

Minutes of the MILTON KEYNES COUNCIL held on WEDNESDAY 18 JULY 2018 at 7.30 pm

Present: Councillor Petchey (Mayor)
Councillors Akter, Alexander, Baines, Bint, Brackenbury, M Bradburn, R Bradburn, Brown, Buckley, Cannon, Carr, Clancy, Crooks, Dransfield, Exon, Ferrans, Ganatra, A Geary, P Geary, Gilbert, Gowans, Green, D Hopkins, V Hopkins, Hosking, Jenkins, Khan, Legg, Long, Marklew, Marland, McCall, McDonald, McLean, McPake, Middleton, Miles, Minns, Morla, Morris, Nolan, O'Neill, Priestley, Rankine, Reilly, Wales, Walker, Wallis, Williams, C Wilson and K Wilson

Alderman Howell

Apologies: Councillors Brunning, Geaney, Patey-Smith and Small, and Aldermen Bartlett, Beeley, Bristow, and E Henderson and Alderwomen Henderson Irons, Lloyd and Saunders

Also Present: 11 members of the public

CL38 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 20 June 2018 be approved and signed by the Mayor as a correct record.

CL39 DISCLOSURE OF INTERESTS

None disclosed.

CL40 ANNOUNCEMENTS

(a) The Queen's Birthday Honours

The Council congratulated the following persons who been awarded Honours in the Queen's Birthday Honours and were in attendance at the meeting:

- Mrs Hilary Terry BEM, for services to the community of Olney in 2017; and
- Mrs Sally Fennemore MBE for services to services to Female Entrepreneurship this year.

(b) Football World Cup 2018

The Mayor announced that he had written to Deli Ali congratulating him on his part in England's positive World Cup Campaign.

(c) Carole Mills (Chief Executive)

The Mayor announced that this was Carole Mills' (Chief Executive) last Council meeting before taking up the role of Chief Executive with Derby City Council on 1 August 2018.

On behalf of the Council, the Mayor thanked Carole for the work she had undertaken in her time as Chief Executive and wished her luck for the future.

The Council also heard from Councillor Marland (Leader of the Council and the Labour Group), Councillor McCall (Leader of the Liberal Democrat Group) and Councillor Walker (Leader of the Conservative Group).

CL41

QUESTIONS FROM MEMBERS OF THE PUBLIC

(a) Question from Eamonn Bobey to Councillor Long (Cabinet member for Housing and Regeneration)

Eamonn Bobey, by way of a written question, which was asked on his behalf by the Mayor, ask Councillor Long if Milton Keynes Council housing tenants could have access to, or a copy of, the stock conditions survey carried out on their homes prior to April 2017.

In a written response Councillor Long indicated that tenants could have access to the stock conditions survey and he would ensure that it was placed on the Council's website and an electronic copy sent to all Residents' Associations.

(b) Question from Jeanette Bobey to Councillor Long (Cabinet member for Housing and Regeneration)

Jeanette Bobey, by way of a written question, which was asked on her behalf by the Mayor, ask Councillor Long what was the asset valuation of the Council housing stock at Serpentine Court on the Lakes Estate.

In a written response Councillor Long indicated that the 186 properties at Serpentine Court had an open market value of £13.69m, which was discounted by 67% in the Council's accounts to their 'Existing Use Value – Social Housing' of £4.52m.

(c) Question from Judith Knight to Councillor Nolan (Cabinet member for Children and Families).

Judith Knight, referring to the Councillor Nolan's statement at the Children and Young People Scrutiny Committee on 11 July 2018 that she was aiming higher than residential care for the children at the Walnuts Children's Home, asked Councillor Nolan if she could confirm that she was also aiming higher for the children at Westminster House and Furze House and that the Council will be consulting on also closing those children's home shortly and if not, why not.

Councillor Nolan indicated that the Council was not consulting on the future of either Westminster House or Furze House, both of which had been rated as good by Ofsted, as these were separate homes and not part of schools.

Councillor Nolan also indicated that the Council was conducting a pre-consultation on the future of the Walnuts Children's Home for a number of reasons. After the pre-consultation, in light of the responses received, the Council would consider its next steps.

As a supplementary question Judith Knight, asked Councillor Nolan if the real reason for the prospective closure of the Walnuts Children's Home was to save money as it was cheaper to provide foster care for children, and referring to the report to the Council's Budget and Resources Scrutiny Committee which stated that stepping down high cost placements into foster care or for children to remain with parents would help address budget pressures in Children's Services.

Judith Knight also indicated that it appeared that the Dedicated School's Grant was likely to underspend.

Councillor Nolan indicated that as she wanted the best for the children in care, which was what the Council wanted as corporate parents, cost was not the issue. It was more about the Home having been judged to need improvement, that the Home provided 52 week care for children in the school setting and the need to equip the children to leave care and manage well as adults. However, it was the Council's duty to also get value for money. Fundamentally it was best for the children to be in a family setting in Milton Keynes.

- (d) Question from Peter Barnes to Councillor Middleton (Cabinet member for Resources and Innovation).

Peter Barnes asked Councillor Middleton what evidence there was of a communication from this Council to Simpson and Ashland Parish Council in April 2016 regarding plans to dispose of the long established public open space adjacent to 211 Simpson.

Councillor Middleton, outlining that the question referred to a decision taken in 2016 to dispose of a piece of land in Simpson, indicated that he had been in correspondence with a number of people including a number of residents over the last weeks, about this decision.

Councillor Middleton stated that he had evidence of the Parish Clerk being notified of the forthcoming decision in 2016 and there was also correspondence between Mr Barnes and the Council's Head of Property about the disposal. There was further correspondence with Councillor McDonald and a marketing brief was provided to him.

Councillor Middleton understood that there were different interpretations of the paper, but he had received legal advice that the decision was sound, that the process was sound and he was satisfied that there was due consultation with both the Parish Council and Ward Councillors.

As a supplementary question Peter Barnes, asked Councillor Middleton to comment on the view that the adjacent public amenity space was not identified as part of the area to be disposed of, indicating that it was important to distinguish between the adjacent public amenity space and 211 Simpson.

Councillor Middleton suggested that it was a matter of interpretation and reiterated that legal advice was that the decision was sound and the process was sound. The background papers to that report made it clear that the scope of the development included the land each side of the access to 211 Simpson, so based on the advice and the reference in the report to the area of land in dispute, he believed that there was sufficient notice that the proposal included that piece of land.

Councillor Middleton also stated that there had been subsequent correspondence confirming the inclusion of that land and as there was reference to the adjoining land in the report and background papers, he was of the view that the report and the level of consultation undertaken to have been sound.

Councillor Middleton also outlined that the sale of the land was now subject to contract and going through the development control process.

Councillor Middleton confirmed that he believed that consultation was undertaken soundly and the paper was in good order.

CL42 CORPORATE PARENTING PANEL ANNUAL REPORT

The Council received the Corporate Parenting Panel Annual Report which was presented by Councillor Miles, Chair of the Corporate Parenting Panel.

CL43 UNAUTHORISED ENCAMPMENTS

Councillor Marland moved the following recommendation from the meeting of the Cabinet held on 10 July 2018, which was seconded by Councillor Middleton:

“That capital funding of £250,000 be made available to improve physical security at sensitive sites to protect against unauthorised encampments.”

On being put to the vote the recommendation was declared carried by acclamation.

RESOLVED –

That capital funding of £250,000 be made available to improve physical security at sensitive sites to protect against unauthorised encampments.

CL44

ADOPTION OF THE MILTON KEYNES SITE ALLOCATIONS PLAN

Councillor Legg moved the following recommendation from the meeting of the Cabinet held on 10 July 2018, which was seconded by Councillor Marland:

“That the Milton Keynes Site Allocations Plan be adopted.”

On being put to the vote the recommendation was declared carried by acclamation.

RESOLVED –

That the Milton Keynes Site Allocations Plan be adopted.

CL45

COUNCILLORS' QUESTIONS

- (a) Question from Councillor D Hopkins to Councillor and Nolan (Cabinet member for Children and Families)

Councillor D Hopkins, commenting on the minutes of a recent meeting of the Governing Body for the Walnuts School and Children's Home which gave the impression that a decision to close the Children's Home so making the informal consultation a sham, asked Councillor Nolan to comment.

Councillor Nolan indicated that an informal consultation was being undertaken on the future of the Children's Home, which was on the same site as the school. If it was decided to have a six form at the school, the school had sufficient space and it would not require the Children's Home to close.

Councillor D Hopkins, as a supplementary question, asked whether it would not be better to conduct a broader review of children's residential care across the Borough, rather than just concentrate on the Walnuts Children's Home in order to review and plan future provision to ensure that it met the needs of Milton Keynes going forward.

Councillor Nolan indicated that there were no plans for a broader review. The informal pre-consultation in respect of the Walnuts Children's Home would run for eight weeks and end in mid-August, after which all of the comments received would be reviewed before any decision on future action.

- (b) Question from Councillor McPake to Councillor Marland (Leader of the Council)

Councillor McPake, referring to the location of electric vehicle charging points for cars on residential estates being generally dual use parking spaces, meaning that often electric cars could not access the charger because the space was occupied by a non-electric vehicle, asked if there were any

plans for dedicated electric vehicle charging point parking bays on the estates.

Councillor Marland indicated that the Council did not currently have plans for dedicated electric vehicle charging point parking bays on residential estates. However, the Government was providing grant funding to the Council for the installation of charging points at residential properties.

Councillor McPake, as a supplementary question, asked that going forward, consultation be undertaken on making at least some of the dual use parking spaces dedicated electric vehicle charging points.

Councillor Marland indicated that this matter could be considered along with a number of other issues regarding the use of electric vehicles and could potentially be consulted on.

- (c) Question from Councillor Wales to Councillors Middleton (Cabinet member for Resources and Innovation)

Councillor Wales asked Councillor Middleton to update the Council on its current financial health.

Councillor Middleton indicated that he was pleased to report that the outturn for 2017/18 showed that the Council had delivered a small £140k underspend, not an overspend as was prolific across the local government sector. The underspend was based on the hard work of the Corporate Director Resources and his team and the cross party working of the Budget Scrutiny Committee which was keeping the Council solvent.

- (d) Question from Councillor Baines to Councillor Marland (Leader of the Council)

Councillor Baines, referring his question asked at the last meeting of the Council concerning funding for residents' associations, commented that a number of associations had still not received their grants and two were on the verge of closing, asked Councillor Marland if he would look into the situation and deal with urgently.

Councillor Marland indicated that any resident associations eligible for grants should receive them by the end of the week.

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

Councillor McCall, referring to the high volume of complaints in respect of missed bin collections mainly, but not exclusively green waste, asked Councillor Gowans what measures were being put in place to find a solution to the problem.

Councillor Gowans indicated that he was aware of the rising number of complaints from his ward work and from the monitoring undertaken by officer colleagues. As a result the contractor had been required to provide a service improvement plan to get collections back to an acceptable standard. A number of other frequent issues which had arisen would be tackled proactively.

Councillor McCall indicated that he was pleased to see that action was being taken and suggested that the results should be monitored closely to ensure it achieved results.

Councillor Gowans thanked Councillor McCall for bringing the issue to the Council's attention.

- (f) Question from Councillor Walker to Councillor McCall (Leader of the Liberal Democrat Group)

Councillor Walker asked Councillor McCall if he could outline the day to day activities he and his colleagues undertook as part of the enhanced partnership with the Administration, for example did they see reports before they were published, attend briefings with the Cabinet members and did he have regular one to ones with the Leader.

Councillor McCall indicated that that he had a monthly meeting with the Leader, a monthly meeting with the Chief Executive and a monthly meeting with Councillor Walker. The Liberal Democrat Group had a shadow Cabinet and they met with their Cabinet counterparts as part of the partnership agreement.

Councillor Walker, noting that there were a number of ways in which the Cabinet could be scrutinised, asked Councillor McCall as a supplementary question, if he would sign up for a joint motion to the Scrutiny Management Committee asking the Committee to look at how the role of the Liberal Democrat Group in the partnership with the Labour Group could be scrutinised.

Councillor McCall indicated that how the partnership worked was a private agreement and the role of the Scrutiny Management Committee was to scrutinise the Administration.

- (g) Question from Councillor Rankine to Councillor Marland (Leader of the Council)

Councillor Rankine, referring to the response given by the Leader at the last Cabinet meeting regarding the future of Register Office in Bletchley, which was that the Office would remain open, and a recent approach from a constituent who had been told that the office would close from March 2019, asked Councillor Marland why residents were being told that the Office will be closing and wedding bookings refused.

Councillor Marland indicated that it was an error on behalf of the officer and he had given a clear commitment that the office would remain open.

Councillor Rankine, as a supplementary question, sought clarity from Councillor Marland that there was a long term commitment to keeping the office open.

Councillor Marland indicated that there would be a base budget commitment to keeping the Office open. However, it would be necessary to widen out the usage of the building to make sure that it was a facility which benefitted the whole community.

(h) Question from Councillor Jenkins to Councillor Marland (Leader of the Council)

Councillor Jenkins, referring to the move of the main Register Office to the Civic Offices, asked Councillor Marland if it would be possible to provide designated wider car parking spaces which allowed parents to remove a child's car seat easily.

Councillor Marland indicated that officer colleagues were looking at parking issues concerning the Register Office and he undertook to ensure that this matter would be included as part of that review.

Councillor Jenkins, as a supplementary question, asked Marland how quickly any solutions would be implemented.

Councillor Marland indicated that he could see no reason why it could not be done as quickly as possible.

(i) Question from Councillor McDonald to Councillors Middleton (Cabinet member for Resources and Innovation)

Councillor McDonald, referring to a delegated decision made in 2016 for the sale on an empty Council property in Simpson, which did not include some Council owned public open space which was subsequently added to the package for the developer without any consultation with the parish, ward councillors or residents, asked Councillor Middleton if he would ask officers to apply for a change of use from open space to housing, so residents could have their say.

Councillor Middleton indicated that, he had informed Councillor McDonald of the detailed reasoning behind the decision and that it was the Council's policy through the Corporate Property Strategy to identify surplus sites and dispose of them to generate capital receipts to fund the Capital Programme.

Councillor Middleton also reminded the Council that it had already found £144m of cuts and still had another £32m to find.

In respect of the decision, Councillor Middleton stated that consultation had been undertaken with ward councillors and with the Parish Council. The Council had also received a considerable amount of correspondence from interested parties.

Councillor McDonald, suggesting that Councillor Middleton was introducing a new policy for amenity land and its sale, as a supplementary question, asked Councillor Middleton if he would come forward to Full Council with details of the new policy.

Councillor Middleton stressed that there was no new policy, and referred to his consultative approach as Cabinet member for Resources which involved consulting every ward councillor and every parish council on each and every surplus site which became available for sale.

Councillor Middleton reiterated that it was two and half years since the decision was taken and now too late to change it.

- (j) Question from Councillor McLean to Councillor Long (Cabinet member for Housing and Regeneration)

Councillor McLean asked Councillor Long if he would confirm to Council his commitment to the full regeneration programme in order that it was on the record.

Councillor Long indicated that the Cabinet was absolutely committed to regeneration on the designated estates across Milton Keynes. However, for regeneration to be successful it was essential that it was resident led and residents were involved in all of the key decisions if the desired outcomes which met the needs of the individual communities were to be achieved.

- (k) Question from Councillor Bint to Councillor Gowans (Cabinet member for Public Realm)

Councillor Bint asked Councillor Gowans to provide clarity as to the question he had asked of officer colleagues in respect of the Eastern Expansion Area, as he understood that officers had been asked to make recommendations as to what needed to be done to fix the area, which might involve additional budget, rather than what was the best that could be achieved with the budget available.

Councillor Gowans indicated that he had answered a similar question from Councillor Bint on a number of occasions and his answer remained the same.

Councillor Bint stated that officers did not appear to be doing as Councillor Gowans had indicated and as a supplementary question asked Councillor Gowans to confirm that officers had been asked to make recommendations as to what needed to be done to address problems in the area.

Councillor Gowans indicated that he had always been clear on the matter and tried to work collaboratively on this issue. Councillor Gowans reiterated that the request to officers had not changed and suggested that the issue would be better discussed in the working group.

CL46

RESERVES AND LOCAL GOVERNMENT FINANCE

Councillor R Bradburn moved the following motion which was seconded by Councillor C Wilson:

“That this Council:

1. re-affirms its strategy to maintain a prudent level of reserves to enable major infrastructure and investment for the good of Milton Keynes going forward;
2. deplores the use of Reserves as an electoral gimmick to curry favour amongst the electorate by some at the last local elections;
3. continues to support the ongoing efforts of the Local Government Association in getting a fair Local Government Finance Settlement for all local authorities so that even County Councils do not have to raid over 50% of reserves in some cases to reach a balanced Budget, noting that over 22 Local authorities did this in the Budget round for 2018/19; and
4. maintains pressure on our Local MPs to follow this through so that we can maintain front line services and benefit all residents of the Borough.”

On being put to the vote the motion was declared carried with 32 councillors voting in favour, 1 councillor voting against and 16 councillors abstaining from voting.

RESOLVED –

That this Council:

1. re-affirms its strategy to maintain a prudent level of reserves to enable major infrastructure and investment for the good of Milton Keynes going forward;
2. deplores the use of Reserves as an electoral gimmick to curry favour amongst the electorate by some at the last local elections;
3. continues to support the ongoing efforts of the Local Government Association in getting a fair Local Government Finance Settlement for all local authorities so that even County Councils do not have to raid over 50% of reserves in some cases to reach a balanced Budget, noting that over 22 Local authorities did this in the Budget round for 2018/19; and
4. maintains pressure on our Local MPs to follow this through so that we can maintain front line services and benefit all residents of the Borough.

CL47

PROCEDURAL MOTION

In accordance with Council Procedure Rule 21.1 it was moved and seconded that Council Procedure Rule 8.1 be suspended in order that the meeting could continue without an adjournment.

On being put to the vote it was agreed by acclamation that Council Procedure Rule 8.1 be suspended.

CL48

MODERN SLAVERY CHARTER

Councillor Gowans moved the following motion which was seconded by Councillor Walker:

- “1. That the Council notes:
 - (a) the scourge of modern slavery on our communities;
 - (b) the broad nature of this exploitation, including, but not limited to sexual exploitation; domestic servitude; forced labour; organ removal; forced begging; forced benefit fraud; and forced marriage and illegal adoption, affecting men and women, adults and children, those born in the UK, and those not;
 - (c) the fifteen arrests in Milton Keynes and Bedford in February, covering five car washes and commends Thames Valley Police for their Hidden Harm campaign and for taking this action in particular; and
 - (d) its community leadership role in setting the highest standards for public life in the borough.
2. That the Council resolves to:
 - (a) train its Corporate Procurement Team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply;
 - (b) require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance;
 - (c) challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery;
 - (d) highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one;
 - (e) publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery;
 - (f) require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery;

- (g) review its contractual spending regularly to identify any potential issues with modern slavery;
 - (h) highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed;
 - (i) refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery; and
 - (j) report publicly on the implementation of this policy annually.
3. That the Council requests:
- (a) the Leader of the Council to formally sign the Co-operative Party Modern Slavery Charter; and
 - (b) the Cabinet member for Resources and Innovation to adopt these principles into the Council's procurement rules and procedures."

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

RESOLVED –

1. That the Council notes:
- (a) the scourge of modern slavery on our communities;
 - (b) the broad nature of this exploitation, including, but not limited to sexual exploitation; domestic servitude; forced labour; organ removal; forced begging; forced benefit fraud; and forced marriage and illegal adoption, affecting men and women, adults and children, those born in the UK, and those not;
 - (c) the fifteen arrests in Milton Keynes and Bedford in February, covering five car washes and commends Thames Valley Police for their Hidden Harm campaign and for taking this action in particular; and
 - (d) its community leadership role in setting the highest standards for public life in the borough.
2. That the Council resolves to:
- (a) train its Corporate Procurement Team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply;
 - (b) require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance;

- (c) challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery;
 - (d) highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one;
 - (e) publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery;
 - (f) require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery;
 - (g) review its contractual spending regularly to identify any potential issues with modern slavery;
 - (h) highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed;
 - (i) refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery; and
 - (j) report publicly on the implementation of this policy annually.
3. That the Council requests:
- (a) the Leader of the Council to formally sign the Co-operative Party Modern Slavery Charter; and
 - (b) the Cabinet member for Resources and Innovation to adopt these principles into the Council's procurement rules and procedures.

CL49

APPOINTMENT OF STATUTORY OFFICERS

The Mayor moved and the Deputy Mayor seconded that:

- "1. That the following appointments be confirmed with effect from 1 August 2018 to run until such time as alternative appointments are made:
- (a) the designation of Michael Bracey as the Council's Acting Chief Executive and Head of Paid Service;
 - (b) the designation of Victoria Collins as the Council's Acting Director of Social Services;
 - (c) the designation of Mac Heath as the Council's Acting Director of Children's Services;
 - (d) the designation of Michael Bracey as the Council's Returning Officer in accordance with Section 35 of the Representation of the People Act 1983; and

- (e) the designation of Michael Bracey as the Council's Electoral Registration Officer in accordance with Section 8 of the Representation of the People Act 1983.
2. That the Chief Executive be delegated the ability to nominate statutory officers until such time a meeting of Council takes place to formally consider such appointments."

On being put to the vote the motion was declared carried with 48 councillors voting in favour, 0 councillors voting against and 1 councillor abstaining from voting.

RESOLVED –

1. That the following appointments be confirmed with effect from 1 August 2018 to run until such time as alternative appointments are made:
 - (a) the designation of Michael Bracey as the Council's Acting Chief Executive and Head of Paid Service;.
 - (b) the designation of Victoria Collins as the Council's Acting Director of Social Services;
 - (c) the designation of Mac Heath as the Council's Acting Director of Children's Services;
 - (d) the designation of Michael Bracey as the Council's Returning Officer in accordance with Section 35 of the Representation of the People Act 1983; and
 - (e) the designation of Michael Bracey as the Council's Electoral Registration Officer in accordance with Section 8 of the Representation of the People Act 1983.
2. That the Chief Executive be delegated the ability to nominate statutory officers until such time a meeting of Council takes place to formally consider such appointments.

CL50

MEMBERSHIP OF COMMITTEES

The Council considered a number of changes to the membership of its committees.

RESOLVED -

That Councillor McDonald's appointment to the vacancy on the Community and Housing Scrutiny Committee and Councillor Khan replacing Councillor Akter on Budget and Resources Scrutiny Committee be confirmed.

CL51

WARD BASED BUDGETS 2018/19

It was noted that for the period 1 April 2018 to 30 June 2018, applications totalling £1,610 had been approved

THE MAYOR CLOSED THE MEETING AT 9.45 PM