of an SA related challenge.

If you have any queries please do not hesitate to contact me.

Kind regards.

Yours sincerely



Stephen Ashworth  
Partner  
Dentons UKMEA LLP