

Democratic Services

DELEGATED DECISIONS

Tuesday, 20 February 2018

17:30

Room 1.02

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Wards Affected:

Wolverton

ITEM 1**DELEGATED DECISION****20 FEBRUARY 2018****PROPOSAL TO EXPAND THE NUMBER OF PLACES AVAILABLE AT THE RADCLIFFE SCHOOL**

Responsible Cabinet Member: Councillor Nolan, Cabinet Member for Children and Families

Report Sponsor: Marie Denny, Head of Delivery, Sufficiency and Access

Author and contact: Simon Sims, Strategic Lead, Sufficiency and Access, Tel 01908 253919

Executive Summary:

In order to make significant changes to a maintained school the Council must follow a process prescribed by law. This process is in four stages:

- 1) Publish a statutory proposal
- 2) Formal consultation (four weeks)
- 3) Decision
- 4) Implementation (if appropriate)

Before commencing this statutory process the law provides that there is a strong expectation on schools and the council to carry out an early consultation exercise with interested parties about the principle of the proposal.

Between 25 September 2017 and 24 November 2017 the council carried out an early consultation in relation to a proposal to expand the number of pupil places available in Year 7 at The Radcliffe School by up to 3 forms of entry. The school would eventually be able to cater for an additional 90 pupils per year group in year groups 7 to 11. Additional pupils would be admitted into Year 7 only each year, to increase the capacity of the school gradually.

This paper reports the results of the early consultation process and recommends that the council does not start the statutory process but keep the position under review to gain greater clarity about the need for places, parental preference and the quality of local provision.

1. Recommendation(s)

That the statutory process be not started at this time but kept under review to gain greater clarity about the need for places, parental preference and the quality of local provision.

2. Issues

- 2.1 Following an increase in the demand for additional primary school places, Milton Keynes is now anticipating an increasing year on year demand for secondary school places. The council plans to open a new secondary school to address this demand in September 2020. The school will be sited in Whitehouse, in the Western Expansion Area and will be built to accommodate up to 12 forms of entry (360 children per year group).
- 2.2 Projections show that this new provision may not be sufficient to address the total demand for places however there are a number of significant factors, many of which are beyond the council's control, which will influence what that demand will be (see Annex A). Having enough places is vital, but likewise having too many places is inefficient and impacts adversely on some schools. In that context it is important to consider carefully whether to expand places further, where those places might be and when that should happen.
- 2.3 In order to prepare for the possibility that more places may need to be provided the council has started to look at the options available, starting first with areas of Milton Keynes which projections show will be most likely to require further places. The Radcliffe School, located in Wolverton, provides education for children aged 11 to 19 years. Projections show there are already more children living in the catchment area compared to the number of secondary school places available locally, however current surplus in other areas means that those children can access other local provision. This surplus is, however, expected to decrease.
- 2.4 The council therefore approached the governing board of The Radcliffe School regarding its appetite to expand and explored the viability of expanding the school. The governing board responded that it was happy to explore an expansion proposal and an initial viability study indicated that additional accommodation could be provided on the current site to enable admission of an additional 90 children per year group.
- 2.5 The published admission number for Year 7 is currently 210. If the proposal were to go ahead, the school would have capacity to increase its published admission number up to 300.
- 2.6 An informal consultation was carried out between 25 September 2017 and 24 November 2017, a period of nine weeks including the October half term break, to enable stakeholders to consider the proposal from an education perspective. Notification of the consultation was sent to a range of stakeholders associated with the school and the consultation was available online, alongside an electronic response form, in order to give stakeholders the opportunity to submit views and discuss the proposed change in principle. Two drop-in sessions were also held at the school during the consultation period. A full record of the consultation process is attached at Annex B.
- 2.7 There were 16 responses to the consultation; ten were from parents and staff of The Radcliffe School, three were from parents of children attending St Mary and St Giles CE School, two responses were from local residents and one response was from the Wolverton and Greenleys Town Council. A total of

eight people attended the drop-in sessions. Annex C provides a summary of the key themes of support and concern and MKC officer responses.

- 2.8 The Radcliffe School was re-inspected by Ofsted on 21 September 2017 after a commitment to the early consultation had been made. The report was published on 6 November 2017. The school was judged to be 'Requiring Improvement'. In contrast to the previous inspection, the effectiveness of the 'leadership and management' which was previously judged to be 'good' was now judged to be 'Requiring Improvement'. MKC officers are now working closely with the governing board and senior leadership to address the issues identified as soon as possible.
- 2.9 The Radcliffe School is full in most year groups and is predominantly accessed by children from the local catchment area. Whilst the majority of children living in catchment do list the school as one of their four preferences, indicative admissions data for entry into Year 7 in September 2018 shows that only 47% of local applicants have listed the school as their first preference.
- 2.10 Given the close proximity of the new school in Whitehouse and the current level of parental preference at The Radcliffe School, it is likely that a number of children living in the catchment area for The Radcliffe School will secure places at the new school in September 2020. Whilst this may help to alleviate the pressure for places in this area, the extent to which this occurs cannot be accurately forecast at this time, particularly as the operator of the new school has yet to be determined by the Regional Schools Commissioner.

3. Options

(a) Option 1 – Do nothing

The School Place Planning Forward View projects a need for additional secondary school places within the local area. If no further action is taken, the council could eventually fail to meet its statutory duty to secure sufficient school places.

(b) Option 2 - Publish a statutory proposal to expand the number of places at The Radcliffe School

The council would explore the feasibility of expanding the accommodation and commence a wider statutory consultation. Any decision would be subject to the grant of planning permissions which would be considered separately. If agreed, it is envisaged that this proposal could be implemented in September 2020.

(c) Option 3 – Pause at this time, and keep the position under review to gain greater clarity about the need for places, parental preference and the quality of local provision. This is the recommended option

Given the number and complexity of the variables set out in Annex A, this option would provide an opportunity to review the school's improvement progress, and to better understand the potential impact of the new school due to open in the Western Expansion Area, once the provider is known. This option also supports the feedback provided throughout the consultation.

4. Implications

Policy

4.1 Ensuring sufficient school places within the education system is fundamental to delivering the council's vision that our residents have access to all the services they need and have the support to access opportunities and enjoy a healthy and good quality of life.

4.2 Resources and Risk

(a) Capital

If the expansion project were to go ahead, the total cost for providing the additional accommodation is estimated to be in the region of £9.6m. This would be funded by Basic Need grant provided by the Department for Education and Section 106 funding from local housing development.

(b) Revenue

Schools revenue funding is part of the Dedicated Schools Grant (DSG) and therefore if this proposal were to go ahead, there would be no impact on the council's General Fund.

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

4.3 Carbon and Energy Management

Capital works linked to this proposal would be delivered in line with the council's Carbon and Energy Management Policy and support the principles of maximising energy efficiency and carbon reduction in buildings, equipment and vehicles and would use the most sustainable or renewable energy sources.

4.4 Legal

If Options 2 is approved, the next step will be for the council to publish a statutory proposal under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and 'Making prescribed alterations to maintained schools – Statutory guidance for proposers and decision makers April 2016'. The proposal will appear on the council's website, as a notice in the press and outside the school. The notice invites the reader to request a copy of the full proposal. Following publication there is a formal consultation period of four weeks (length prescribed in law) within which comments and representations can be made to the council. Once that representation period expires, the council has two months to determine whether the change should proceed.

If Option 3 is approved, there would be no legal implications.

4.5 Other Implications

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

Annexes:

Annex A – Summary of the main variables and how they might impact

Annex B – Summary of the findings of the informal consultation period

Annex C – Summary of the key themes of concern and MKC officer responses

Annex D – Informal consultation on proposal to expand The Radcliffe School

Variable	Possible Impact
The Radcliffe School Ofsted judgement	<p><u>If judgement does not improve:</u></p> <ul style="list-style-type: none"> • If the expansion occurs but the school doesn't improve, more children may be required to access provision which has been judged 'Requires Improvement'. • The investment in additional places may also be wasted if parental preference for the school is low and places do not fill. • Places may also be wasted if the Governing Board (as the admissions authority) does not release the additional places due to possible impact on the school's improvement journey. <p><u>If judgement improves:</u></p> <ul style="list-style-type: none"> • Improvement in school's Ofsted judgement will likely mean that more pupils will want to access the school, and there will not be enough places available.
Popularity of the new WEA secondary school, and where children may be attracted from	<p><u>New WEA School is popular:</u></p> <ul style="list-style-type: none"> • Brand new schools are usually very popular with parents. The new school will be located in close proximity to many families that live in catchment for The Radcliffe School, and as such they may have a greater chance of accessing available places which aren't filled by children from the WEA catchment area. <p><u>New WEA school is not popular:</u></p> <ul style="list-style-type: none"> • If the new school is not popular and does not attract families from outside the catchment area, then there will be insufficient places available to meet parental preference.
Speed of house building / sales and 'pupil yields' across the borough, but particularly in the WEA	<p>Current house building projections for the WEA show there will be a need to secure a new school by 2020 to ensure the children can access a local school place. To provide a rich and viable curriculum it is expected that the new school will have to initially open more places than are required for the local catchment area.</p> <p><u>If housebuilding / sales occur more slowly:</u></p> <ul style="list-style-type: none"> • If as often happens, there are delays to the housebuilding programme, there will be even more surplus places available, which will further decrease the need to secure additional places at The Radcliffe School. <p><u>If housebuilding / sales occur more quickly</u></p> <ul style="list-style-type: none"> • If the houses are delivered more quickly than the current build programme there will be fewer surplus places available for 'out catchment' children to access which will increase the pressure for local school places.

Annex A - Variables

<p>Changes in 'pupil yield' from new housing across the borough, particularly from the WEA.</p>	<ul style="list-style-type: none"> For planning purposes, MKC must project the number of pupils per year group that will move into in a new estate, based on the number of number of houses that are expected to be built. These projections have been developed over many years and are based on actual data from local housing developments, although they are still only projections. <p><u>If more children move into the area that will require a secondary school place in the next few years:</u></p> <ul style="list-style-type: none"> There will be fewer surplus places available in the new WEA school for 'out catchment' children. This is likely to increase the pressure for school places at The Radcliffe School in the short term. <p><u>If fewer children move in that will require a secondary school place in the next few years:</u></p> <ul style="list-style-type: none"> There will be a larger surplus of places available in the new WEA school for 'out catchment' children. This is likely to further reduce the need for additional places at The Radcliffe School in the short term.
<p>New provider of WEA secondary opening more places than required</p>	<ul style="list-style-type: none"> In accordance with national legislation, the new school will be an academy selected by the Regional Schools Commissioner. MKC officers will seek to work with the provider of the new school to ensure the number of places initially available is sufficient to ensure a viable and rich curriculum; however, there is a possibility that the new provider may seek to fill the school from the start. If this occurs, there will be no need for the additional places at The Radcliffe School in the short to medium term.
<p>Delays to delivery of the new WEA Secondary</p>	<ul style="list-style-type: none"> The new WEA secondary school is due to be delivered in readiness for September 2020. If it is delayed, there will no longer be a projected surplus of places in this area for 'out catchment' children to access. Furthermore, the children living within the WEA will require alternative school places to be available at local schools. This will add significant pressure to the need for additional places at The Radcliffe School.

Annex A - Variables

<p>Change of quality / popularity of other schools</p>	<ul style="list-style-type: none"> • In order to ensure our statutory duty to secure sufficient school places, to account for children moving into the area, and support parental choice, there must be a small surplus of school places across the school system in each year group. As a result of parental preference and the close proximity of the schools, these vacancies typically concentrate in the least popular schools. Whilst The Radcliffe School is relatively popular and currently full, this could quickly change and could result in the additional accommodation at The Radcliffe not being used.
<p>All secondary schools in MK are responsible for their own admissions and could decide to admit over PAN (including untapped resource at Stantonbury Campus / Sir Herbert Leon).</p>	<p>Based on the current Published Admission Numbers (PAN) for each secondary school in Milton Keynes we currently project a borough wide shortfall of secondary school places by 2020.</p> <ul style="list-style-type: none"> • Some schools may have capacity admit children in excess of the PAN for a few years even if they don't have capacity to do this permanently. As all secondary schools in Milton Keynes are responsible for their own admissions, the Governing Boards may decide to admit temporarily over PAN for a couple of years. If this were to happen the additional places at The Radcliffe School may not be used. • Similarly, in some instances, the PAN for the school has been set by the governing board at level lower than the number the school could actually accommodate within the building. This usually occurs where there has been low parental demand for the schools, and the governing boards have sought to reduce vacant capacity in order to help control and manage the viability and effectiveness of the school. If the quality and popularity of these schools changes, it is likely that the governing boards will seek to admit more pupils. This would mean there could suddenly be more places available across the school system and parents would have greater choice of where to access. If this were to happen the additional places at The Radcliffe School may not be used.
<p>Ability for children to continue to access schools outside of the borough (local / across the borough)</p>	<ul style="list-style-type: none"> • Currently a significant number of secondary school children choose to access schools outside of the borough. MKC projections for pupil demand are based on this trend continuing at a similar level. A change in parental preference or the ability for our children to continue to do this would have a significant impact on our school place planning projections, meaning that we would either need significantly more school places, or less. This means there is a further risk that the additional places at The Radcliffe School would not be used.

Informal Consultation took place between 25 September 2017 and 24 November 2017

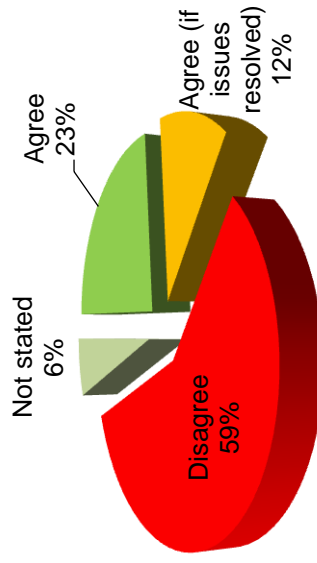
On 25 September 2017 the link to the consultation document was distributed to interested parties as follows:

- All parents, staff and governing body of The Radcliffe School
- All local schools: St Mary and St Giles CE, St Mary Magdalene Catholic Primary, Bushfield, Castlethorpe First, Greenleys First, Greenleys Junior, Hanslope Primary, Haversham Village, Russell Street, Slated Row and Wyvern
- All secondary schools in Milton Keynes
- Local ward councillors
- Constituency MPs
- Wolverton and Greenleys Town Council
- MKC Officers
- CoE Diocesan Board of Education and NORES, Parish Centre Holy Ghost Catholic Church
- Trade unions

The consultation was also available on the council's website, alongside an electronic response form.

A total of 17 responses were received

10 (56%) respondents disagreed with the expansion proposal



Key themes of concern:

1. Concerns regarding the access route to the school, the possibility of a dedicated entrance and the impact on pupils and road users.
2. Expanding the school will further impact on the insufficient space in the sixth form area, dining hall and corridor space.
3. Staff turnover is high and there are a number of staff vacancies at the school. How will the school staff the expansion?
4. Concern that the September 2017 OFSTED inspection found that the school is underperforming and "requires improvement". The Governing Body and teaching staff should be supported by MKC to deliver the required improvement in school performance before consideration is given to any expansion proposal.
5. Increasing the school's size will impact on pupils' anxieties, well-being and sense of belonging. Classes of more than 30 pupils will be detrimental. Larger schools can appear impersonal and have communication issues.

Alternative suggestions identified by consultees:

1. Consideration should be given to expanding other schools or expanding the school onto a second site
2. The opening of the new secondary school in the Western Expansion Area (WEA) should help address the shortfall of places.
3. Stantonbury Campus should not have been allowed to decrease their published admission number and this should be increased to meet the demand for school places.
4. Children should only be allowed to attend their catchment school.

Annex C – Main themes of concern and MKC Officer responses

The main concerns and objections raised throughout the consultation were:

- a) The latest OFSTED inspection, which was carried out in September 2017 during the consultation found that the school is underperforming and "requires improvement". Respondents felt that the governing board and teaching staff should be supported by MKC to deliver the required improvement in school performance before consideration is given to any expansion proposal.

Officer response – *The quality of education and the capacity of the senior leadership is a significant point for consideration. Following the recent Ofsted inspection, MKC officers are now working very closely with the governing board and senior leadership to address the issues identified as soon as possible. The proposal does not seek to admit the additional children until 2020, and only seeks to expand one year group at a time. The required expansion project could be separately managed to enable the Headteacher to focus on the school's improvement. However, There is a risk that if the school does not improve, the additional places would not be utilised if parental preference is impacted, or that families will be required to access provision judged as 'Requiring Improvement' against their will.*

- b) Staff turnover is high and there are a number of staff vacancies at the school. How will this be managed if the school expands?

Officer response – *Staff turnover is not significantly higher at The Radcliffe School than at other MK secondary schools. The school is fully staffed in the core subjects of English and math, which are areas where some other schools have experienced challenges. Some temporary turnover has occurred this year due to a number of maternity leaves.*

Recruitment of additional high quality teaching staff to meet the additional pupil demand is a point of national concern. MK schools are working closely with local training providers to help increase the supply of teaching staff. Close partnership working between the school and the local authority to identify and plan for the level of additional demand as early as possible will also help to mitigate this.

- c) Increasing the school's size will impact on pupils' anxieties, well-being and sense of belonging. Classes of more than 30 pupils will be detrimental. Larger schools can appear impersonal and have communication issues.

Officer response – *The proposal is to increase the size of the school by up to three additional forms of entry via an expansion to the accommodation. It will not impact negatively on class sizes. The Governing Board are also committed to maintaining a culture and environment which supports student's well-being and sense of belonging irrespective of the size of the school.*

- d) Concerns regarding the access route to the school, the possibility of a dedicated entrance and the impact on pupils and road users.

Officer response – *Whilst this is an important issue, the informal consultation is seeking views from an education perspective on the principle of expanding the school. The statutory process determines that if a decision was made to expand, this would be subject to the grant of any planning permissions and would be considered separately by the relevant committee. Officers welcome the feedback received at this stage regarding traffic and road safety and will consider these matters further if the scheme progresses.*

- e) There is insufficient space in the sixth form area, dining hall and corridor space. Expanding the school will further impact on these areas.

Officer response – *The Governing Board has plans to address these issues, but feel they need to be considered in conjunction with any expansion proposal to ensure plans do not conflict.*

- f) Consideration should be given to expanding Denbigh School, The Hazeley Academy and Ousedale School.

Officer response – *The pressure for additional school places in this locality is from children living within the catchment area of The Radcliffe School. Permanently expanding other schools in Milton Keynes will mean that children and their families have to travel further afield to access a school place, which will impact further on traffic and pupil safety. There is also a risk that if parental preference changes in the future, there would not be sufficient places at The Radcliffe School to meet local demand. Denbigh School was expanded by two forms of entry in 2015 to meet demand within its own catchment area. Ousedale School is at capacity and is not felt to be within a suitable distance for children living in the catchment area of The Radcliffe School. The Hazeley Academy is also at full capacity. It is however possible for officers to talk with local schools that are currently popular with children from this catchment area, to consider their appetite and ability to admit over their admission number to support the additional demand in the short term.*

- g) The opening of the new secondary school in the Western Expansion Area (WEA) should help address the shortfall of places.

Officer response – *The new secondary school located in the WEA is due to open in September 2020. In the long term this school will meet the demand from the 6,600 new homes that are planned for this significant growth area and will accommodate pupils from the four primary schools in the WEA. However, the housing development is still in its infancy, and it is projected to take time for there to be sufficient demand to fill the local secondary school. It is currently projected that there will be some additional capacity at this school in the initial years after it opens. Given the close proximity and the recent Ofsted inspection outcome for the Radcliffe School, it is likely that a number of families living in the catchment area for The Radcliffe School will seek to access the additional capacity in the short term. This is a significant point for consideration.*

h) Consideration should be given to expanding the school onto a second site.

Officer response – *This option has been explored however, there appear to be no suitable sites within the locality that can be used for education provision.*

i) Stantonbury Campus should not have been allowed to decrease their published admission number and this should be increased to meet the demand for school places.

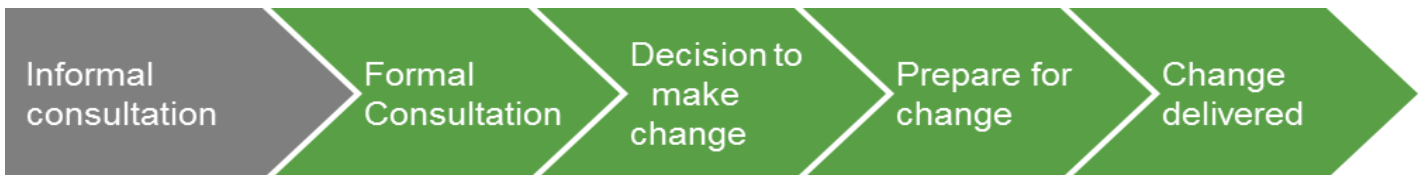
Officer response – *Stantonbury Campus is its own admissions authority and as such, the governing board took the decision to decrease the published admission number following consultation. Milton Keynes Council did not support the change to the admission number and wrote to the Chair of Governors at the time to express concerns that there were already insufficient places at Stantonbury Campus to serve the number of children living in the catchment. Although the school was not full, data shows this was the result of parental preference, and a reduction in the admission number would further compound the need to secure additional places at other schools, at significant cost to the public purse. The council and the Governing Board of The Radcliffe School are considering the expansion proposal to meet demand from the school's own catchment area and not to meet the demand from children living within the catchment area of Stantonbury Campus. There is a risk however, that if families from The Radcliffe catchment are successful in applying for places in other areas, vacant places at The Radcliffe School may be filled by parents living in the catchment for other schools if they choose to apply.*

j) Children should only be allowed to attend their catchment school.

Officer response – *The framework for school admissions is set out in national legislation. All admission authorities have to comply with the national School Admissions Code. When applying for a secondary school place, parents and carers that reside in Milton Keynes are able to express preferences for up to four schools and all applications are ranked according to each school's oversubscription criteria and allocated up to the school's published admission number. It would be illegal to enforce children to attend their catchment school. Notwithstanding this, admissions data shows there are already more children living within The Radcliffe School catchment area than the number of school places available, but a number of parents are successful if applying for school places outside of the catchment area. Restricting children to only access their catchment school would compound the issue in this area, not alleviate it.*

Informal Consultation

Proposal to expand The Radcliffe School by 3 forms of entry at Year 7



This **nine week** informal consultation from 25 September 2017 to 24 November 2017 is to gather opinions on a proposal for **The Radcliffe School** to expand the number of pupil places available in Year 7 by up to 3 forms of entry. The school would eventually be able to cater for an additional 90 pupils per year group in year groups 7 to 11. Additional pupils would be admitted into Year 7 only, to increase the capacity of the school gradually.

What is the current position?

Following an increase in the demand for additional primary school places, Milton Keynes is now anticipating a rising demand year on year for secondary school places. Should no further secondary school places be opened across the area, a deficit of approximately 13 forms of entry would occur by 2020 based purely on the number of pupils in Year 3 currently and no further housing being built. Projections for The Radcliffe School liaison group area already show there are more children living in the catchment area compared to the number of secondary school places available locally. Whilst some children currently choose to access schools in other areas, rising pupil numbers throughout the borough, as well as locally, will mean children are less likely to secure places in out of catchment schools, and will therefore add pressure for places in the local area. Local primary provision has been expanded to accommodate this additional demand, with further housing development expected.

What is the opportunity?

Milton Keynes Council is responsible for ensuring that every child living in Milton Keynes is able to access a school place and, following discussions with The Radcliffe School, have undertaken a viability study to consider whether there is space on the school site to expand. The viability study indicates that additional accommodation could be provided on the current site to enable admission of an additional 90 children per year group to meet local demand.

The published admission number for Year 7 is currently 210. This means that there are 210 places available each year for children transferring to secondary school at the end of Year 6. If the proposal were to go ahead, the school would have capacity to increase their published admission number up to 300 starting with admissions into Year 7 in 2020. Milton Keynes Council would liaise regularly with The Governing Board to enable the school to set realistic increases in the published admission number at incremental phases if required to meet local demand.

What are the benefits of expanding The Radcliffe School?

- ✓ By opening additional places at a popular school in an area of need, we are addressing parental preference and providing the opportunity for more children to access their local school.
- ✓ Bushfield School was expanded in September 2015 and there are plans to also expand the number of local junior school places available at Haversham School and St Mary and St Giles CofE School.

- ✓ Children will be able to attend their local school continuing their sense of community belonging and ensure a greater consistency of education for the children of the local area.
- ✓ Partnership between the school and the community will continue to be embedded, leading to greater cohesion in later years.
- ✓ The school's larger size would make it possible for the organisation to be even more efficient and effective.
- ✓ There would be greater opportunities for staff, making it more likely the existing high quality staff would be retained and high quality staff would be attracted to work at the school as it grows.
- ✓ Additional resources and staffing enabling greater opportunities to further develop the school as a learning community. Staff will be able to share expertise and learn from each other.

How can I find out more and contribute to this consultation?

The school and the council have arranged two drop in sessions for parents and the community so that they can find out more and give their views. These will take place on:

Wednesday 18 October 2017, 8.30am to 9.30am at The Radcliffe School

Thursday 19 October 2017, 3.00pm to 5.30pm at The Radcliffe School

This consultation seeks views from parents and staff directly involved with The Radcliffe School, from other local schools and any other interested parties. We are keen to hear as many views as possible about this proposal. Please go online and complete the web form at:

<http://www.milton-keynes.gov.uk/consultations/418>

If you are unable to access the online form you may respond by email to:

sufficiencyandaccess@milton-keynes.gov.uk

or in writing to Education Sufficiency, Milton Keynes Council, Saxon Court, 502 Avebury Boulevard, Central Milton Keynes, MK9 3HS or by telephone to 01908 253338

This informal consultation will end on 24 November 2017

Who has this consultation been sent to?

All parents, staff and governors of The Radcliffe School, as they are directly affected by this proposal; all schools in Milton Keynes; local MPs, Ward Councillors and Parish/Town Councils; neighbouring councils with schools adjoining our catchment areas.

This informal consultation is the first stage in a five stage process which will include:

1. This informal consultation for 9 weeks
2. Consideration in December 2017/January 2018 by the Cabinet Member for Children and Families of the outcome of this consultation and whether to proceed with a statutory consultation
3. Statutory consultation lasting 4 weeks in the spring term 2018. (If you respond to this consultation please do so again for the statutory consultation)
4. Consideration in March/April 2018 by the Cabinet Member of the outcome of the statutory consultation and a decision whether to proceed with the expansion of the school (subject to planning permissions being granted for the additional accommodation).
5. If the proposal is agreed a building project will commence with an intended completion date of September 2020. This work will be subject to planning permission and will include another consultation with local residents who may be affected by the building works.

Wards Affected:

All Wards

ITEM 2**DELEGATED DECISION****20 FEBRUARY 2018****REVENUES AND BENEFITS POLICIES**

Responsible Cabinet Member: Councillor Middleton – Cabinet member for Resources and Innovation

Report Sponsor: Steve Richardson (Service Director for Finance and Resources) Tel: (01908) 252756

Author and contact: Debra Collins (Corporate Recovery and Business Rates Manager) Tel: (01908) 253739

Executive Summary:

Whilst working within the national frameworks for Revenues and Benefits the service maintains a number of operational polices at the discretion of Milton Keynes Council.

Each policy has been formulated with regard to financial implications and legislative issues, while safeguarding the most vulnerable within the communities of Milton Keynes. The key policies are reviewed on a yearly basis. Following a review, amendments are now required to the Discretionary Rate Relief for Non-Domestic Rates Policy, plus Guidelines

The report summarises the reasons for the need to review and amend the policy, as well as highlighting the main changes to the policy.

This report includes a list of rural settlements as required by S.42A Local Government Finance Act 1988 for the purposes of awarding Rural Rate Relief.

This report details amendments required to the delegated decision of 1 August 2017 which provided for awards of Local discretionary relief to ratepayers adversely affected by the revaluation of non-domestic properties.

1. Recommendation(s)

- 1.1. That the proposed polices, be agreed and approved.
- 1.2. The financial costs associated with each policy are noted.
- 1.3. The list of rural settlements as listed be approved.
- 1.4. That the proposed changes to the delegated decision of 1 August 2017, be agreed and approved.

2. Issues

- 2.1. Since the last review of Revenues Policies in 2017 there have been some changes which require the policy to be reviewed.
- 2.2. A brief summary of the policy, together with the reasons for re-approval (due to amendments) is detailed below at 3.

- 2.3 In April 2017 there was a national business rates revaluation which has led, for some ratepayers, to significant changes either up or down in their business rates liability. To mitigate this Central government have three main measures:-
- a) Transitional relief/surcharge scheme. This scheme is similar to previous schemes following revaluations and smooths the impact of large increases or decreases. This is a national scheme and MKC cannot influence this.
 - b) Supporting small business scheme. This scheme is similar to the transitional scheme insofar as it aims to set a cap on the amount that a ratepayer's bill can increase as a result of the revaluation. If the ratepayer was in receipt of small business rate relief prior to the revaluation the annual increase will be capped at £600 per year. This is a national scheme and MKC cannot influence this.
 - c) Local Discount scheme. This is a national scheme with local variations. The funding for this scheme has been halved in 2018/19 and essentially tapers to zero in 2019/20.

Two of the schemes a) and c) above ensure that in the earlier years of a revaluation, the Ratepayer could potentially receive lower rate demands than in later years, excluding the effect of RPI increases.

3. Discretionary Rate Relief for Non-Domestic Rates Policy

- 3.1 This policy replaces the Discretionary Rate Relief Policy and related guidelines which were last approved by the Cabinet on 4 April 2017.
- 3.2 The Council grants Discretionary Rate Relief to eligible bodies in accordance with the Local Government Finance Act 1988 (as amended) as described below
- Discretionary rate relief (Charities and other Organisations);
 - Reductions/Remissions on the grounds of hardship.
 - Relief for partly occupied premises.
 - Relief for properties in rural settlements
 - Relief to promote localism
 - Relief for local newspapers
 - Relief for some Public Houses
 - Local Discretionary relief scheme funded by DCLG
 - Supporting Small Business Relief.
- 3.3 Since 1 April 2013, the cost of Discretionary Rate relief is deducted from the Business Rates Baseline and so impacts on Milton Keynes Council's share of retained business rate income. There are exceptions to this.
- A national scheme to provide relief for Public Houses for 2018/19 which will be fully funded by central government subject to state aid rules. This has been extended for a further year.
 - The continuation of a new locally designed discretionary relief scheme to support the ratepayers hardest hit by increases in rates liability will be fully funded by central government subject to state aid rules

- A national scheme to limit increases for small business hardest hit by rate liability increases which will be fully funded by central government subject to state aid rules
- A national scheme to provide relief for office space occupied by local newspaper of up to £1,500 per year for two years will be fully funded by central government subject to state aid rule.
- Rural rate relief will be doubled to 100% and be fully funded by central government subject to state aid rules.

4. Changes to the existing Discretionary Rate Relief Guidelines

- 4.1 The Discretionary Rate Relief for Non-Domestic Rates Policy (Annex A), requires that we consider each case on its merits and so cannot contain specific criteria, however to assist ratepayers, we agree and publish relevant guidance.
- 4.2 There are amendments to the previously approved Discretionary Rate Relief guidelines (Annex A1).
- The funding for the discretionary relief scheme to provide support for those ratepayers hardest hit by the increases in rate liability has been halved by central government.
 - There was a continuation of the relief of up to £1,000 for Public Houses with a rateable value below £100,000 for a further year 2018/19.
 - Ratepayers in receipt of 50% mandatory rural rate relief will be awarded a further 50% discretionary rate relief until such time as the Government issues regulations to increase the amount of mandatory relief which can be awarded.

All three reliefs will be delivered through s 47 of the Local Government Finance Act 1988 and Milton Keynes Council will be compensated by way of section 31 grant.

5. Discretionary Rate Relief for Non-Domestic Rates

In building the business rates funding baseline, it has been assumed that the following amounts will be spent on Discretionary Rate reliefs

Table 1 – Forecast spend 2018/19

Relief Type	£'000
Discretionary rate relief (Charities and Not for Profit Organisations)	551
Reductions/remissions on the grounds of hardship	-
Relief for partly occupied premises	-
Total	551

Discretionary Rate Relief (Charities and other Organisations) can be further broken down into the following categories.

Table 2 – Forecast Spend 2018/19

Charities and not for profit organisations involved in	No of relief cases	Total cost of Reliefs £'000	Cost deducted from MKC's retained Business Rates. £'000
Community Interaction	43	£78	£38
Social care	39	£68	£33
Children and youth	15	£16	£8
Healthy Lifestyle	35	£223	£109
Museum & Arts	28	£86	£42
Meeting Hall	29	£21	£10
Localism	1	£32	£16
Economic Development	1	£16	£8
Other discretionary	2	£11	£5
Total	193	£551	£269

6.0 Options

6.1 There are 3 possible options;

- (a) Agree and approve the policy.
 - (i) The policy has been circulated to internal services that may be impacted and the proposed content is considered to be in keeping with the ethos and finances of the Council.
- (b) Propose amendments to the proposed policy.
 - (i) Amendments can be proposed but must have due regard to their legality, the finances of the Council and their administrative viability.
- (c) Retain the policy as it was in 2017/18.
 - (i) The policy has been updated to keep pace with changes in legislation and localism. Retention of the policy would mean that we are working to a policy that has not kept pace with the changing legislation and social climate which may create administrative issues. It is best practice to regularly review policies and guidelines.

6. Implications

4.1 Policy

The report sets the policy in the relevant areas for the Council.

4.2 Resources and Risk

The key opportunity is to revise the policies and support local businesses.

The *financial* position associated with certain policies is shown in Annex A.

It is assessed that the proposed changes have a LOW Likelihood of creating a LOW financial Impact on the Revenues and Benefits budgets.

In respect of Discretionary Rate Relief, the cost has been included in the calculation of the Councils business rates baseline which has been reported to Cabinet on 8 November 2017. The financial risk is increased applications meeting the guidelines although this risk is mitigated by the majority of additional cost being met by Central Government. The thresholds mean while there is a risk that additional requests will be received the overall financial impact is likely to be low.

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

4.3 Carbon and Energy Management

There are no implications for the Council's Carbon and Energy Management Policy.

4.4 Legal

"Section 47 of the Local Government Finance Act 1988 (as amended) permits Milton Keynes Council as the billing authority to agree a Policy on Discretionary Rate Relief. The Council must have regard to any relevant guidance issued by the Secretary of State. The Secretary of State has provided a Business Rates Information Letter (2/2017): Spring Budget providing guidance to Billing Authorities in delivering the policy."

4.5 Other Implications

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

Background Papers:

With reference to Legislation and guidance from the DCLG in respect of Revenues and Benefits Services, including:

- The Local Government Finance Act 1988
- The Local Government Finance Act 2012.
- The Non-Domestic Rating (Levy and Safety Net) Regulations 2013
- De Minimis Regulation (Regulation 1998/2006) as set out in EC Regulation 1998/2006 as published in the Official Journal of the European Union on 28 December 2006)
- https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/598272/B_RIL_2-2017_Budget_Measures.pdf

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/662390/BRIL_8 - 2017 - Autumn Budget.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/662390/BRIL_8_-_2017_-_Autumn_Budget.pdf).

Annexes:

Annex A Discretionary Rate Relief for Non-domestic Rates Policy

Annex B List of Rural Settlements

Annex C Amendments to the Delegated Decision 1 August 2017

Milton Keynes Council

Discretionary Rate Relief for Non-domestic Rates Policy

www.milton-keynes.gov.uk/business/business-rates

Version Control

Version	Date	Author	Comments
1	27 January 2016	A Taplin	
2	23 February 2017	A Taplin	
3.	31 January 2018	D. Collins	

Discretionary Rate Relief Reductions

1. Introduction

- 1.1. This policy covers all discretionary reductions for Non-domestic rates which can be granted by the Council covering the following

2. Statement of Objectives

2.1 The policy has the following objectives:

- a) To accept applications for any discretionary reduction to Non-domestic rates from all local businesses
- b) To consider each application on its merits.
- c) To make recommendations regarding each application to the Corporate Director of Resources, or his deputy, as to whether a discretionary reduction should be awarded in line with the following guidelines
 - Discretionary Rate Relief for Non-Domestic Rates Guidelines

3. Legislation

3.1 Non-domestic Rates

Any application for a discretionary reduction of Non-domestic Rates will be considered in line with the relevant legislation of the 1988 Local Government Finance Act [as amended]

Consideration will also be given to the nature and relevance of the organisation applying for relief. As a general rule, all successful applications should only be granted where the interests of the Council Tax payers of the Borough have been met.

3.2 In the budget delivered each year by the Chancellor of the Exchequer, amendments are often made to the range of discretionary awards available to the Council. Any changes to the available powers will be noted and reported each year.

3.3 In 2018/19 there are the following changes required

- There was a continuation of the relief of up to £1,000 for Public Houses with a rateable value below £100,000 for a further year 2018/19. This will be delivered through s 47 of the Local Government Finance Act 1988 and Milton Keynes Council will be compensated by way of section 31 grant.
- The discretionary relief fund for those businesses hardest hit by the Revaluation in 2017. Milton Keynes Council has been allocated up to £178,000 (the equivalent of £376,000 benefit to Ratepayers) to deliver the scheme using powers under s47 of the Local Government Finance Act 1988. Compensation will be by way of a section 31 grant

3.4 There are no other legislative changes to the policy for 2018/19.

4. Other Information

4.1 Application process

The full application process is contained within the Discretionary Rate Relief Guidelines and may be amended from time to time to suit the needs of the Revenues Services and local businesses applying for relief.

In conjunction with the Service Director Finance and Resources, the Revenues Department have risk assessed the Rate payers receiving rate relief based on prior applications and local knowledge. For the majority of claimants the 2018/19 relief will be applied automatically following a desk top review by the Revenues team. This amendment to the procedure has been made to reduce the administrative burden on both Rate payers and the Local Authority.

There will be a desk top review undertaken for all Ratepayers potentially eligible for the Local Discount Relief and Public House relief funded by Central Government. Relief will then be applied to the accounts, where necessary the Revenues team will contact the Rate payer for additional information for example potential state aid implications.

4.2 Period of relief

Usually, any relief will be awarded for a period of one year. Full details are contained within the Discretionary Rate Relief Guidelines.

4.3 Right of appeal

There is no statutory right of appeal against a decision not to award Discretionary Rate Relief. However if a dispute arises concerning the application of the relief, it would be dealt with initially as a query through the Revenues Team, or then to the Service Director Resources and Finance. Full details are contained within the Discretionary Rate Relief Guidelines.

5. Monitoring

The Revenues team will monitor Discretionary Rate Relief awards to ensure that the policy has been applied fairly and consistently.

The circumstances leading to an award will be monitored and analysed in order to formulate and revise the guidelines that will allow the categories identified as having an additional need to be considered in future years.

Milton Keynes Council

Discretionary Rate Relief Guidelines

www.milton-keynes.gov.uk/Revenues

Version Control

Version	Date	Author	Comments
1	3 August 2008	C Annison	A Petrie
2	5 October 2008	C Annison	Agreed by John Neilson – June 2009
3	22 November 2012	C Wright / K Pettit	Updated following review to reflect appeal process, discretionary rural, part-occupied premises and hardship rate reliefs
4	19 December 2012		Agreed by Cabinet
5	December 2013	C Wright / K Pettit	Updated reflecting new build empty property relief and relief for shops, pubs and restaurants (with RV less than £50k) and expansion of s44a Relief . Agreed by Delegated Decision (Cllr Bald) 11/2/14
6	December 2014	C Wright / K Pettit	Updated reflecting Autumn statement
7	December 2015	C Wright/ A Taplin	Updated reflecting 2015 Autumn statement.
8	March 2017	A Taplin	Updated reflecting 2016 Autumn statement and 2017 Spring Budget
9	January 2018	D. Collins	Updated reflecting 2017 Budget

Discretionary Rate Relief

1. Introduction

- 1.1. Milton Keynes Council (MKC) is committed to correctly administering the award of Discretionary Rate Relief (DRR) to organisations within the Milton Keynes area.

Under the Local Government Finance Act 1988 (as amended) (LGFA) and Non Domestic rating (Unoccupied Property) (England) Regulations 2008 SI 2008/386, there are 6 areas of discretionary rate reliefs available to Milton Keynes Rate Payers. These are:-

- a) Discretionary Rate Relief (Charities and Not for Profit Organisations);
- b) Relief for properties in rural settlements
- c) Reductions/Remissions on the grounds of Hardship
- d) Relief for Partly occupied premises.
- e) Relief to support Localism
- f) Other uses of discretionary powers under s47 of the LGFA 1988

2. Statement of Objectives

The guidelines have the following objectives:

- To make the application process simple for organisations and give the clearest possible guidance as to what will be considered with regard to an application.
- To consider each application on its merits.
- To be equitable and fair and balance the wider interests of the community within the resources made available arising from Business Rates Baseline funding.
- To make decisions based on objective criteria and organisations' suitability for Discretionary Rate Relief
- To ensure officers give due time and attention to processing applications which is proportionate to the complexity and level of relief.
- To have regard to the relevant Central Government guidance when making decisions.
- To have regard to the restrictions applicable in terms of State Aid limitations

3. Reliefs

3.1 Discretionary Rate Relief [Charities and Not for Profit organisations] (DRR)

The conditions to be satisfied before MKC can consider an application for this relief are detailed in the LGFA 1988 under s47.

These are either of the following:-

- a) The rate payer is a charity or trustees of a charity, and the property is wholly or mainly used for charitable purposes; or
- b) The hereditament (property) is not an excepted hereditament (i.e. the rate payer is not the billing authority or precepting authority) and all or part of the property is occupied for the purposes of one or more institutions none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts;

and

- c) For each of the above the Council may make the decision only if it is satisfied that it would be reasonable to do so having regard to the interests of Milton Keynes council taxpayers.

The detailed guidelines to assist with the determination of granting DRR are contained on page 11.

3.2 Relief for properties in rural settlements

The Local Government Finance Act 1998, as amended, provides for the only Post Office or the only General Store, the only Public House, the only Petrol Station and the only village food store in a Rural Settlement with a population not exceeding 3,000 to be awarded 50% Mandatory Relief.

In the Autumn Statement the Government confirmed that Rural Rate Relief will be doubled to 100% from 1st April 2017. Until the regulations are in place to award 100% Mandatory Relief the Council will use its discretionary powers to award 50% discretionary relief to ensure 100% relief is awarded to eligible businesses.

3.3 Reductions/Remissions on the grounds of Hardship

The conditions to be satisfied before MKC can consider an application for this relief are detailed in the LGFA under s49. These are that:-

- a) The rate payer would sustain hardship if the Authority did not do so, and
- b) It is reasonable for the Authority to do so, having regard to the interest of persons subject to its council tax.

An award to hardship relief will usually only be made in order to provide short term assistance to businesses that are suffering unexpected hardship, arising from circumstances beyond the business's control and outside of the normal risk associated with running a business of that type, to the extent that the viability of the business would be threatened if an award were not made.

An award of hardship relief will not usually be made for the purposes of enabling a new business to become established except where the viability of the business is threatened by events that could not reasonably have been foreseen when establishing the business.

No award shall be made where it appears to the Council that the proprietor of the business has failed to exercise due diligence or anticipate circumstances that may give

rise to hardship, financial; or otherwise, and/or to put in place measures to prevent or mitigate the circumstances.

3.4 Relief for partly occupied premises

S44a of the LGFA enables MKC to grant relief on a hereditament that is partly unoccupied or not fully occupied for a temporary period only.

The granting of this relief is entirely under the discretion of Milton Keynes Council and each case will be considered on its merits and be referenced to the interests of Milton Keynes Council tax payers.

The amount of reduction in rates is determined by statute and is calculated by reference to the rateable value ascribed to the unoccupied area by the Valuation Office Agency.

Applications will only be considered in respect of unoccupied parts of a property that can be clearly defined and are reasonably segregated from the occupied part of the property.

For the purposes of these guidelines a period of up to 12 calendar months shall be considered to be temporary and longer periods shall not be considered to be temporary.

No award shall be made where it appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purposes of applying for Section 44a relief.

Section 44a relief will not normally be awarded in respect of different operative periods that contain the same area of unoccupied property that existed in preceding operative periods.

Rate relief under this section will not usually be awarded where the partial occupation may be considered to arise due to the ordinary day to day nature of the business (for example the operation of a warehouse).

3.5 Relief to promote localism

S47 of the LGFA allows the Authority to offer business rate discounts to help attract firms, investment and jobs to the local area. Each case will be considered on its merits and be referenced to the interests of Milton Keynes Council tax payers.

3.6 Other uses of discretionary powers under S47 LGFA 1988

From time to time, additional measures are proposed by the Chancellor of the Exchequer to provide assistance to business. These can be either national schemes or locally defined schemes which are drawn up by MKC. They are provided under s47 of the LGFA 1988.

Where the Government puts in place a scheme whereby the Council will be fully compensated for the loss of rates yield arising from an award of discretionary rate relief, awards of relief shall be made in accordance with the scheme unless there is a decision of the Council to the contrary.

For 2018/19 the current schemes are Local Newspaper Relief (up to £1500 for 2018/19), Local Pub Relief (up to £1000 for 2018/19) and Local Discretionary Rate Relief Scheme as determined by MKC. The detailed guidelines for the Local Discretionary Rate Relief Scheme are on page 12.

4. Length of award

4.1. Discretionary Rate Relief (Charities and other Organisations)

All awards of Discretionary Rate Relief (Charities and other Organisations) will be granted on an annual basis. In November of each year the Revenues department in conjunction with the Service Director Finance and Resources, risk assessed current claimants. For the vast majority of applicants a desk top only exercise will be undertaken.

For those rate payers whose circumstances merit it, they will need to apply annually towards the end of the current financial year for the following financial year (commencing 1 April).

Wherever practicable, MKC will attempt to notify each current ratepayer in receipt of DRR reminding them of the need to apply for the coming financial year. Under s47 of the LGFA, MKC is unable to grant DRR with an effective date of more than six months after the end of the financial year to which it relates, therefore applications received after this date will not be considered.

4.2. Rural rate relief

Awards of discretionary relief will be granted on an annual basis.

4.3. Hardship Relief

All awards for remission/reduction on the grounds of hardship are granted for short fixed periods and for no longer than the period where there is clear evidence of hardship.

4.4. Partly Occupied properties

All awards for relief due to partly occupied premises will be given for a short time only and only where there is clear evidence of partial occupation.

Awards of Section 44a relief shall end at the earliest occurrence of one of the following:

- a) The end of the statutory period for which relief may be allowed;
- b) The end of the financial year;
- c) All or part of the unoccupied area becoming occupied;
- d) The whole of the property becoming unoccupied;
- e) The ratepayer ceasing to be the person or organisation liable to pay non-domestic rates in respect of the property;
- f) Where all or part of the unoccupied area has remained unoccupied for one year;
- g) The commencement of a further award in respect of the property;
- h) The Council is unable to verify, following reasonable notice, that the area remains unoccupied.

4.5. Localism

All awards for localism relief will be granted for a maximum of one financial year.

4.6. Other Discretionary reliefs under s47

Any other awards using s47 powers will be up to the maximum period of time stipulated by central government or the locally defined scheme,

5. State Aid

- 5.1. Discretionary rate relief shall not be awarded in any circumstances where it appears that an award will result in the rate payer receiving state aid that is above the current de Minimis level.

6. Application process

6.1. Discretionary Rate Relief (Charities and other Organisations)

Where required, each applicant will complete an application form, which has questions designed to assess the benefit of granting relief to Milton Keynes Council Tax payers. This in turn will aid determination of the level of award to be granted.

6.2. Rural Rate Relief

No application will be required, relief will be awarded automatically where there is an entitlement to mandatory rural rate relief.

6.3. Hardship Relief

Application should be made in writing to the Business Rates section of MKC. Full details should be provided including, but not limited to

- a) The last two year's accounts, a current cash flow forecast and a comprehensive business plan. Where the business has traded for less than two years, then draft accounts or budget forecasts must be provided for the period since the business started trading.
- b) Details of actions taken to mitigate any factors giving rise to hardship. Examples of mitigation may include seeking business advice, discounts and promotions, reviewing pricing, negotiations with creditors etc.
- c) Any other relevant factors.

6.4. Partly Occupied premises

A ratepayer making an application under section 44a shall provide a plan of the property showing the dimensions of the occupied and unoccupied area of suitable quality to enable the Valuation Office Agency to apportion the rateable value of the property between the occupied and unoccupied areas. Applications will not be considered until such time as the plan is provided- each application.

The ratepayer must allow a Council Officer access to the property by appointment during normal working hours within two weeks of the Council receiving the application in order to verify the occupation of the property.

Further access may be required on at least one occasion each month, during normal office hours, during the period for which relief is being awarded. In order to enable

verification, access to the unoccupied area may be requested immediately without advanced notice. In the event that access is not allowed promptly without good cause the award of Section 44a relief may be withdrawn

6.5. Localism relief

Application should be made in writing to the Business Rates section of MKC.

6.6. Other awards under s47

Application should be made in accordance with the guidance provided by central government at the time or in line with the locally defined application procedures.

6.7. For all reliefs, Milton Keynes Council reserves the right to refuse an application if all information requested has not been submitted. This may include full financial information.

6.8. The determination of any relief to be granted will be an officer delegated decision.

6.9. Applicants will be notified, either by receiving a revised demand showing the reliefs awarded, or in writing detailing reasons for non-awards.

6.10. Unless otherwise agreed, ratepayers are required to continue to pay, in accordance with the latest demand notice, pending the outcome of an application.

7. Awards for retrospective periods.

7.1. With the exception of applications on the grounds of hardship, rate relief will not normally be awarded in respect of any day prior to the day that an application is received. However, in exceptional circumstances consideration may be given to awarding rate relief for a retrospective period where the ratepayer can demonstrate good cause for not submitting the application earlier. Additionally, applications for other reliefs awarded using s47 powers may be considered where the ratepayer meets the relevant criteria.

7.2. Where the application is on the grounds of hardship an award may be made for a respective period where it is considered that the business suffered hardship during that period.

7.3. No consideration shall be given to an award for a retrospective period where the Council is not able to verify to its satisfaction that the circumstances giving rise to the application pertained for that period

7.4. Under s47 of the LGFA, MKC is unable to grant relief with an effective date of more than six months after the end of the financial year to which it relates, therefore applications received after this date will not be considered.

8. Appeals

8.1. There is no statutory right of appeal against the refusal to award relief.

8.2. An applicant may request a review of the decision but only where either:

– Additional information that is relevant to the application and was not available at the time the decision was made becomes available; or

– There are good grounds to believe the application or supporting information was not interpreted correctly at the time the decision was made. A request for a review must be made within 28 days of notification of the decision and must set out the reasons for the request and any supporting information.

9. Monitoring

- 9.1. Awards of Discretionary Rate Relief will be monitored to ensure that the guidelines have been followed and that awards are made within the guidelines objectives. The Council will monitor the financial implications of awarding relief.

	Guidelines	Mandatory Relief	Discretionary Relief (Up to a maximum)	Total Relief (Up to a maximum)
1	Charitable bodies ^{1,2} , whose main objectives are to work with vulnerable areas of the community (for example but not limited to – children, youth, elderly) and the property is wholly or mainly used for charitable purposes	80%	20%	100%
2	Charitable bodies whose main objectives are to work with vulnerable areas of the community in respect, but not limited to, health, disability, well-being and the property is wholly or mainly used for charitable purposes	80%	20%	100%
3	Charitable bodies whose main objectives are concerned with the Arts. This includes for example, but not limited to, museums, theatres, artists workshops and the property is wholly or mainly used for charitable purposes	80%	20%	100%
4	Charitable bodies that run educational establishments including voluntary aided, Foundation Schools, and Academy schools.	80%	Nil	80%
5	Charitable bodies that provide advice and information to the residents of Milton Keynes either free of charge or at minimal cost. This includes, but not limited to, employment advice and the property is wholly or mainly used for charitable purposes	80%	20%	100%
6	Charitable bodies that are established for the purposes of running and maintaining meeting places, halls and community spaces and the property is wholly or mainly used for charitable purposes	80%	20%	100%
7	Organisations which are registered with HMRC as Community Amateur Sports Clubs (CASCs).	80%	20%	100%
8.	Charitable bodies that are established for the purposes of encouraging sport or other elements of a healthy lifestyle to the residents of Milton Keynes. Membership must be in excess of 50% of residents within Milton Keynes. and the property is wholly or mainly used for charitable purposes	80%	20%	100%
9.	Properties that are occupied by Charitable bodies for the purposes of income generation, for example charity shops, who are eligible for mandatory rate relief.	80%	-	80%
10.	Not-for profit organisations whose main objectives are charitable or are otherwise philanthropic, or religious, or concerned with education, social welfare, science, literature or the fine arts and do not fit in the above categories.	-	100%	100%
11	Properties that are occupied by non-profit organisations and are wholly or mainly used for purposes of recreation and sport or other elements of a healthy lifestyle to the residents of Milton Keynes. Membership must be in excess of 50% of residents within Milton Keynes.	-	100%	100%
12.	Where the property is used for purposes which are of benefit to the wider local community but does not fall in any of the above guidelines and it would be in the interests of the Council Tax payer to make an award.	-	100%	100%

² For all charitable bodies reference will be made to the financial accounts to determine whether or not the organisation has more than 12 months running costs in reserves or has sufficient financial resources to pay the rates liability. Where there are reserves are greater than 12 months, the organisation will need to demonstrate that the reserves are generated for a large project. Conversely, the accounts will also be reviewed to ensure that the organisation is viable. The Council will review significant expenditure lines in the accounts to ensure that the accounts correctly reflect the charitable purposes of the organisation as detailed in the application form.

Local Discretionary Rate Relief Guidelines 2018/19

The amount of funding available to MKC in 2018/19 has been determined by Central Government and is £364,000. Once this amount of relief has been awarded in 2018/19 no further applications for relief will be considered.

- The award is for the financial year 2018/19 only
- If an application is required it must be made within the financial year 2018/19.
- Relief will only be awarded to occupied properties.
- The rateable value of the property is less than £200,000
- The ratepayer has been in continuous occupation from at 1 April 2017
- Relief will be calculated after any other reliefs that the ratepayer is entitled to.
- Those ratepayers that received Local Discretionary Rate relief in 2017/18 will be awarded 50% of the value of the relief they received in 2017/18
- The maximum relief awarded will be capped at £2,500

There are a number of exclusions that apply:

- Where the award of relief would not comply with EU law on State Aid. (see 15 below)
- Ratepayers who are already in receipt of mandatory charitable relief, other discretionary relief or both.
- Properties where the applicant is the preceptors - MKC, Parishes and Fire Authority.
- Properties which are occupied and operated wholly or mainly as betting shops, payday loan shops, pawn brokers, massage parlours and sex shops.

Where a qualifying ratepayer's 2018/19, 2017/18 and, or 2016/17 rates bill is reduced the amount of the relief already awarded will be reviewed and will be reduced or removed accordingly.

Revenues and Benefits

List of Rural Settlement for the purpose of S.42A Local Government Finance Act 1988 as at 31 December 2017

Astwood
Bow Brickhill
Calverton
Castlethorpe
Chicheley
Clifton Reynes
Cold Brayfield
Emberton
Gayhurst
Hanslope
Hardmead
Lathbury
Lavendon
Little Brickhill
Moulsoe
Newton Blossomville
North Crawley
Ravenstone
Sherington
Stoke Goldington
Tyringham & Filgrave
Warrington
Wavendon
Weston Underwood

REVENUES AND BENEFITS

Amendments to the Delegated Decision 1 August 2017 to provide relief for ratepayers adversely affected by the Business Rates Revaluation in 2017

Background

1. At the budget on 8 March 2017, the Chancellor announced that the Government would make available a Local Discretionary Scheme (LDS) of £300 million over four years from 2017/18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. The Chancellor stated that local government is best placed to determine how this scheme should be targeted and administered to support those businesses and locations within their area that are in the greatest need.

2. The Government's intention is that every billing authority in England will be provided with a share of the £300 million to support their local businesses. This will be administered through the Council's discretionary relief powers under section 47 of the Local Government Act 1988.

3. The Government has allocated the available funding to each Billing Authority based on assumptions about how authorities will target their relief scheme. These guidelines have taken this into account.

4. Milton Keynes Council's share is

2017/18	2018/19	2019/20	2020/21
£'000	£'000	£'000	£'000
750	364	150	21

5. Having put in place the scheme adopted following the decision of 1 August 2017 there have been some unintended consequences identified which have resulted in the scheme not being available to all affected ratepayers and has resulted in an underspend of the available funds.

Recommendation

It is recommend that that the list of exceptions detailed in the original decision be revised to the following

- Where the award of relief would not comply with EU law on State Aid. (see 15 below)
- Ratepayers in receipt of re-occupation relief in 2016/17 and/or 2017/18
- Properties which are unoccupied.
- Properties where the applicant is the preceptors - MKC, Parishes and Fire Authority.

- Properties which are occupied and operated wholly or mainly as betting shops, payday loan shops, pawn brokers, massage parlours and sex shops.

In addition the requirement for a written application form to be completed is to be removed.

Impact

There will be no financial impact to the Council as the scheme is funded by Central Government and these amendments will ensure that that the scheme is available to more ratepayers who may have been adversely affected by the revaluation in April 2017.

Wards Affected:

All Wards

ITEM 3

DELEGATED DECISION

20 FEBRUARY 2018

PARISH PARTNERSHIP INVESTMENT FUND 2017/18

Responsible Cabinet Member: Councillor Gifford, Cabinet Member for Place

Report Sponsor: Tom Blackburne-Maze, Service Director, Public Realm Service

Author and contact: Heather Baker Business & Liaison Officer Tel: 01908 254597

Executive Summary:

To determine the allocation of grants and funding of projects from the Parish Partnership Investment Fund.

The Parish Partnership Grant Funds are made up of three separate funding elements, these being: Parish Partnership Investment Fund, Play Area Improvement Scheme and Community Parking Partnership Scheme capital programme allocation and reallocation of previously unspent Parish Partnership revenue allocations.

The detailed criteria of the funds and the application summary are appended.

This year on the Parish Partnership Investment Fund 16 parishes have made 26 bids with a total supported funding requested value of £50,807.22.

The recommendations for funds have been made taking into account MKC priorities and officer comments on the proposed schemes.

The total value of the schemes recommended from Parish Partnership Investment Fund, including Parish Council contributions is £141,392.45

Background:

The Parish Partnership Investment Fund has been provided each year by the Council to provide match funding towards Parish and Town Council initiated projects.

This decision constitutes a Key Decision.

1. Recommendations

1.1 That the Parish Partnership Investment Funds grants for 2017/18 be approved.

1.2 That the amendments to resource allocation and spend approvals for the Capital Programme be approved.

2. **Issues**

- 2.1 Officers in relevant service groups have been consulted to help shape the report recommendation.
- 2.2 If granted, the Parish and Town Councils are responsible for local consultation.

Options

- 2.3 The first alternative is not to allocate funding this year but this would mean under-spending the capital allocations and changing a long standing arrangement with parish and town councils.
- 2.4 The second alternative is to limit funding putting a ceiling on the amount which is available for each parish. This has already been done this year for applications.
- 2.5 The preferred option is to give parishes the funding as applied for, which meet the criteria within the available resources.

3. **Implications**

3.1 Policy

None – the allocation of this scheme fund is consistent with the adopted Parishes' Protocol 2013 and the MKC Corporate Plan.

3.2 Resources and Risk

The Parish funds requested for 2017/18 is £50,807.22. The main risk to any individual project is ensuring that the joint funding required is forthcoming. This is managed by not releasing the grant until either we have official confirmation from the Parish Council that the project is completed or confirmation that the contribution will be paid the Council.

If we are being requested to pay in advance we require a project plan with expected completion date and confirmation of any third party funding. We also ensure a very detailed process of compliance with the Fund Criteria, including a project monitoring process, and, the Fund is audited by Internal Audit team on a regular basis.

The remaining funding from any under-spends or any withdrawn projects remain in the programme and once there is a significant additional amount available, after consultation with the lead Cabinet Member, are offered for redistribution as per the Fund Criteria.

The reallocation of £11,507.22 of unspent prior year revenue Parish Partnership funding is required to contribute towards four projects which do not meet the criteria for use of capital funding.

Resource allocation within the capital programme currently only reflects the contribution from MKC. Amendments to the Capital Programme funded by Parish Contributions

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

3.3 Carbon and Energy Management

None

3.4 Legal

The Parish Partnership Investment Fund uses the Authorities' powers mainly under the Local Government Act 1972.

Other Implications

The financial contribution of the Parish & Town Council is the only implication attached to this scheme

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

Background Papers: <https://www.milton-keynes.gov.uk/your-council-and-elections/councillors-and-committees/parish-and-town-councils/parish-grants>

Annex A: Parish Partnership Investment Fund Application Summary

Annex B: Parish Partnership Investment Fund Criteria

Council	Details of Application	Total Project Cost	Grant Requested	Additional Information	Support
Campbell Park	To complete the fencing upgrade at Springfield Centre, replacing the remaining wooden close board fencing, with weldmesh panels. This will complete the exterior renovation of the Centre to provide an attractive facility for local residents to enjoy and be proud of. To undertake internal redecoration (painting and flooring replacement) at Oldbrook Centre. To plant a variety of fruit trees on our 2 allotment sites in Willen and Woolstones and install bird & insect boxes on Oldbrook Green and the allotments	£3,000.00	£1,500.00		Support
Layendon	Solar Powered Speed Indicator devices outside the Combined School on entering the village at Olney road and also Harrold Road			Existing poles in situ to accommodate temp SIDs resident would like more permanent ones	Not Supported
Little Brickhill	Working with enforcement to solve traveller problem. This could include bollards, head height barrier and earth bunds	£12,078.00	£5,000.00	Three times in the past year the village has been the victims of illegal encampment by the traveller community at the south end of Watling Street in Little Brickhill causing problems for local residents.	Support

Parish Partnership Investment Fund 2017/2018

<p>Loughton & Great Holm</p>	<p>The Parish Council had recently arranged for a survey undertaken a survey of the roof of the Loughton Sports pavilion, the survey report, indicated that the condition of the roof was in a bad state of repair, and recommended its replacement with a slate or metal roof</p>	<p>£25,000.00</p>	<p>£5,000.00</p>	<p>Milton Keynes Council's Development Control Directorate had been approached for advice as to whether the replacement roof would need planning permission. Once advised that permission would need to be sought, a planning application was submitted, and was successful with permission being granted.</p>	<p>Support</p>
<p>New Bradwell</p>	<p>The Stonebridge allotments, better known locally by name as the "Caladonian Road". Have been neglected resulting in being under subscribed over the years. The lack of subscription is due mainly to the open nature of the site. Thus not providing security, adding to this that there is no running water, nor toilet facilities. And the demarcation of each allotment has blended due to unruly shrubbery/weeds. In contrast "The Drill Hall" Allotments have the above facilities and are indeed well subscribed. Our vision is erecting a suitable visually pleasing fence around the perimeter, install mains water with stand pipes and taps. Provide toilet facilities. And to prepare the plots by rotovating and strimming weeds/brambles</p>	<p>£10,000.00</p>	<p>£5,000.00</p>	<p>Approx £10,000 a breakdown is TBC as quotes still outstanding. From parish precept and other grant sources, we will be approaching the following organisations for funding. -Heritage Lottery Funding (Landscape partnership scheme) -National Allotment Gardens Trust Ground Work Uk via Tesco Bags Of Help</p>	<p>Support</p>

Parish Partnership Investment Fund 2017/2018

<p>Old Woughton</p>	<p>Gates and signage for the entrances to the parish and old village of Woughton on the Green (x 5). Purpose is threefold: A) Traffic calming through residential / rural location on minor small roads which are accessed from dual and heavily used key roads (H7,H8,H9). The parish is crisscrossed with footpaths, redways, bridleways and open spaces which converge on the Newport Road at several points B) Heritage Statement - Woughton on the Green is an exceptional heritage asset both as one of the villages taken in by the New Town and due to unique features such as the Ancient Scheduled Monument, high number of listed buildings, largest Village Green in N Buckinghamshire and its low density conserved rural quality..C) Aesthetic enhancement to unique destination location - reaffirmation of this</p>	<p>£10,000.00</p>	<p>£5,000.00</p>	<p>spoken to DAVID HALL - HIGHWAYS MR FROST - HIGHWAYS DANIEL MULLINS - RINGWAY. Appropriate materials will be used and maintenance carried out funded by OWPC</p>	<p>Support</p>
<p>Olney</p>	<p>Provide 10 bollards containing electric sockets and 2 power master pop up units to provide electric points for market traders and other community groups that hold events on the Market Place</p>	<p>£30,000.00</p>	<p>£5,000.00</p>	<p>to be owned and maintained by the parish council</p>	<p>Support</p>
<p>Shenley Brook End & Tattenhoe</p>	<p>to renew flooring in the round room, toilets and kitchen areas in Emerson Valley Community Centre</p>	<p>£5,000.00</p>	<p>£2,500.00</p>		<p>Support</p>
<p>Stony Stratford</p>	<p>To fund 3 park tables and benches including installation at the Mortimer park location to provide additional seating and picnic spaces for the local community to encourage greater utilisation of the site - Mortimer Park Calverton Road</p>				<p>Not Supported</p>

Walton	<p>Monellan Grove, Caldecotte by play area - completely overhaul the existing flower beds, removing shrubs and re-planting with more suited species and bulbs. Further works would be carried out to repair brickwork, repair and/or replace benches along with the steps adjacent to the play area.</p>			<p>The site is adjacent to the site of scientific interest, the mediaeval village of Caldecotte and as such is a valuable local amenity which should be preserved and enhanced.</p>	<p>Not Supported</p>
	<p>Improvements to landscaping at Hindhead Knoll. To improve landscaping at the far end of Hindhead Knoll to create a more accessible environment for people of all ages to enjoy. These works will compliment further improvements planned to re-locate the Walnut Tree Play Area to the bottom end of Hindhead Knoll. The long-term aim is to create a multi-purpose communal hub for the local community to build a community sense of belonging and well-being</p>			<p>To maintain and keep local authority owned open space in a good and decent state, Open Spaces Act 1906, section 10</p>	<p>Not Supported</p>
	<p>There are a number of ponds within the parish, mainly concentrated in Old Farm Park, Browns Wood and Caldecotte. The ponds are all located in residential areas, which the general public should be able to enjoy on a daily basis. The ponds are considerably overgrown, damaging the natural ecosystem. In addition some have boardwalks or dipping platforms, which are in a poor state of repair. It is proposed to completely overhaul the ponds by removing the reeds, dredging the silt where needed, removing or repairing the boardwalks/dipping platforms and removing overgrown weeds and shrubs surrounding the ponds. The project would aim to involve local volunteers and members of the community to help ensure areas are created which all ages can enjoy in a safe and natural environment.</p>	<p>£10,000.00</p>	<p>£2,500.00</p>	<p>A more efficient landscape to manage, improved wildlife habitat. A safe amenity for children and people of all ages to enjoy to creating safe access routes leading to to natural wildlife environment.</p>	<p>Support</p>

	<p>Parsley Close Play Area – landscaping improvements. The children’s play area located off Parsley Close, Walnut Tree is situated within a small wooded area adjoins additional areas of open space which the wider public should be able to enjoy. The landscaping is significantly overgrown to the extent that the seating areas, pergolas and surrounding ascot railing are in disrepair and frequently inaccessible. The adjacent brickwork portraying a “compass” is covered in detritus and weeds. It is proposed to completely overhaul the existing flower-beds, removing ascot railing and re-planting with more suited species and bulbs. Further works would be carried out to repair brickwork, repair and/or replace benches, remove the growth from the pergolas before re-painting. and The project would aim to involve volunteers and members of the community to help ensure an area is created which all ages can enjoy in a safe environment</p>		<p>The Community Council oversee Parish Guardians as part of a volunteer programme. This area has been identified by two of the Guardians who are keen to be actively involved in ongoing maintenance and care of the area in question.</p>	<p>Not Supported</p>
<p>West Bletchley</p>	<p>Remove 53 tree stumps around the parish including top soiling</p>		<p>Does this meet criteria not asset ?</p>	<p>Not Supported</p>

<p>Woburn Sands</p>	<p>To supply and install 2 Town maps and 2 notice boards Woburn Sands has had huge new building increasing the population of the town by 50% and dwelling by over one third. We have tried to integrate this huge development by promoting Milton Keynes and all services and advice including Woburn Sands. We need a full Town Map indicating all major buildings, community and faith buildings. As the Town has now become so large we need a completed street map of our Town for everyone visiting Woburn Sands and for all our residents. Our Noticeboards advertise all facilities and advice that Milton Keynes Council as well as the Town Council. Including all public exhibitions and consultations contact telephone numbers and web sites</p>	<p>£4,400.00</p>	<p>£2,000.00</p>	<p>We have researched and specified the longest lasting materials, which will not be wood.</p>	<p>Support Notice Boards but not Maps</p>
<p>Wolverton & Greenleys</p>	<p>To remove 81 light fittings and supply and install 39 LED lighting fittings for the Summerlin Centre. This type of lighting is very expensive, and part of the refurbishment works carried out by developers included many lights in the Hall. The Town Council would feel that it would be beneficial to replace these with LED lighting.</p>	<p>£2,600.00</p>	<p>£1,300.00</p>	<p>We have reduced number of fittings and the wattage of each light fitting has been reduced significantly over 75%</p>	<p>Support</p>
<p>Woughton</p>	<p>To create an office in the first floor of Wolverton Library. This office will be rented out to create income to sustain the future of the Library for Wolverton. The Hub Local Centre Garraways Coffee Hall Replacement of entrance door to council chambers/multi purpose public room to a push pad automatic opening door to enable easy access for disabled users at Woughton Community Council The Hub Local Centre Garraways Coffee Hall MK6 5EG</p>	<p>£5,400.00</p>	<p>£2,700.00</p>	<p>We have several residents that use crutches/walking sticks, and two in mobility scooters who are members of our regular groups, and they find access difficult unless someone is there to help</p>	<p>Not Supported</p>

Parish Partnership Investment Fund 2017/2018

<p>Replacement of windows in Youth centre office and kitchen at 95-97 Jonathans Coffee Hall MK6 5DR At present the windows in both the youth office and the kitchen do not have any opening frames. These existing windows are original to the 40+ year old building, and are</p>	<p>£3,000.00</p>	<p>£1,500.00</p>	<p>The windows will be maintained under the normal buildings maintenance contract</p>	<p>Support</p>
<p>Addition of entrance door push pad to exterior of meeting place door to allow automatic opening from outside, to enable easy access for disabled users</p>	<p>£600.00</p>	<p>£300.00</p>	<p>The door means limited access for physically impaired users of the hall. It is reliant on able bodied users being present to assist in the opening of the door. Therefore certain activities will be unavailable to these users unless accompanied.</p>	<p>Support</p>

<p>Revenue</p>	<p>Ravenstone Parish council requests funding to create an official Parish website. The Parish Council does not have an official website for Ravenstone, relying on verbal communication, posted literature and Facebook to provide our parishioners with information, collect feedback / complaints and post important Parish information. The proposed new website is also intended to support our efforts towards the Ravenstone neighbourhood plan.</p>	<p>£3,000.00</p>	<p>£1,500.00</p>	<p>The Parish Council will maintain the website with shared responsibility from Parish Councillor's.</p>	<p>Support</p>
<p>Stony Stratford</p>	<p>To undertake surface works to Mill Lane Car park Stony Stratford. Residents have complained about issues relation to potholes and flooding and overgrowth make spaces inaccessible.</p>	<p>£5,334.45</p>	<p>£2,667.22</p>	<p>quotation from Ringway, additional £200 for ramp rep profiling bollards to be removed to improve visibility</p>	<p>Support</p>

Parish Partnership Investment Fund 2017/2018

West Bletchley	To improve and maintain 94 benches -sand down metal and timber repaint and re-stain. All the benches are owned by either Milton Keynes Council or West Bletchley Council.£70 per bench to sand and rub down metal and timber. Repaint metal with Hammerite and re-stain timber slats.	£6,580.00	£3,290.00	In addition by ensuring planting schemes utilise species requiring less intensive care, future revenue costs for maintenance will be reduced.	Support
Weston Underwood	To refurbish repair and maintain persished cobbles at the edge of the highway (19 Linear metres), rebed adjacent cobbles that mat be disturbed and any lare area of damage with suitable natural stone and replace top edging seperating embankment from footpath in keeping with conservation area.	£5,400.00	£4,050.00	Qualifies for 75%	Support

TOTALS

Parishes applied 16 schemes

£141,392.45

£50,807.22

**THE CRITERIA FOR APPROVAL UNDER THE PARISH PARTNERSHIP INVESTMENT FUND ARE SHOWN BELOW IN ORDER OF IMPORTANCE:
2017 / 2018**

1. Funding will be directed towards projects which support Milton Keynes Council Themes
2. As many Parish and Town Councils as possible will be awarded grants
3. The project shall be undertaken in exercise of a function for which both Parishes and Milton Keynes Council have powers (incl. s.137 powers)
4. Locations should be:
 - MKC owned
 - Parish/Town Council owned (or available for parish acquisition)
5. Parish and Town Councils will be responsible for ensuring local residents are consulted on project proposals
6. Each Parish and Town Council will be entitled to submit **up to a maximum of 3** applications for projects, and must indicate their priority.
7. Limit on total value of bids shall be **£5,000** (£10k Project value). Where the fund is undersubscribed consideration may be given to larger requests
8. The project, once complete, should not involve any additional ongoing maintenance or running costs, other than any costs that are to be met by the Parish or Town Council.
9. Parishes should state how their 50% contribution is being funded. Parish match funding **cannot** be from any other part of MKC (Including s106 money)
10. Awards will normally be completed within a **2 year** project delivery plan from date of the decision letter.
11. The project shall be for investment in public realm assets, adhere to MKC's design principles and involve and provide a permanent benefit to the Parish
12. Parish and Town Councils will, prior to submitting an application, check whether any planning permissions or similar required are likely to be forthcoming. Evidence must be included with the application. The costs of any planning permissions that may be necessary can be included as part of the design costs
13. Before applications are submitted, please evidence to us that you have discussed the project(s) with the relevant MKC Officer(s)
14. Decisions will be made by the relevant Cabinet Member following consultation with MKC officers
15. Where schemes do not proceed, the amount allocated will be returned to the Fund for re-allocation in future years. Funds **cannot** be transferred to another project.

Please turn to General Notes for further information

GENERAL NOTES

1. Funding can only be used for the projects for which they are approved.
2. Release of funds will be upon the presentation of three quotes for the work that has been or will be undertaken – to demonstrate the principles of Best Value. If three quotes are not available, please advise of the reasons when you apply for your council's grant(s).
3. Milton Keynes Council's share of the cost of the project will be no greater than 50% excluding VAT (75% for very small councils) or the lower of the following figures:- the lowest quotation; or the maximum award approved by Milton Keynes Council

Where projects are funded in advance of implementation, an estimated completion date must be provided.

4. The fund cannot be used for normal running costs i.e. Officer salaries, energy bills or rent
5. Quotations for works do not need to be supplied at the *application* stage.
6. Milton Keynes Council may monitor the progress of any project, which could involve a site visit if appropriate, and will require confirmation of the completion of all projects.
7. The Parish or Town Council will be required to maintain adequate insurance for capital equipment, public and employee liability.
8. The Parish or Town Council is required to conform with the 1974 Health and Safety at Work Act and subordinate regulations.
9. If a grant is used to buy a large item of equipment or asset, it must be recorded in the accounts that Milton Keynes Council has an interest in it. If the asset is to be disposed of, Milton Keynes Council must be contacted before the disposal is made. Milton Keynes Council may want a share of the proceeds in relation to the original contribution.
10. If the project is no longer required or stops for any reason the Parish or Town Council must inform Milton Keynes Council in writing. Milton Keynes Council will reserve the right to ask for the grant back or not send any further payments.
11. If the funding is to be used to finance assets which will belong to MKC, the Parish contribution should be passed to MKC in order for the work to be undertaken

Wards Affected:

All Wards

ITEM 4**DELEGATED DECISION****20 FEBRUARY 2018****PLAY AREA IMPROVEMENT SCHEME 2017/18**

Responsible Cabinet Member: Councillor Gifford, Cabinet member for Place

Report Sponsor: Tom Blackburne-Maze, Service Director, Public Realm Service

Author and contact: Phil Snell, Project manager Tel: 01908 253606

Executive Summary:

To determine the allocation of grants from the Play Area Improvement Scheme.

This year the fund was significantly over subscribed with the total request for £186,634 from a possible fund of £72,200. There were applications from 7 parishes requesting funds for 13 projects.

The recommendations for the Play Area Improvement Scheme.2017/18 have been made which offer every parish submitting an application a grant, taking into account MKC priorities and officer comments on the proposed schemes.

The total value of the schemes from Play Area Improvement Scheme 2017/18, including Parish Council contributions, where grants are recommended is £200,019.00

Background:

The Play Area Improvement Scheme Fund has been provided each year by the Council to provide match funding towards Parish and Town Council initiated projects.

This decision constitutes a Key Decision.

1. Recommendation(s)

1.1 That the Play Area Improvement Grants for 2017/18 be approved.

2. Issues

2.1 Officers in Service Groups relevant to the nature of the Grant applications have been consulted to help shape the report recommendation.

2.2 If granted, the Parish and Town Councils are responsible for local consultation.

Options

The first alternative is not to allocate grants this year but this would mean under-spending the revenue allocation and changing a long standing arrangement with parish and town councils.

2.3 The second alternative is to limit grants putting a ceiling on the amount which is available for each parish. This has already been done this year for applications

2.4 The preferred option is to give parishes their grants as applied for, which meet the grant criteria within the available budget.

3. Implications

3.1 Policy

None – the allocation of this scheme fund is consistent with the adopted Parishes' Protocol 2013 and the MKC Corporate Plan.

3.2 Resources and Risk

The Parish Grant Fund requested for 2017/18 is £71,786.00 which will support total project costs of £200,019. The main risk to any individual project is ensuring that the joint funding required is forthcoming. This is managed by not releasing the grant until either we have official confirmation from the Parish Council that the project is completed (fully funded by the Parish awaiting our contribution).

If we are being requested to pay in advance we require a project plan with expected completion date and confirmation of any third party funding. We also ensure a very detailed process of compliance with the Fund Criteria, including a project monitoring process, and, the Fund is audited by Internal Audit team on a regular basis.

The grant monies from any under-spends or any withdrawn projects remain in the budget and once there is a significant additional amount available, after consultation with the lead Cabinet Member, are offered for redistribution as per the Fund Criteria.

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

3.3 Carbon and Energy Management

None

3.4 Legal

The Parish Partnership Fund uses the Authorities' powers mainly under the Local Government Act 1972.

Other Implications

The financial contribution of the Parish & Town Council is the only implication attached to this scheme

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

Background Papers: <https://www.milton-keynes.gov.uk/your-council-and-elections/councillors-and-committees/parish-and-town-councils/parish-grants>

Annex A: Play Area Investment Scheme application summary

Annex B: Play Area Investment Scheme Investment Fund Criteria

	A	B	C	D	E	F	G	H	I	J
	Council	Details of Application	Additional Funding	Total Project Cost	Grant Requested	Additional Info	Recommendation	Total cost	Reduced grant	Grant Awarded
1	Bradwell	Extension and improvements to Healds Local Centre Local Park, Glovers Lane, Healds. Three new items of play equipment to be installed Enlargement of play area Vegetation clearance		£20,000.00	£10,000.00		Support - key local site next to shops	£20,000.00	£10,000.00	£10,000.00
2	Campbell Park	Refurbishment and upgrade of Milton Keynes Council Play areas – Springfield and Willen Robert Hooke Park in Willen and 1 play area (to be identified) in Springfield		£60,000.00	£30,000.00		Support - older estates in need of improvement Can achieve at a lower budget	£45,000.00	£15,000.00	£15,000.00
3	Castlethorpe	Enhancement of play area facilities for the Thrupp Close and Fishponds play areas at Castlethorpe. Thrupp Close play area owned by MKC Fishponds play area owned by CPC. Bring the equipment in the Thrupp Close play area up to a level that will encourage families to make far greater use of play facilities for younger children. Refresh the interest in the Fishponds play area by introduction of a zipwire that in other communities has proved the most popular equipment for older youths right up to adults	£15,824 s.106 Planning Gain for improvement of play facilities. £3,724 parish council reserves, plus £2,500 (estimate) for Scheduled Monument Consent etc	£28,894.00	£6,224.00	From previous conversation with Phillip Snell at MKC he was quite relaxed about the parish council managing the project although he said that MKC would normally do so. Castlethorpe Parish Council (CPC) have been in touch with suppliers who have helped determine in more detail the apparatus required to meet the needs communicated to us by our local communities based on minimum standards suggested by Phillip. I would ask therefore that CPC is at very least involved in supplier and equipment selection. I have seen Phillip recently and he still holds this opinion	Support - widens appeal of the play areas for a wider age group. Castlethorpe is an isolated area so high quality POS and Play is important.	£28,894.00	£6,224.00	£6,224.00
4	Loughton & Gt Holm	refurbishment of an existing play area on Ashpole turfong, Loughton is to modernise the play area and increase the play value in it through a wide range of new equipment and design elements.		£25,000.00	£5,000.00	The design will allow for cooperative play and progressive challenge for a range of users and abilities	Support	£25,000.00	£5,000.00	£5,000.00
5	Shenley Brook End & Tattenhoe	Improve play area surfaces with wet pour across the parish as identified in report		£10,000.00	£5,000.00	improving the facility for all users within the community	Support		£5,000.00	£5,000.00
6	Stantonbury	Cawarden Play Area install goalpost and table tennis table and remove small wooden climbing frame and relocate to a different part of the park		£15,000.00	£7,500.00	The play area has one very good football goal post with high side panels we hold 8 different football skills sessions in the 3 school holidays.	Support - estate lacks a double ended MUGA	£15,000.00	£7,500.00	£7,500.00
7		Play area behind Wood End School install a skate ramp - replace half pipe and replace with concrete skate park ramp which will not need constant attention		£15,000.00	£7,500.00	Hold play dates at this location and the skate ramp is always popular for both young and older teenagers essential to keep teenagers entertained	Now Funded through s106			
8		Bancroft Play Area replace climbing frame and removal of existing Climbing frame		£70,000.00	£35,000.00	Bancroft play area is adjacent to Roman villa area which has many school trips coming to the area. It is also adjacent to Bancroft Meeting place which hosts many childrens clubs and events	Funding application now submitted to Wren			
9	Walton	Shuttleworth Grove Play Area To remove the remaining play equipment and hard landscaping to create a low impact natural play space for all ages to enjoy.		£20,000.00	£10,000.00	Missed from 16/17 P Snell aware	Combined with Wavendon pavillion			
10		Wavendon Gate Pavilion Play Area To remove current equipment, install new play equipment and re-landscape the surrounding area. The project will also include removal of the existing toddler play area on the far side of the cricket ground at Passalewe Lane. Remove play equipment at corner of Passalewe Lane Restore existing bow top railings	£48,995 WREN grant	£88,995.00	£20,000.00	In addition involvement with pupils at Wavendon Gate School took place where pupils carried out site visits accompanied by the MKC Project Manager and WCC's Project Officer. The children shared their views of the site, existing state and future ideas. This was followed by the young people drawing pictures of play features they would like to see.	Moved to capital project			
11		Mitras Gardens, Wavendon Gate to improve safety and also to complement provision in the vicinity. It was recognised that the current location has limited scope for expansion and the deteriorating landscaping does not add to the feeling of an enjoyable space. Therefore it is proposed to return the area to a more enjoyable natural play space. Removal of all concrete and tarmacadam surfacing. Removal of slide and spring rockers. Cut back surrounding shrubbery. Return slope and surrounding surfacing to grass. Install natural play features suited to the environment.		£40,000.00	£20,000.00	10% of the project budget will be allocated to the MKC project manager.	Support - play area and landscape in poor condition - will provide a better facility and lower future maintenance costs - Can achieve at a lower budget	£20,000.00	£5,000.00	£5,000.00
12		Relocation of Walnut Tree Play Area to Hindhead Knoll. . It was recognised that at the current location there was limited scope for expansion and the surrounding landscaping does not add to the feeling of an enjoyable space. Therefore it is proposed to maximise the potential for improvements at the nearby open space on Hindhead Knoll, with further plans to develop the wider site into a community local point. Removal of existing equipment at Walnut Tree Local Centre Installation of new equipment likely to include: • climbing frame • swings • roundabout • seesaw To remove overgrown shrubbery on boundary edge of Hindhead Knoll, including removal of falling trees/ Installation of bow top fencing Installation of safety surfacing		£40,000.00	£20,000.00	10% of the project budget will be allocated to the MKC project manager	Support - play area and landscape in poor condition - will provide a better facility and lower future maintenance costs Can achieve at a lower budget	£30,000.00	£10,000.00	£10,000.00
13										

Play Area Improvement Scheme 2017-2018

	A	B	C	D	E	F	G	H	I	J
14	West Bletchley	Chepstow park This is a replacement of equipment that was removed a few years ago and due to MKC budget restraints has not been replaced. Replace Football goals within the parks of West Bletchley. Chepstow Park X2 Church green park X2 Sherwood Park X2 Install new at: Buckfast Park X2		£16,125.00	£8,062.00	Play equipment price from Kompan and wet pour and installation costs verbally given as an estimate. Replace in Chepstow park, Church Green Park, Sherwood Park, Install new posts in Buckfast park. Quote from Stada Sports	Support Support	£16,125.00	£8,062.00	£8,062.00
15				£4,696.40	£2,348.20			£0.00		
16				£453,710.40	£186,634.20			£200,019.00	£71,786.00	£71,786.00
17										
18										
19										

PLAY AREA IMPROVEMENT SCHEME CRITERIA 2017-2018

The conditions for approval under the Scheme will be:

- a. Parish and Town Councils will be responsible for ensuring local residents are consulted on project proposals for improvements to play area provision
- b. Locations must be either
 - MKC owned
 - Parish/Town Council owned (or available for parish acquisition)
- c. Awards will normally be completed within a 2 year project delivery plan.
- d. Milton Keynes Council's share of the cost of the project will be no greater than 50% excluding VAT (75% for very small councils) of the lower of the following figures:-
 - i) the lowest quotation; or
 - ii) the maximum award approved by Milton Keynes Council
- e. Decisions will be made by the Cabinet Member with responsibility for Place following consultation with MKC officers
- f. The costs of any planning permissions that may be necessary can be included as part of the design costs
- g. The scheme will benefit as many parishes as possible; where parishes submit more than one application, an indication and explanation of priority order must be provided
- h. Full consideration of maintenance and cleansing should be demonstrated in project design
- i. All play area improvement schemes will normally be implemented by MKC. Any other arrangements need to be agreed in writing to ensure clarity over lead roles, and compliance with Financial Regulations
- j. To successfully manage schemes, a fee of 10% of the total award to cover the cost of procurement, site supervision of contractors and other relevant costs such as design
- k. Award monies can only be used for the projects for which they were approved
- l. Before applications are submitted, please evidence to us that you have discussed the project(s) with the relevant MKC Officers
- m. If an award is used to buy a large item of equipment or asset, it must be recorded in the accounts that Milton Keynes Council has an interest in it. If the asset is to be disposed of, Milton Keynes Council must be contacted before the disposal is made. Milton Keynes Council may want a share of the proceeds in relation to the original contribution
- n. Milton Keynes Council may monitor the progress of any project, which could involve a site visit if appropriate, and will require confirmation of the completion of all projects
- o. The Parishes' contribution to the cost of the project(s) (normally 50% of costs) will be claimed by MKC as soon as possible after the completion of the project

Wards Affected:

All Wards

ITEM 5**DELEGATED DECISION****20 FEBRUARY 2018****A DRAFT FRAMEWORK FOR PARISH AND TOWN COUNCILS TO HAVE AN INCREASED ROLE IN SERVICE DELIVERY**

Responsible Cabinet Member: Councillor Gifford, Cabinet Member for Place

Report Sponsor: Sarah Gonsalves, Acting Director of Policy, Insight and Communications. Tel: 01908 253009

Author and contact: Kay Pettit, Working Locally – Parish and Town Councils Programme Manager Tel: 01908 253009

Executive Summary:

Local Government has changed significantly over the last few years. The Localism Act 2011 and the Open Public Services White Paper supported a national drive to shift power away from central government to local government, communities and individuals. Reduced central government funding and increased demands for services mean that principal authorities (like Milton Keynes) are now (more than ever) needing to work alongside their local council partners (Parish and Town Councils) in a collaborative, different and creative way to ensure that our residents continue to receive services that are important to them.

Milton Keynes is fully parished in both rural and urban areas. There is an established tradition of working together on a range of matters. A Milton Keynes Association of Local Councils' (MKALC) conference, supported by Milton Keynes Council (MKC), was organised in March 2017 to look at how this tradition could stimulate new ways of working. One result of this is the development of a joint framework to provide information and opportunities for greater involvement of Parish and Town Councils as they see fit and as appropriate for their communities.

1. Recommendation(s)

- 1.1 That the framework be jointly developed, owned and valued by both Milton Keynes Council and the Parish and Town Councils.
- 1.2 That development should be ongoing so the framework can be a living document, able to capture information and opportunities as circumstances and aspirations change
- 1.3 That progress to date be noted and the approach be continued.

2. Issues

- 2.1 Milton Keynes has 48 Parish and Town Councils) and is fully parished in both rural and urban areas. This is fairly unique for a unitary authority. Milton Keynes Parish and Town Councils range in size, with the largest having

responsibility for some 10,250 properties / households and the smallest having responsibility for less than 15 properties/households. Parish and Town Councils raise different precepts to their residents, with the largest precept for a local council in 2017/18 being around £870,000 and the smallest precept being around £500 (4 do not precept at all). Each of the 48 Parish and Town Councils make a significant and important contribution to enhancing the experience and environment of our residents.

- 2.2 Parish and Town Councils are uniquely placed – they are the closest level of local government to our communities. The reality of the financial challenges within Milton Keynes over the coming years, means that many community based services will only be able to continue if P&TC's are encouraged and supported to play a more active role in their local design and delivery.
- 2.3 The Draft Framework sets out how Parish and Town Councils can engage at a **level that suits them**, from service monitoring and shaping / influencing existing contracts through to enhancing / topping up services or taking over services.
- 2.4 The Draft Framework aims to develop a 'holistic' long term place based approach (as opposed to a short term single service based approach), which recognises Milton Keynes eclectic mix of parish communities and their needs.

The Framework objectives are to:

- maintain community access to services that might otherwise be at risk
 - increase satisfaction with services;
 - provide greater local influence over services and where possible maintain and/or enhance standards
 - maintain community access to services that might otherwise be at risk
 - increase satisfaction with services;
 - provide greater local influence over services;
 - where possible maintain and/or enhance standards;
 - enhance the role of local councils in their communities;
 - generate greater community pride in local areas;
 - promote engagement of local communities in local government; and
 - achieve value for money
- 2.5 The development of the Draft Framework is ongoing, and seen as a 'living document' which must be regularly reviewed and updated to reflect any government guidance, changes in legislation, and 'local' changes. It is anticipated that in the short term, there will be a quarterly review.
 - 2.6 The Draft Framework has been developed with the Parish Advisory Group (PAG), a further review group consisting of clerks and councillors, and has then been circulated to, and invited comment from, all 48 P&TC's. MKALC has also worked with its members and significantly contributed to the development of the Draft Framework.
 - 2.7 The Draft Framework is contained in the Annex.

3. **Options**

- 3.1 There are 3 options for consideration.

- (a) Do nothing – this is not a recommended option. As MKC’s budgets reduce, and services are reduced, or stopped, the Council needs to find ways of working collaboratively with Parish and Town Councils, and supporting them to continue to deliver services as they see fit, that meets the needs of their communities.
- (b) Continue with current arrangements - whilst this could be an option to consider, continuing to receive ad hoc approaches by Parish and Town Councils to become more involved (which have to date been from larger P&TC’s with significant capacity), without an overarching strategic, supported and communicated approach to become more involved in delivering local services, potentially leaves smaller Parish and Town Councils vulnerable, unable to establish where and how to obtain support if they want to become more involved or at the point they need to become more involved.
- (c) Adopt the principles and approach detailed in the Draft Framework and allow it to evolve as a living document, as the Council continues to work collaboratively with Parish and Town Councils - this is the recommended option

4. Implications

Policy

- 4.1 The Draft Framework approach and objectives are firmly embodied within the current version of the Council Plan (2016-2020). ‘...We want to engage our communities...maximise social value; promote community based solutions and innovate new ways to deliver services people value...’ ‘....Supporting parishes, the voluntary sector and communities to get things done.....’
- 4.2 The Draft Framework further provides an approach to enable medium term changes to be developed in accordance with the co-operative Council principles.

Resources and Risk

- 4.3 MKC is facing the most difficult budget period it has ever had to deal with. Government cuts and a rise in demand for some of our services means it faces difficult times and some tough choices. **The council spends about two thirds of its overall budget on adult and children’s care, and costs have grown by £18m.** So far it has been managing this through:
 - reducing costs
 - employing fewer people
 - putting more services online
 - sharing some of its services with other Councils.
- 4.4 While it is clear the Council cannot continue running a wide range of services as it has done in the past, changes need to be made by working with key partners such as Parish and Town Councils, to redesign service delivery and find alternative solutions.

As published in MKCs draft budget in December 2017 - [here](#) , the Council must address a financial gap of £22.7m from 2018/19 to 2021/22. The 22.7m is split as follows:-

2018/19	£0.0m
2019/20	£7.1m
2020/21	£12.1m
2021/22	£3.5m

- 4.5 By taking a delegated decision to agree to the general principles and approach contained in the Draft Framework and agreeing to continue the joint development of it, there is an opportunity for all P&TC's to take an increased role in service delivery and shaping the future, and do so under a strategic umbrella that provides transparency and equality across P&TC's, as the Council reduces or ceases to provide services that residents have previously enjoyed.

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

Carbon and Energy Management

- 4.6 There are no carbon and energy management implications in this proposal..

Legal

- 4.7 The Draft Framework has been developed making reference to the principles that were established in the Localism Act 2011.
- 4.8 Representatives from the Councils Legal Team have been part of the Internal Project Board that has, amongst other things, overseen the development of the Draft Framework. There are some historic / existing 'devolution arrangements' with 6 Parish and Town Councils to deliver their own landscaping services, that commenced in 2014, and the Legal Team have overseen the contract development of the renewal of these agreements.
- 4.9 Legal Service support, as appropriate, will be sought at the point of any arrangements with P&TC's that are developed. General advice on TUPE (Transfer of Undertakings – Protection of Employment) implications has already been sought and distributed to P&TC's, in anticipation of alternative working arrangements at points in the future.

Other Implications

- 4.10 Milton Keynes' Parish and Town Councils vary significantly in their
- working ways and leadership
 - culture
 - ideas
 - behaviours
 - financial ability
 - appetite and ambition
 - capacity and staffing

- capability and technical knowledge

4.11 Such variables present their own challenges for each Parish and Town Councils in terms of responding to the opportunities that the Draft Framework presents.

4.12 In the absence of an approach as set down in the Draft Framework, there is a likelihood that smaller parishes without capacity will get 'left behind', and will not be able to respond to future challenges in a sustainable way at a point in the future.

4.13 Equality issues have been considered and there are no impacts.

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

- Background Papers:
- Devo + - A report by the National Association of Local Councils (NALC)
 - Modelling devolution – working together to deliver local services – A joint report by the Local Government Association (LGA) and NALC
 - Devolution & Localism – are we going forwards or backwards – A discussion paper for the Campaign to Protect Rural England (CPRE) and NALC by Lilian Burns
 - Various examples of good practice – other principal authorities
- Annex:
- Working Locally - Parish and Town Councils Draft Framework



Working Locally

**Local Councils
and
Milton Keynes Council**

A Draft Framework

**(For Local Councils to have
an increased role in service delivery)**

Version Control

Version	Comments	Date
V1	Kay Pettit – 1 st draft	5.6.17
V1.2	Naveed Ahmed (Baseline Services - Highways)	18.7.17 and 27.7.17
	Kay Pettit (Examples)	18.7.17
	Neil Hanley (the fit with the CAT)	31.7.17
V1.3	Maurice Barnes, David Proctor, Nick Hannon (Baseline Services – landscaping and street cleansing)	7.8.17
	Sarah Bailey / Helen Bowlit (Examples)	29.8.17
V1.4 / V1.4a	Parishes Advisory Group	31.8.17
	Parishes Review Group	20.9.17 and 10.10.17
V1.5	Parish and Town councils – Individual responses	7.11.17
V1.6 and V1.6a	MKALC – joint response (amendments, condensing, ref to Local Councils and removal of Appendices)	12.12.17

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Foreword

This Draft Framework, developed jointly by Milton Keynes Council (MKC) and Milton Keynes Association of Local Councils (MKALC), sets out how Local Councils (Parish, Town and Community Councils) can have an increased role in service delivery, as well as reminding us all of the importance of the role that Local councils play and the opportunities that they have in shaping and creating better places and environments for the communities of Milton Keynes.

As local government continues to change and financial challenges continue to increase, we must now, more than ever before, work together to ensure that the right services are being delivered in the right way, to the right people, at the right level.

This Draft Framework is a living document. It will evolve, as our experiences and activities provide us with knowledge to work to develop better outcomes for everyone.

Councillor Liz Gifford
Cabinet Member for Place
Milton Keynes Council

Parish Councillor Phil Ayles
Chairman
Milton Keynes Association of
Local Councils

Context

Local Government has changed significantly over the last few years. The Localism Act 2011 and the Open Public Services White Paper supported a national drive to shift power away from central government to local government, communities and individuals. Reduced central government funding and increased demand for services mean that principal authorities are facing the toughest period of financial challenge in history. Since 2010, MKC has had to cut over £130m from its budget. It simply cannot afford to deliver the same level of services as previously, so there is an opportunity for Local Councils to play a more active role in design and delivery though topping up services or taking over delivery.

Additionally, some Local Councils feel that some services and assets would be better managed locally and would like to do so irrespective of budgetary pressure and financial challenge on MKC.

This potential exists in Milton Keynes regardless of the differences in size of population, finances and activities they undertake, whether small Parish Meetings or large Community and Town Councils ranging from 15 to 10,250 properties and from a zero precept to £870,000 per year. There will be different solutions depending on the means and needs of each locality.

This Draft Framework builds on the work already undertaken by Local Councils and sets out how they can **engage at a level that suits them**, which ranges from simple service monitoring and shaping (e.g. influencing existing contracts) through to taking on full responsibility for delivering local services and becoming owners of assets.

Solutions will be different and varied, and could include a group of Local Councils working together or could include an arrangement where MKC and a Local Council work together; the options and solutions will recognise that MKC and MKALC share the common objectives of providing the best possible services, and promoting local community pride.

A key criterion for any solution will be that any proposed arrangement should deliver at least the standard that MKC would have delivered had it been continuing to deliver that service.

This Draft Framework is a **'living document'** and must be regularly reviewed and updated to reflect any government guidance, changes in legislation, and 'local' changes as we work together, and as our experience of delivering differently and more locally, grows and develops.

Taking the next steps

There are many different ways in which Local Councils could have an increased role in service delivery. These range from very limited roles to complete takeover of services / transfer of powers.

Local Councils could resolve to **influence service delivery**, for example, requesting changes to the way existing MKC contracts are delivered / inputting into requirements / monitoring outcomes.

Local Councils could resolve to **enhance / top up** (from baseline services) for example

- Pay MKC to top up service (e.g. extra litter bin emptying)
- Purchase direct, additional services 'specially offered' under an 'access framework' arrangement by one of MKC's current contractors
- Procure their own separate contract
- Encourage community participation with support / sponsorship from local business to top up
- Employ their own staff / wardens
- Use volunteers / volunteer teams

Local Councils could resolve to request to **take over** services. A Local Council may request this because, for example, MKC are reducing service provision or are ceasing it all together, or the request could simply be because the Local Council feel that the service (and any associated assets) could be better managed locally. Where MKC agree to the Local Council taking over a service because it is better delivered locally, MKC will provide transparent and clear information about costings and will propose to make payment to the Local Council to cover the cost of delivery and which may include an element towards overhead. Any such payment will be the equivalent to the cost that MKC would have incurred if it had continued to deliver the service.

Example services which Local Councils could influence enhance / top up or take request to take over are in **Table 1** below. Many of these are services that fall within the Place Directorate (Public Realm) but as a living document, these examples are likely to extend to include services in the People Directorate over time.

MKC could at a future point resolve to **devolve** a service / elements of services to Local Councils following appropriate consultation and work on affordability and practicality. MKC will provide transparent and clear information about costings and payments associated with delivery of the service, as well as any associated governance requirements.

As an alternative to a single Local Council taking over a service / topping up, local councils could 'cluster' informally or a larger 'lead council' could take over services on behalf of smaller neighbours.

MKC / Local Government Shared Services (LGSS) will provide support on a paid basis in areas such a Legal and Procurement if requested by Local Councils who are interested and progressing different solutions to have an increased role in service delivery.

Local Councils who wish to have an increased role in service delivery or who wish to buy additional services from MKC or its contractors should make their intentions known by writing direct to Sarah Gonsalves, Acting Director of Policy, Insight and Communications or emailing at (sarah.gonsalves@milton-keynes.gov.uk)

Table 1

Influencing / monitoring - examples	
Fly tipping	Can easily see and report fly tipping
Gully cleaning / highway maintenance	One off blockages and unseasonal conditions can be reported and inform the 'prioritisation plan'. Notification of issues prior to cyclical maintenance work visits
Overgrown trees / landscaping / play areas	Can be easily seen and reported. Can be tailored to more local needs
Street cleansing	Can be seen, monitored and notified – e.g. litter hotspots, etc. Can be tailored to more local needs
Parking enforcement	Can be easily seen and reported Can be tailored to more local needs
Enhance / top up - examples	
Grass cutting	Can be tailored to more local needs
Small shrub maintenance	Can be tailored to more local needs
Play area maintenance	Can be tailored to more local needs
Street cleansing	Can be tailored to more local needs

Winter maintenance of non strategic routes	Gritting can be undertaken with small scale equipment.
Litter bins / litter picking	Additional emptying / litter picking can be undertaken at a (potentially) lower cost and have a high impact.
Parking enforcement and resident parking schemes	Can be tailored to more local needs
Footpath weed clearing / weed spraying (non-highway)	The local level could deliver a faster response at a (potentially) lower cost.
Additional Rights of Way Surveys	Uses local knowledge to increase information.
Additional Rights of Way Maintenance	Uses local knowledge, provides added value.
Additional Rights of Way Vegetation Clearance	Uses local knowledge, provides added value.
Bus Shelter Maintenance and procurement activities	Can be tailored to more local needs.
Take Over - examples	
Grit Bin Provision	Can be tailored to meet local needs
Removal of low level graffiti / fly posting	Can be tailored to meet more local needs.
Current Rights of Way surveys	Uses local knowledge and provides added value.
Current Rights of Way maintenance	Uses local knowledge and skills and provides an option to use volunteers
Street naming	Local interest.
Provision of litter bin emptying	Local level could deliver a faster, more tailored response at a (potentially) lower cost
Painting of bollards	Local interest.
Street name plate repairs	Local interest. Uses local knowledge.
Planning Enforcement - part delegation of the low risk element of the work (investigation)	Risks can be managed and limited, providing added value.

Environment Enforcement - part delegation of the low risk element of the work such as issuing fixed penalty notices for dog fouling, litter, etc	Risks can be managed and limited, providing added value.
Liaison with landowners over Rights of Way - part delegation of low risk element of the work (routine issues)	Builds on existing relationships, provides added value
Sign cleaning	Synergy with other Local Council roles. Provides added value
Rights of Way seasonal vegetation clearance	Uses local knowledge. Provides added value. Important local issue.
Weed spraying	Synergy with other Local Council roles.
Litter picking	Provides added value and requires minimal equipment. Synergy with other Local Council roles. Local interest.
Grass cutting	Synergy with other Local Council roles.
Tree Surveys	Local interest.
Maintenance of public open space and play areas	Local Interest.
Noise and nuisance abatement - part delegation of low risk element of the work (investigation)	May provide a faster response to local issues.
Public conveniences	Local Interest
Provision of traffic signs	Local Interest

Exclusions

Contracted service delivery

Some services are **not currently** being considered for **transfer** to Local Councils because they are currently delivered under a **contractual agreement / arrangement with MKC, eg with SERCO, RINGWAY, INDIGO, Hertsmere, 1 Life**. Local Councils will still have the opportunity to influence or top up / enhance some of these services.

Whilst such services are under such contractual arrangements, MKC will provide clear and transparent details of baseline services. These will be available as 'Supporting Documents' to the Draft Framework. It is possible that such base levels may change each year as MKC is required to re-negotiate its existing corporate contracts with its suppliers. In such cases MKC will discuss the changes with Local Councils and provide updated baseline details. MKC will endeavour to provide Local Councils with revised baseline services in November of each year, in order that Local Councils can build in any extra costs to their budgets for extra services / enhanced services / top up services in the following year.

Local Councils will be consulted in the lead up to such contracts ending with a view to exploring options of local service delivery arrangements (as relevant and appropriate) and any potential for associated asset transfers.

Services which are currently under contract or performed by in house team and cannot be considered at this time for devolving / transfer are detailed in **Table 2** below.

Strategic Services

Some services will never be considered for transfer to Local Councils because they are strategic services that, for example require a uniform service across the borough of Milton Keynes, or require specialist skills. Some of these are detailed as examples in **Table 3** below.

This list of services detailed in **Table 2** below and **Table 3** is not exhaustive, and may vary and / or be added to. In exceptional circumstances some excluded services may be included to ensure that a holistic local package can be put in place / if there is a particular tie in with an asset that has been transferred under the Community Asset Transfer Programme.

Table 2

Exclusions	
Highway Maintenance repairs	This service is currently delivered under a contract with RINGWAY until 2021
Landscaping, play areas, overgrown trees, fly tipping, gully emptying and cleaning	These services are currently delivered under a contract with SERCO until 2020 (Landscaping and Play areas) and 2023 (Street Cleansing)
Parking enforcement and resident parking schemes (except where land owned or maintained by a Local Council)	This service is currently delivered under a contract with INDIGO until 2026.
Sports and leisure facilities management	Existing contractual arrangements with MK Leisure (previously known as Hertsmere Leisure Trust) until 2024 and with 1Life until 2026
Street lighting	Specialist skills and equipment required
Strategic route winter maintenance	High risk, high cost specialism
Planning enforcement	Specialist function with wide impact
Noise and nuisance abatement	High risk, high cost specialism
Provision of traffic signs	Specialist function with wide impact

Table 3

Exclusions	
Strategic waste management	Need to provide a uniform service across Milton Keynes
Removal of hazardous fly tipping	Need to provide a uniform service across Milton Keynes
Licenses for taxis street trading and public entertainment	Need to provide a uniform service across Milton Keynes
Refuse and recycling	Need to provide a uniform service across Milton Keynes
Provision of Community recycling	Need to provide a uniform service across Milton Keynes
Planning and Transport Policy	Need to provide a uniform service across Milton Keynes
Building Control	Need to provide a uniform service across Milton Keynes
Development Control	Need to provide a uniform service across Milton Keynes
Library services	The 'Library Service' is a borough wide service provision with 9 libraries across the borough delivering to residents borough wide. Potential to consider provision enhancements in the future.

Community Asset Transfer (CAT) Programme

There is a separate programme for the Transfer of Assets to Local Councils and local interest groups. The programme has successfully transferred a number of assets. The CAT policy is currently under review. The review will look closely at how it can support this Draft Framework, in particular with a view to the elements relating to asset transfers that have potential income generating opportunities, and also looking at new and / or multiple transfer opportunities. The Draft Framework, as a 'living document' will be amended to reflect any changes to the CAT policy.

Transfer of Undertaking and Protection of Employment (TUPE)

Depending on the specific arrangement, employees may have a right to have their employment transferred to a new service provider.

MKC will provide legal advice on this at the appropriate time.

Supporting Documents

Documents supporting this Draft Framework are listed below and are available by emailing Local.Councils.Liaison@Milton-keynes.gov.uk

- Baseline Service – Landscaping
- Baseline Service – Play areas maintenance
- Baseline Service – Street cleansing
- Baseline Service – Highways
- Current Examples - Local Councils having an increased role
- TUPE Guidance – general previously issued on 22 August 2017
- Procurement Support – previously issued on 22 August 2017
- Support Services detail - available from LGSS
- Template Local Councils to outline their plan (not compulsory, but may be useful to help frame proposal)

Wards Affected:

Danesborough & Walton

SOUTH CALDECOTTE DEVELOPMENT FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT

Responsible Cabinet Member: Councillor Gifford, Cabinet Member for Place

Author: David Blandamer, Urban Designer Tel: 01908 254836

Executive Summary:

Plan:MK allocates land on the south-eastern edge of Milton Keynes for a strategic employment site. The Draft South Caldecotte Development Framework Supplementary Planning Document (SPD) has been prepared to ensure that the land allocation is brought forward in a strategic and comprehensive manner.

This report seeks authority to undertake formal consultation on the Draft Development Framework during March-April 2018.

1. Recommendation

That the Draft South Caldecotte Development Framework Supplementary Planning Document be approved for consultation purposes.

2. Issues

2.1 The Submission Version of Plan:MK allocates land on the south-eastern edge of Milton Keynes for a strategic employment site, providing a minimum of 195,000 sq m of B2/B8 employment space. The Draft South Caldecotte Development Framework has been prepared to ensure that the land allocation is brought forward in a strategic and comprehensive manner.

2.2 The preparation of the South Caldecotte Development Framework is a requirement of Plan:MK policy SD12. It will have Supplementary Planning Document (SPD) status, and will be a material consideration in the determination of planning applications.

2.3 Formal consultation will be undertaken in accordance with the Council's Statement of Community Involvement. It will take place for a 6-week period during March-April 2018. Consultation will involve:

- Copies of Development Framework displayed in Central Library and Civic Offices
- Document published on Council's website, in the Members Weekly News, and Council's Consultation Finder.

- Copies/web links of Draft Development Brief sent to Danesborough and Walton Ward Councillors, Walton Community Council, Bow Brickhill Parish Council, Cabinet Members, and the Cross Party Planning Spokespersons.
- Presentations to Parish Council and ward members (if requested).

3. **Alternative Options**

3.1 The “do nothing” option is to not undertake consultation on the Draft Development Framework. This is not an option if the Development Framework is to be adopted as a Supplementary Planning Document.

4. **Implications**

4.1 Policy

The Development Framework is in accordance with Policy SD16 of the submission version of Plan:MK. It is not a Key Council Document, nor is it a Development Plan Document.

4.2 Resources and Risk

It is anticipated that the consultation process will be undertaken from within existing resources.

There are no known risks associated with the proposed consultation.

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

4.3 Carbon and Energy Management

There are no known carbon and energy management implications associated with the proposed consultation.

4.4 Legal

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the statutory requirements for the consultation and adoption of Supplementary Planning Documents (SPDs).

Once adopted in line with statutory requirements, the SPD will form part of the Council’s Local Development Framework and will be a material consideration for the determination of planning applications.

The measures for community involvement relating to the SPD conform to statutory requirements and the MKC Statement of Community Involvement.

4.5 Other Implications

Sustainability: A Strategic Environmental Assessment Screening Report has been produced to assess the need for Strategic Environmental Assessment under the Environmental Assessment of Plans and Programmes Regulations

2004 and the SEA Directive. This was sent to the three statutory bodies (English Heritage, Environment Agency and Natural England). The Screening Report concluded that there was no need for a full SEA. A final Screening Statement incorporating the comments of the statutory bodies will be made available alongside the draft SPD.

E-Government: The SPD will be made available on the council website.

Stakeholders: Consultation with a wide range of stakeholders will be undertaken in accordance with statutory requirements and the MKC Statement of Community Involvement.

Equalities: This decision is not relevant in regard to equality issues.

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

Background Papers: <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk>

- Milton Keynes Council, October 2017. Plan:MK Submission Draft
- Draft SEA Screening Report

Annex: (to follow)

South Caldecotte Development Framework Supplementary Planning Document

CONSULTATION DRAFT



www.milton-keynes.gov.uk/udla



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SECTION 1: INTRODUCTION

- 1.1 Introduction
- 1.2 Role of Development Framework
- 1.3 Status of Development Framework
- 1.4 Planning Policy Background
- 1.5 Planning Summary

1.1 Introduction

- 1.1.1 The site extends to approximately 56.8 ha (140 acres) and is located within Bow Brickhill parish. The site is strategically located next to the A5 Trunk Road (see figure 1.1).
- 1.1.2 The site is allocated for employment development in the Submission Version of Plan:MK.
- 1.1.3 Milton Keynes is in the Oxford-Cambridge Arc. East-west rail proposals and growing up to 500,000 people means this development can capitalise on these opportunities and provide jobs for the projected population growth.

1.2 Role of the Development Framework

- 1.2.1 The purpose of this document is to provide planning and design guidance for the development of this site. This will aid the development process, by allowing developers to submit informed proposals that respond to Council (MKC), landowner and other local stakeholder expectations for the site, and respect the requirements of MKC planning policy.
- 1.2.2 It is a requirement of policy SD12 in the Submission Version of Plan:MK that Development Frameworks are prepared for strategic development sites.

1.3 Status of Development Framework

- 1.3.1 The Development Framework will be adopted as a Supplementary Planning Document

(SPD) once Plan:MK has been adopted. In the interim it will be used to guide discussions with developers of the site, and to demonstrate the site's deliverability. The Development Framework accords with the National Planning Policy Framework, Plan:MK and the Core Strategy.

- 1.3.2 It is being prepared according to the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations require that the SPD is subject to public consultation.

1.4 Planning Policy Background

National Planning Policy Framework

- 1.4.1 The National Planning Policy Framework (NPPF) was published in 2012. At the heart of the NPPF is a presumption in favour of sustainable development.
- 1.4.2 The following sections of the NPPF are of particular relevance to the development of this site:
- Building a strong, competitive economy
 - Requiring good design
- 1.4.3 The NPPF states that Supplementary Planning Documents (SPDs) "add further detail to the policies in the Local Plan." and are capable of being a material consideration in planning decisions but are not part of the development plan."

Milton Keynes Local Plan

The Milton Keynes Local Plan was adopted in December 2005. The following relevant



Figure 1.1: Site Location

Local Plan policies have been 'saved' by the Secretary of State. They remain in force until superseded by policies in other development plan documents, e.g. Plan:MK.

- Policy CS13 Ensuring High Quality, New Designed Places
- Policy CS18 Healthier and Safer Communities
- Policy CS19 The Historic and Natural Environment

1.4.5 The site is identified as a linear park extension (policy S12). Land alongside the A5 is identified as a wildlife corridor in the Local Plan (policy NE1).

1.4.10 Milton Keynes benefits from an innovative and strategic approach to open space provision and surface water management. In line with local policy contained within the Core Strategy, all new developments will be required to ensure that flood management is planned at the largest appropriate scale, providing sustainable and strategic surface water drainage as part of a network of multi-purpose open spaces.

1.4.6 Policy D4 of the Local Plan sets out the Council's requirements with regard to sustainable construction.

1.4.7 Policies D1 and D2-D2A are general design policies that apply borough-wide. They look at the impact of development proposals on locality, urban design objectives and the design of buildings. Policies T10 and T15 consider traffic impacts and parking provision respectively, while Policy T11 sets out the thresholds regarding whether or not a Transport Assessment/Travel Plan is required.

Core Strategy

1.4.8 The Core Strategy was adopted in July 2013 and forms part of the development plan for Milton Keynes.

1.4.9 Relevant Core Strategy policies include:

- Policy CSA National Planning Policy Framework - Presumption in favour of sustainable development
- Policy CS11 A Well Connected Milton Keynes
- Policy CS12 Developing Successful Neighbourhoods

Plan:MK

- 1.4.11 The Proposed Submission Plan:MK consultation document was published in October 2017. It is anticipated that an examination will take place in summer 2018.
- 1.4.12 Policy SD16 of Plan:MK allocates the site as a strategic employment allocation for a mix of B2 and B8 uses and sets out a number of criteria to which the development of the site should adhere.
- 1.4.13 Plan:MK includes general policies on: employment development strategy (DS3), place-making (SD1), general principles for strategic urban extensions (SD11), delivery of strategic urban extensions (SD12), sustainable construction (SC1), community energy networks (SC3), flood risk (FR2), watercourses (FR3), biodiversity (NE1-NE3), green infrastructure (NE4), landscape character (NE5), environmental pollution (NE6), heritage assets (HE2), open space (L4), design (D1-D4), housing (HN1-HN6), transport (CT1-CT6), parking (CT10), digital communications (CT9), promoting healthy communities (EH7) and infrastructure (INF1).

Supplementary Planning Guidance (SPG)/Documents (SPDs)

- 1.4.14 The following Supplementary Planning Guidance/Documents (SPG/SPDs) will also be considered as material considerations when preparing any planning application for the site:
- Milton Keynes Drainage Strategy – Development and Flood Risk SPG (2004)
 - Sustainable Construction SPD (2007)
 - Parking Standards SPD (2016)
 - A suite of Supplementary Planning Documents and Guidance relating to Developer Contributions

1.5 Planning Summary

- 1.5.1 Whilst the site is allocated for a linear park in the Local Plan, Policy SD16 in the submission version of Plan:MK represents the most up-to-date local planning document and therefore the site is being proposed for employment uses.

Policy SD16

STRATEGIC EMPLOYMENT ALLOCATION, LAND SOUTH OF MILTON KEYNES, SOUTH CALDECOTTE

Land south of Milton Keynes in South Caldecotte - as shown on the Policies Map – is allocated for the development of a mix of Class B2 and B8 employment floorspace within the plan period.

The development will be brought forward in line with all relevant policies in Plan:MK, particularly Policy SD1, SD11, SD12 and INF1.

The development must accord with the following principles:

1. A minimum of 195,000m² of Class B2/B8 and ancillary B1 employment floorspace.
2. Access to be taken from Brickhill Street, which will be upgraded to grid road standard.
3. The development will be subject to a Transport Assessment, which will investigate the development's impact on the local highway network, including the A5/Watling Street roundabout. The development will contribute to any necessary improvements as agreed by the relevant highway authorities and Highways England. The Transport Assessment will also set out the basis for effective public connections to and from the site to be implemented prior to completion of the development.
4. A green open space link will be created on the site, linking into Caldecotte Lake to the north and providing future opportunity to link the park to the south/east. The open space link should include access and connectivity to Caldecotte Lake with mechanisms in place for its sustainable management over the long term and balancing ponds as part of a Sustainable Urban Drainage system across the Brickhill railway station and the existing Public Right of Way running along the site's northern boundary will be effectively integrated into the development.
6. Building heights should be informed by the Landscape and Visual Impact Assessment (LVIA) and should avoid unacceptable impact on the wider landscape and heritage assets.
7. The design and appearance of buildings should be sensitive to the neighbouring uses, with development fronting Brickhill Street being sensitive to views into the site from the wider landscape. Buildings should be designed to provide an attractive entrance to Milton Keynes from the south.
8. Existing vegetation to site boundaries should be maintained and enhanced to screen the development from wider views where a LVIA deems this necessary. New planting should be of native species to mitigate the loss of hedgerows necessary to facilitate development.
9. A desktop Archaeological Assessment should be undertaken to understand the likely presence of archaeological remains within the site. The recommendations of the Assessment will be implemented prior to each phase of development commencing. It may be necessary to undertake a field investigation to understand the archaeological potential and significance of this site and inform the layout of development.

SECTION 2:

THE SITE AND ITS CONTEXT

- 2.1 Introduction
- 2.2 South Caldecotte
- 2.3 Surrounding Area and Edge Conditions
- 2.4 Topography, Views and Drainage
- 2.5 Landscape Character
- 2.6 Habitat and Vegetation
- 2.7 Access and Movement
- 2.8 Heritage
- 2.9 Utilities
- 2.10 Conclusions

2.1 Introduction

2.1.1 “A thorough appreciation of the overall site context is the starting point for designing a distinct place” (Urban Design Compendium, 2000). This section sets out the context of the SLA and the surrounding area. The constraints and opportunities identified help to shape the Development Framework. Individual planning applications should be supported by a contextual analysis as part of the preparation of Design and Access Statements.

2.2 South Caldecotte

2.2.1 South Caldecotte is located on the southern edge of Milton Keynes and comprises a total area of approximately 57 hectares. The site is triangular in shape and is currently in agricultural use. Cross Roads Farm is located in the southern corner of the site.



View looking west along northern boundary of site



View looking east towards Brickhills

2.3 Surrounding Area and Edge Conditions

Surrounding Area

- 2.3.1 The built-up area of Milton Keynes lies to the north of South Caldecotte. Immediately to the north is the Marston Vale railway line - Bow Brickhill Station is located adjacent to the level crossing on Brickhill Street. Beyond is Caldecotte, comprising Caldecotte Business Park immediately north of the railway line and then Caldecotte Lake and residential estate further to the north. To the north-west of the site on the western side of the A5 lies the significant and visually dominant Tesco Distribution warehouse.
- 2.3.2 Agricultural land and the village of Bow Brickhill lies to the east of the site.
- 2.3.3 Immediately to the south-west of the site is the A5 Trunk Road. Beyond the A5, to the west is the Ouzel Valley and Fenny Stratford; to the south is the proposed Eaton Leys housing development.

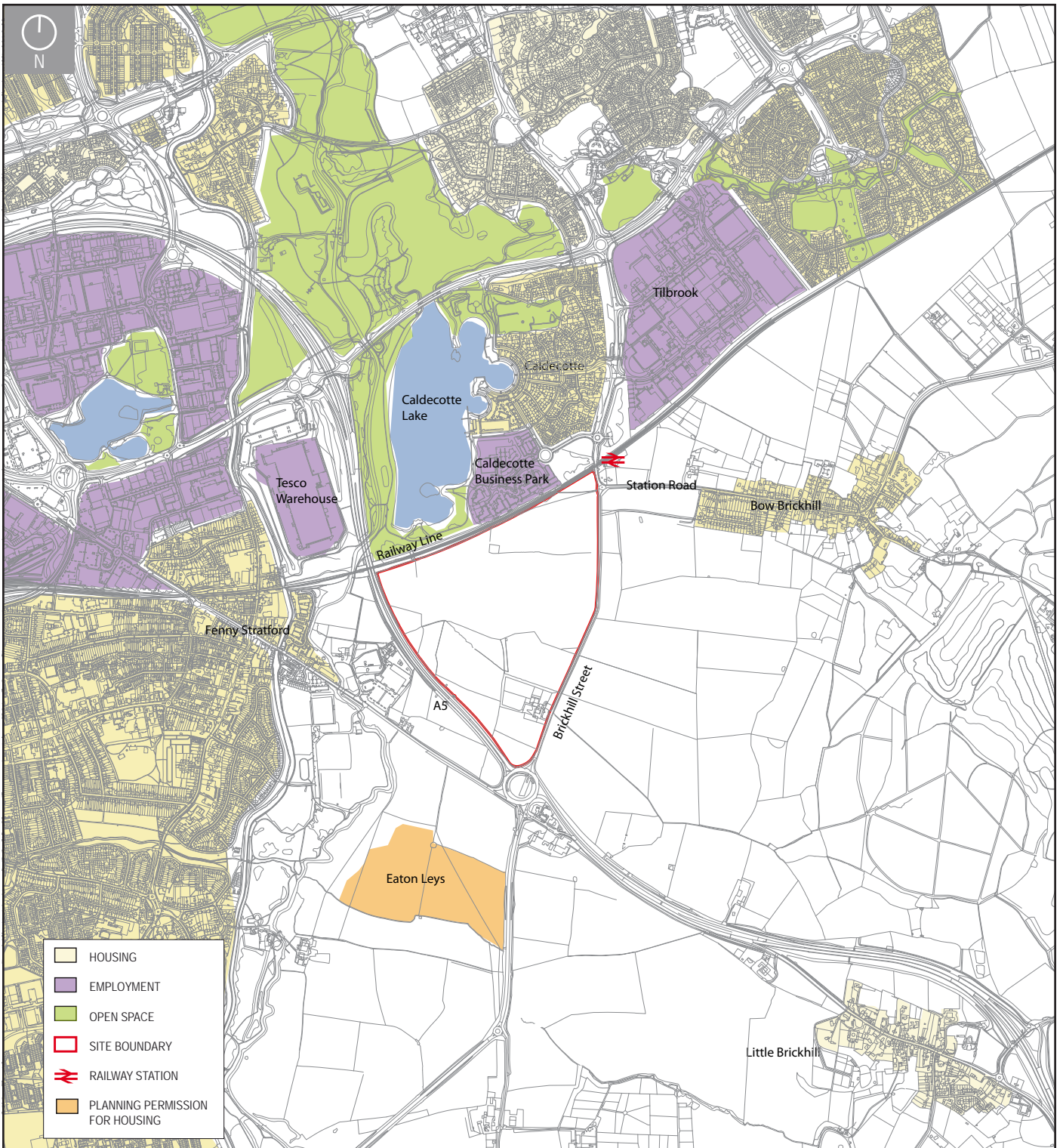


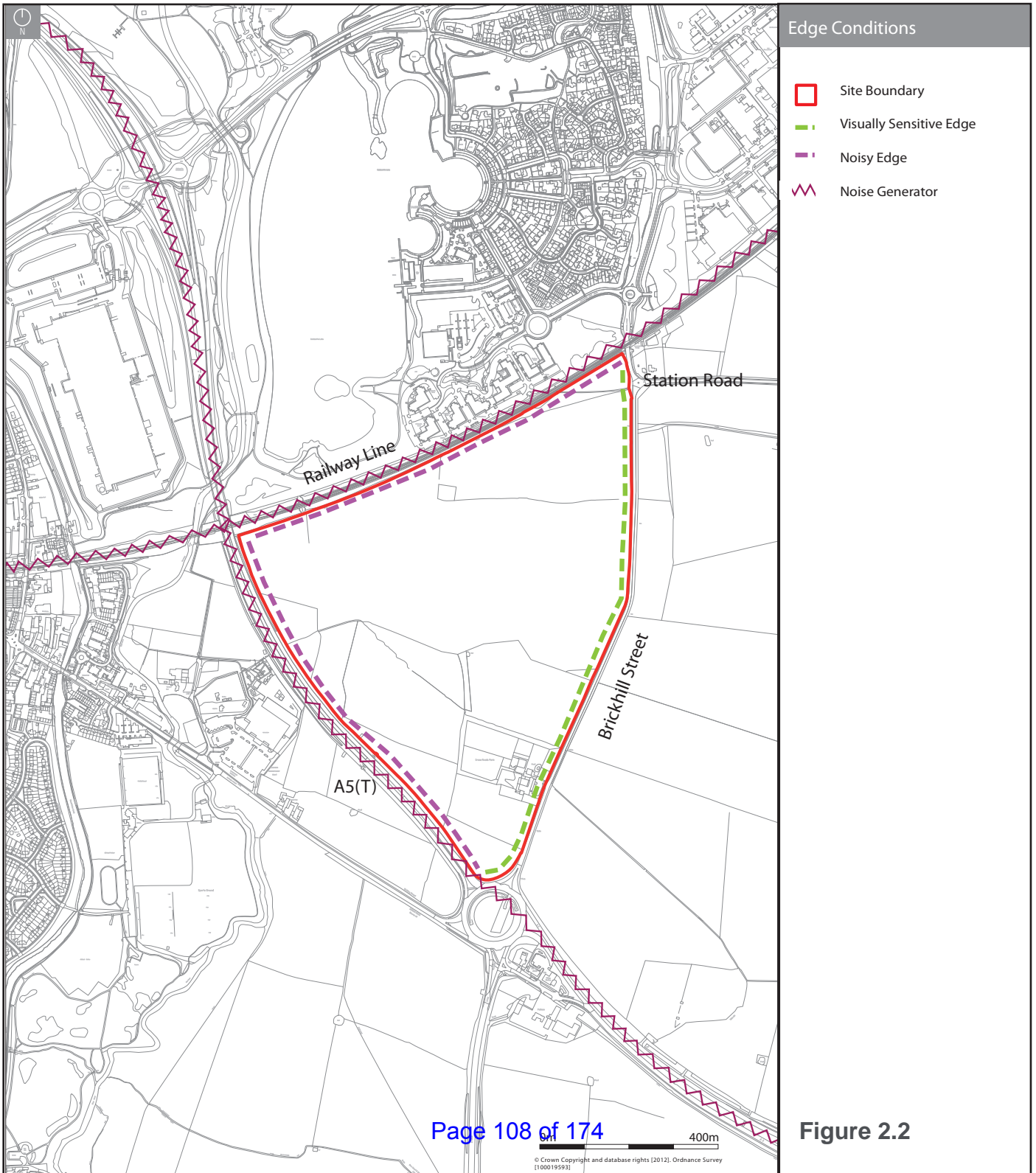
Figure 2.1 Surrounding Area

Edge Conditions

2.3.4 Edge conditions are important to evaluate, as they form the interface with the existing context. Depending on their nature, they can inform a certain development or open space response.

The site is well-defined and self-contained by three significant pieces of infrastructure:

- The Marston Vale railway line forms the northern boundary of the site. The line is raised up above the level of the site in the north west corner. There is existing planting along the boundary. The railway provides a visual and movement barrier.
- The A5 Trunk Road forms the western boundary of the site. There is existing planting along this edge of the site. There is limited visibility of the site from the public realm, as most people viewing the site will be travelling at speed along the dual carriageway.
- Brickhill Street is currently a rural single carriageway road. There is existing planting along the boundary, but there will still be visibility of the site from the public realm.



2.4 Topography, Views and Drainage

- An ordinary watercourse runs east-west across the site from Brickhill Street under the A5 and onto the River Ouzel.
- All new development must be set back at an appropriate width as agreed by the Environment Agency, Lead Local Flood Authority or Internal Drainage Board, in order to provide an adequate undeveloped buffer zone.
- There are views from within the site to the east towards the Brickhills, from the public right of way adjacent to the pedestrian underpass under the railway.
- The main local views into the site are from Brickhill Street, the A5 roundabout and the northern section of the A5. There are direct views into the site from Station Road.
- Wider views into the site are seen from the Brickhills, with Milton Keynes and Bletchley in the background.
- The high point of the site is in the north-eastern corner of the site. The site slopes gently down from the north-eastern corner towards the A5 (a change of level of approximately 11 metres).
- The area to the east of Brickhill Street is identified in the Local Plan as an Area of Attractive Landscape.

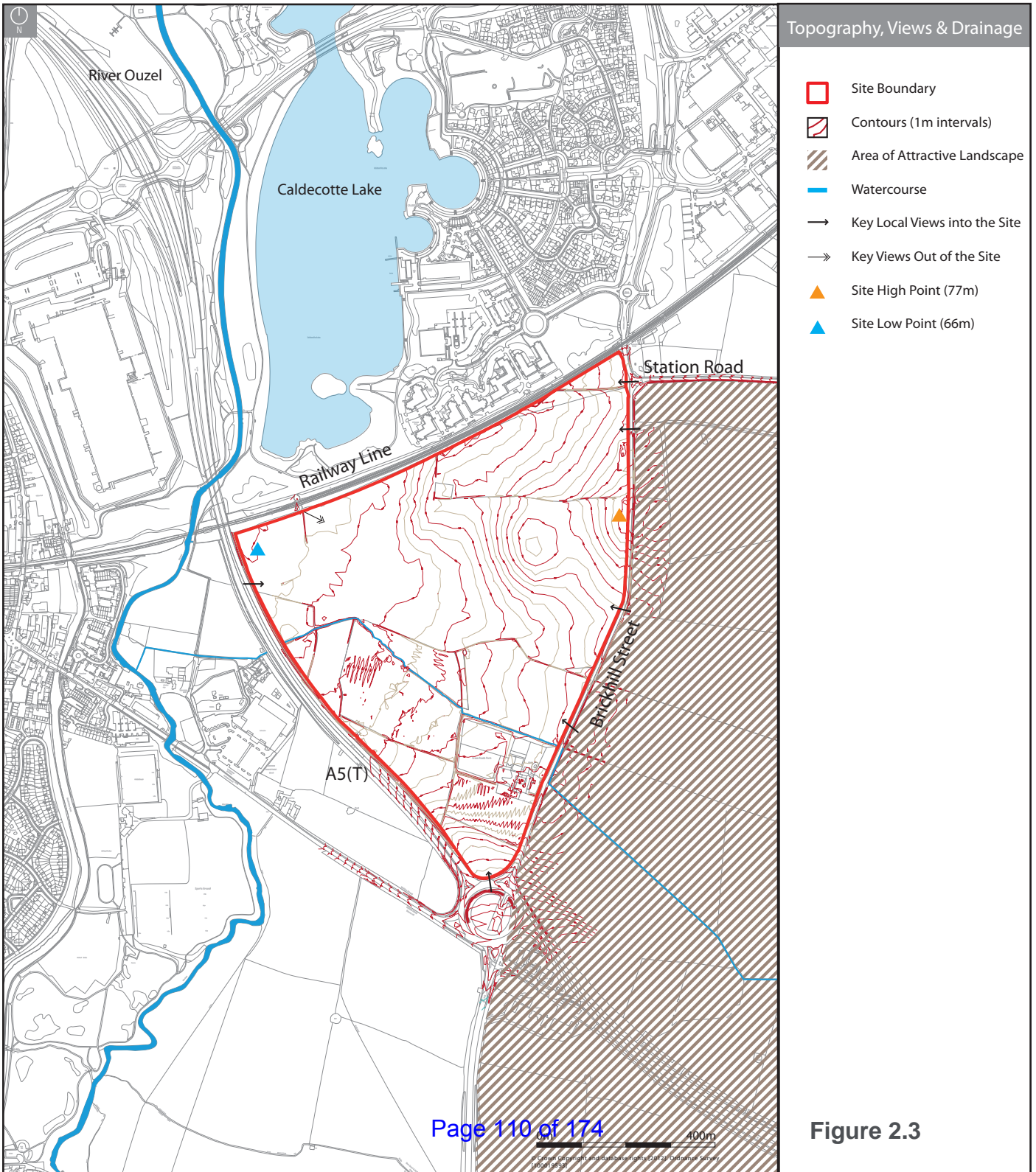


Figure 2.3

2.5 Landscape Character

2.5.1 Milton Keynes Council commissioned a Landscape Character Assessment (June 2016) which was prepared by Gillespies. The Milton Keynes Landscape Character Assessment (LCA) provides a detailed review of the landscape character of the Borough and describes and evaluates Landscape Character Types (LCTs) and Landscape Character Areas (LCAs) within the Borough.

2.5.2 The SLA lies within the Clay Lowlands Farmland LCT, which comprises low lying and generally flat landscape on the urban edge of Milton Keynes.

2.5.3 The South Caldecotte site lies within LCA 4b - Wavendon Clay Lowland Farmland.

2.5.4 The LCA sets out a number of guidelines for countryside management relating to the character areas and to new development:

- Ensure that open views across the landscape character area to the Brickhill Greensand Ridge are retained
- Promote the extended use of the area for informal recreation.
- Ensure right of way access and signage from urban areas into the rural areas is clear and well maintained.
- Promote indigenous plant species and use of species of local provenance wherever possible.
- encourage appropriate management of all drainage ditches to improve wildlife value, by improving water quality and establishing 'verges'.

- Promote hedgerow restoration and improvements throughout the area to provide visual and ecological links between existing and proposed woodland.

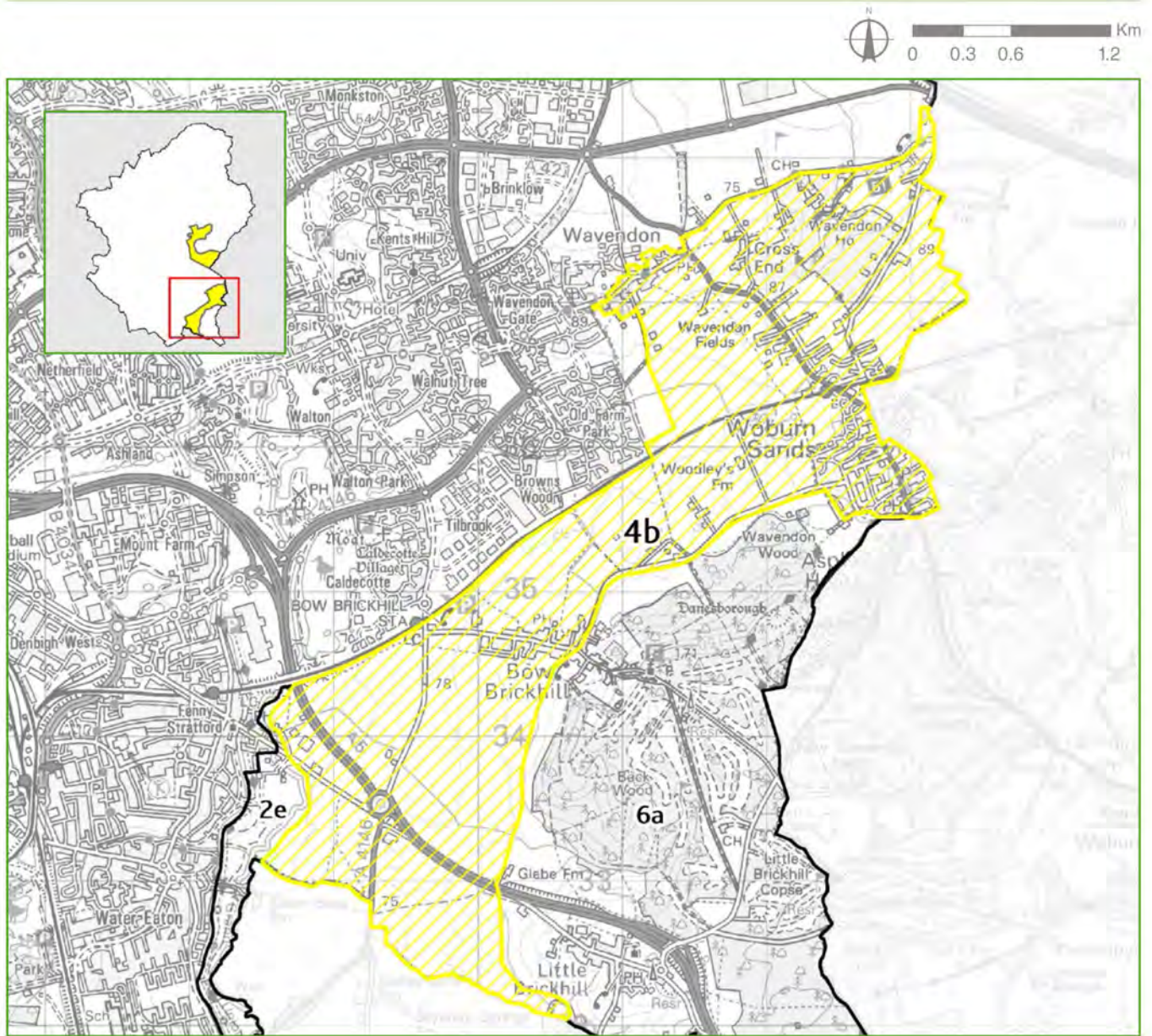
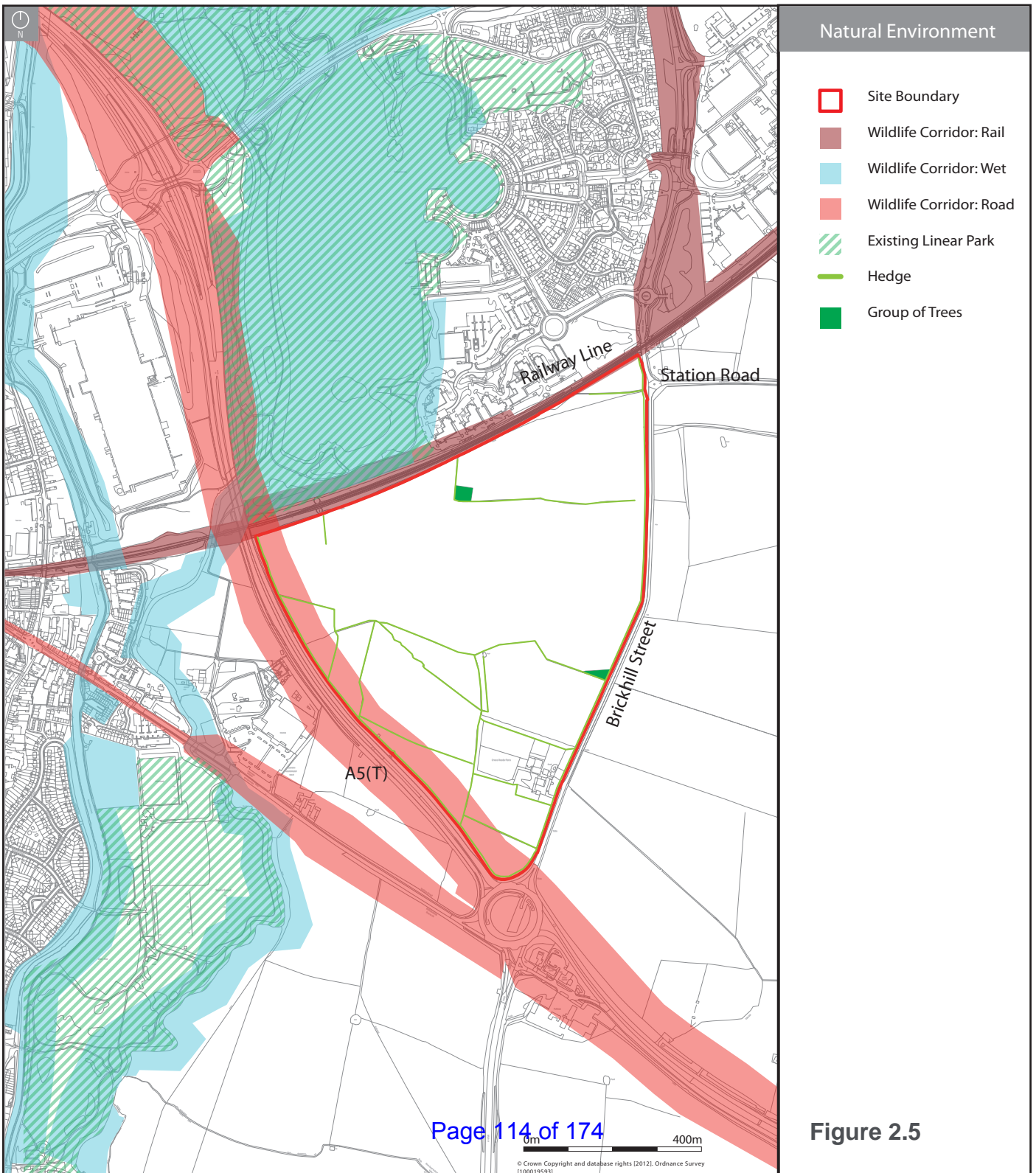


Figure 2.4 Landscape Character (Source: Landscape Character Assessment - June 2016)

2.6 Habitat and Vegetation

- Within the site, the main existing features are hedges.
- There are two small groups of trees within the site.
- The Local Plan identifies land alongside the Marston Vale railway line and alongside the A5 Trunk Road as wildlife corridors.
- The existing watercourse that runs through the site provides a wildlife habitat.
- Further priority habitats may be identified through further survey work.



Natural Environment

- Site Boundary
- Wildlife Corridor: Rail
- Wildlife Corridor: Wet
- Wildlife Corridor: Road
- Existing Linear Park
- Hedge
- Group of Trees

Figure 2.5

2.7 Access and Movement

Public Transport

- The area is served by a railway station at Bow Brickhill on the current Bedford to Bletchley line which is also the route for East-West rail.
- There is an existing bus route (18) that runs along the southern part of Brickhill Street which currently serves Woburn Sands, Bletchley and CMK. There are bus routes that run along the A5 and that serve Caldecotte.
- There are existing bus stops on Brickhill Street just north of the level crossing, and on Station Road.

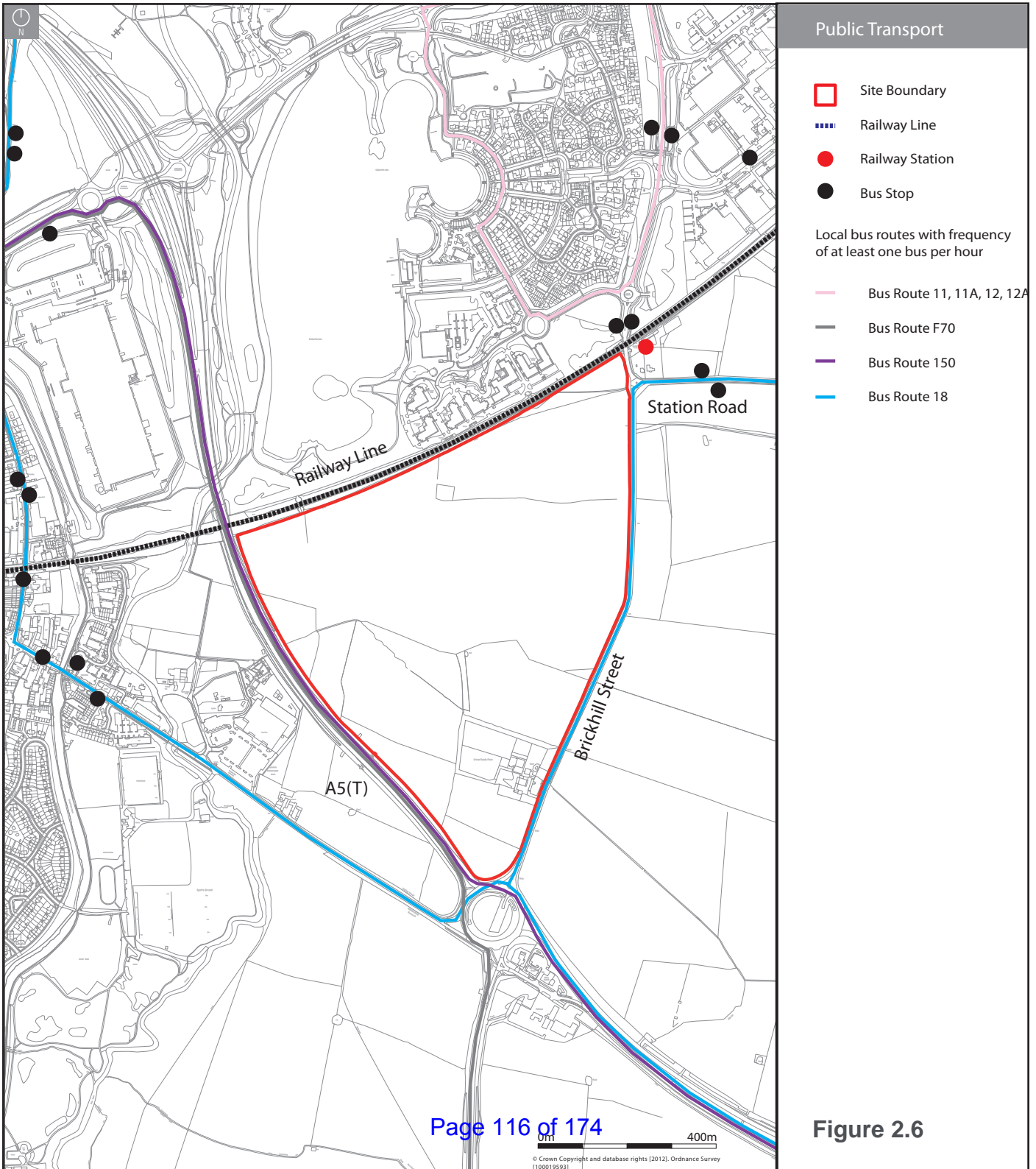
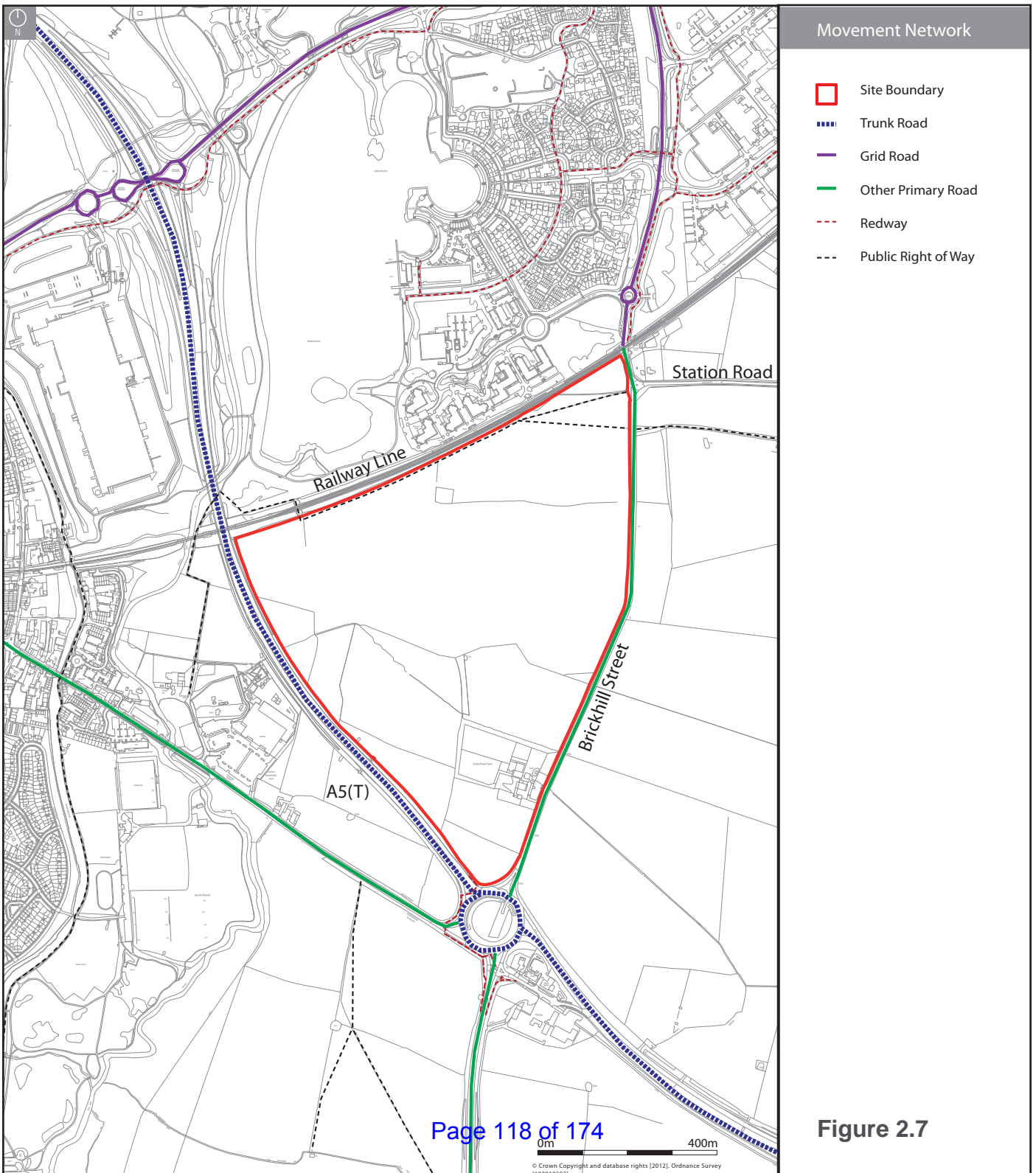


Figure 2.6

Existing Road Hierarchy, Pedestrian and Cycle Routes

- The A5 Trunk Road skirts the western edge of the site and provides connection to the M1 at junction 11A just north of Luton/Dunstable. The A5 also provides a connection to CMK to the north of the site.
- To the north of the railway line Brickhill Street (V10) forms part of the grid road system. South of the railway line Brickhill Street is a rural road with no footways or redways and is not currently to grid road standard.
- The redway network north of the site stops at the level crossing on Brickhill Street.
- A public footpath runs along the northern edge of the site, connecting Bow Brickhill to Caldecotte via an underpass under the railway line.
- Improvements are to be made to the A5 roundabout as part of the Eaton Leys housing scheme.



Movement Network

- Site Boundary
- - - Trunk Road
- Grid Road
- Other Primary Road
- - - Redway
- - - Public Right of Way

Figure 2.7

2.8 Heritage

- There is a Scheduled Ancient Monument adjacent to the site, described as Roman town of Magiovinium and Roman fort.
- Archaeological excavations in advance of the construction of the A5(T) in 1977-78 revealed a roughly N-S aligned Roman road, perpendicular to Watling Street and associated regular ditched plot boundaries as well as evidence for metalworking/industrial activity and several groups of early Roman cremations. It is highly likely that this activity continues along the predicted line of the Roman road into the proposed development site.
- There are no listed buildings or conservation areas in the vicinity of the site.

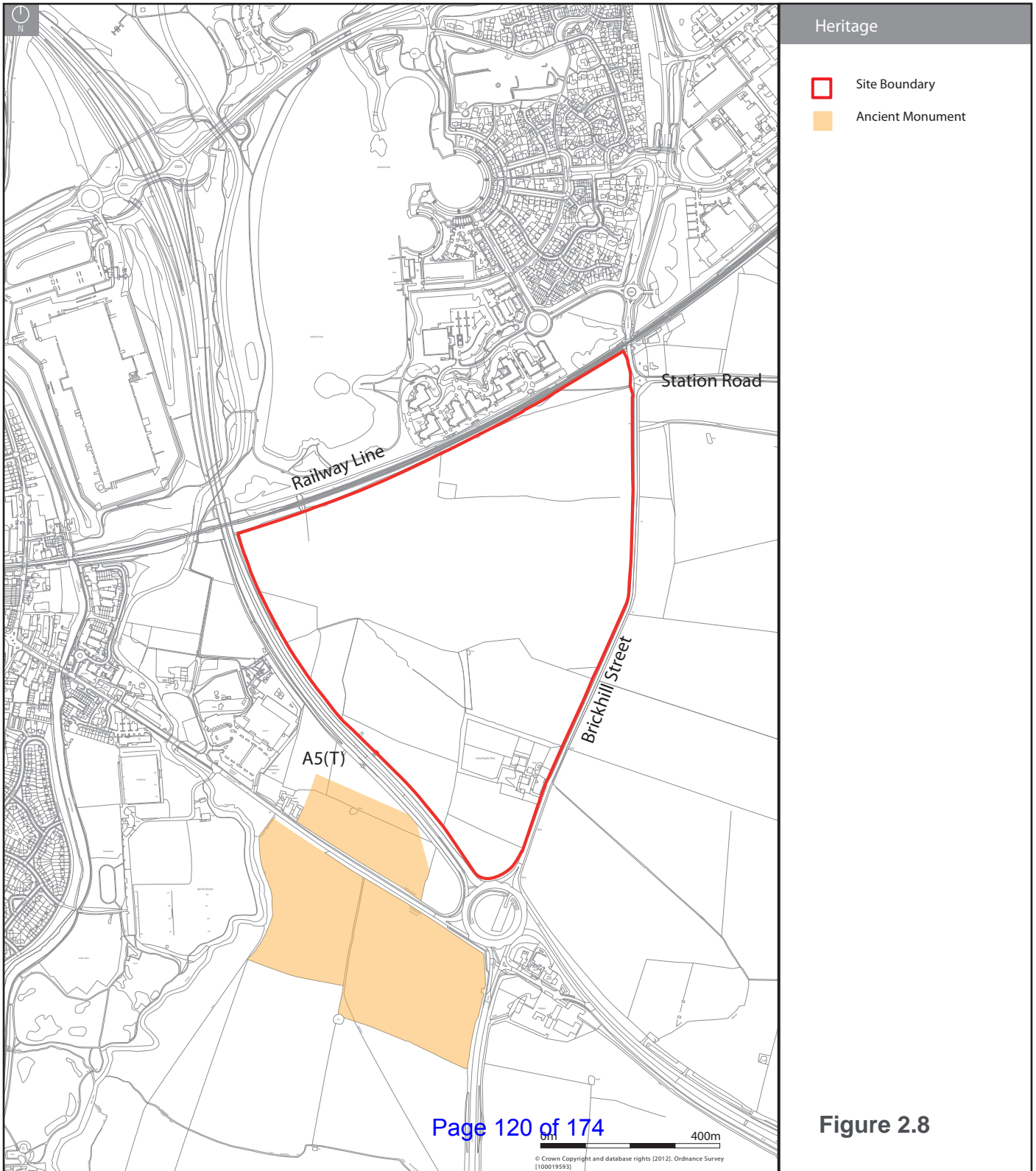


Figure 2.8

2.9 Utilities

- There are also overhead lines crossing the area, but these are not considered to be a major constraint.
- There is an Anglian Water compound within the site adjacent to Brickhill Street, which is likely to be a constraint to development.
- There is a high pressure gas pipeline which runs in a north-south direction to the east of the site.

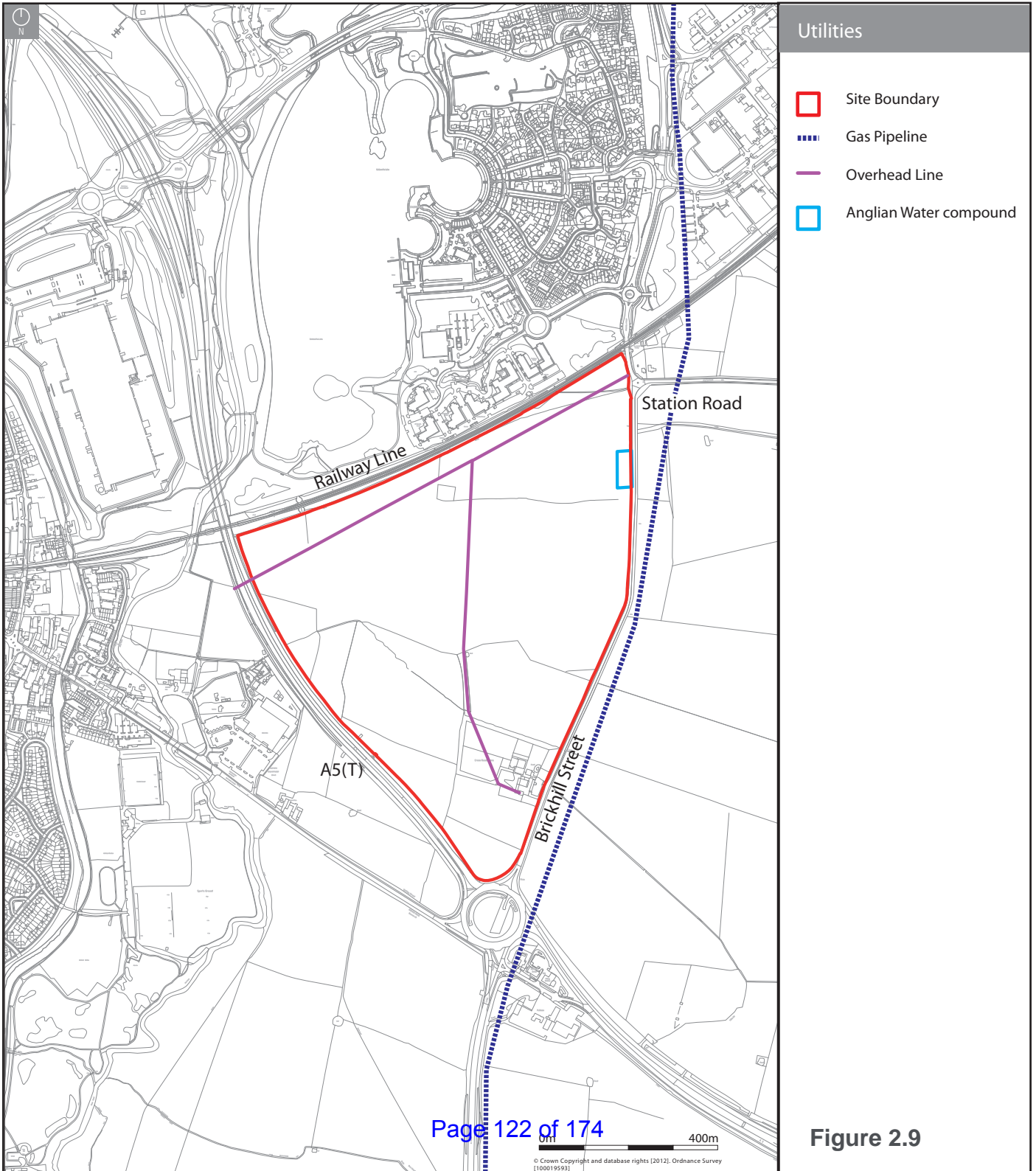


Figure 2.9

2.10 Opportunities and Constraints

Edge Conditions

- Brickhill Street is a visually sensitive edge.
- The A5 and Marston Vale railway line are noise generators.

Topography, Views and Drainage

- The main views into the site are from Brickhill Street, the A5 roundabout and the northern section of the A5. There are direct views into the site from Station Road.
- Wider views into the site are seen from the Brickhills.
- The high point of the site is in the north-eastern corner of the site. The site slopes gently down from the north-eastern corner towards the A5 (a change of level of approximately 11 metres). A watercourse runs east-west across the site from Brickhill Street under the A5 and onto the River Ouzel.

Habitat and Vegetation

- Within the site, the main existing features are hedges.
- The Local Plan identifies land alongside the Marston Vale railway line and alongside the A5 Trunk Road as wildlife corridors.

Public Transport

- The area is served by a railway station at Bow Brickhill on the current Bedford to Bletchley line which is also the route for the East-West rail route.
- There is an existing bus route (18) that runs along the southern part of Brickhill Street. There

are bus routes that run along the A5 and that serve Caldecotte.

- There are existing bus stops on Brickhill Street just north of the level crossing, and on Station Road.

Road Hierarchy

- Brickhill Street, which south of the railway line is not a grid road, will provide vehicular access to the site.
- The A5 Trunk Road provides access to the M1 at junction 11a just north of Luton/Dunstable.

Pedestrian And Cycle Routes

- The redway network north of the site stops at the level crossing on Brickhill Street.
- A public footpath runs along the northern edge of the site, connecting Bow Brickhill to Caldecotte via an underpass under the railway line.

Heritage

- Archaeological excavations in 1977-78 revealed a roughly N-S aligned Roman road, perpendicular to Watling Street. It is highly likely that this activity continues along the predicted line of the Roman road into the proposed development site.
- There is a Scheduled Ancient Monument adjacent to the site, described as Roman town of Magiovinium and Roman fort.

Utilities

- There is a high pressure gas pipeline which runs in a north-south direction to the east of the site. An area either side of the pipeline will need to be kept free of any built development.

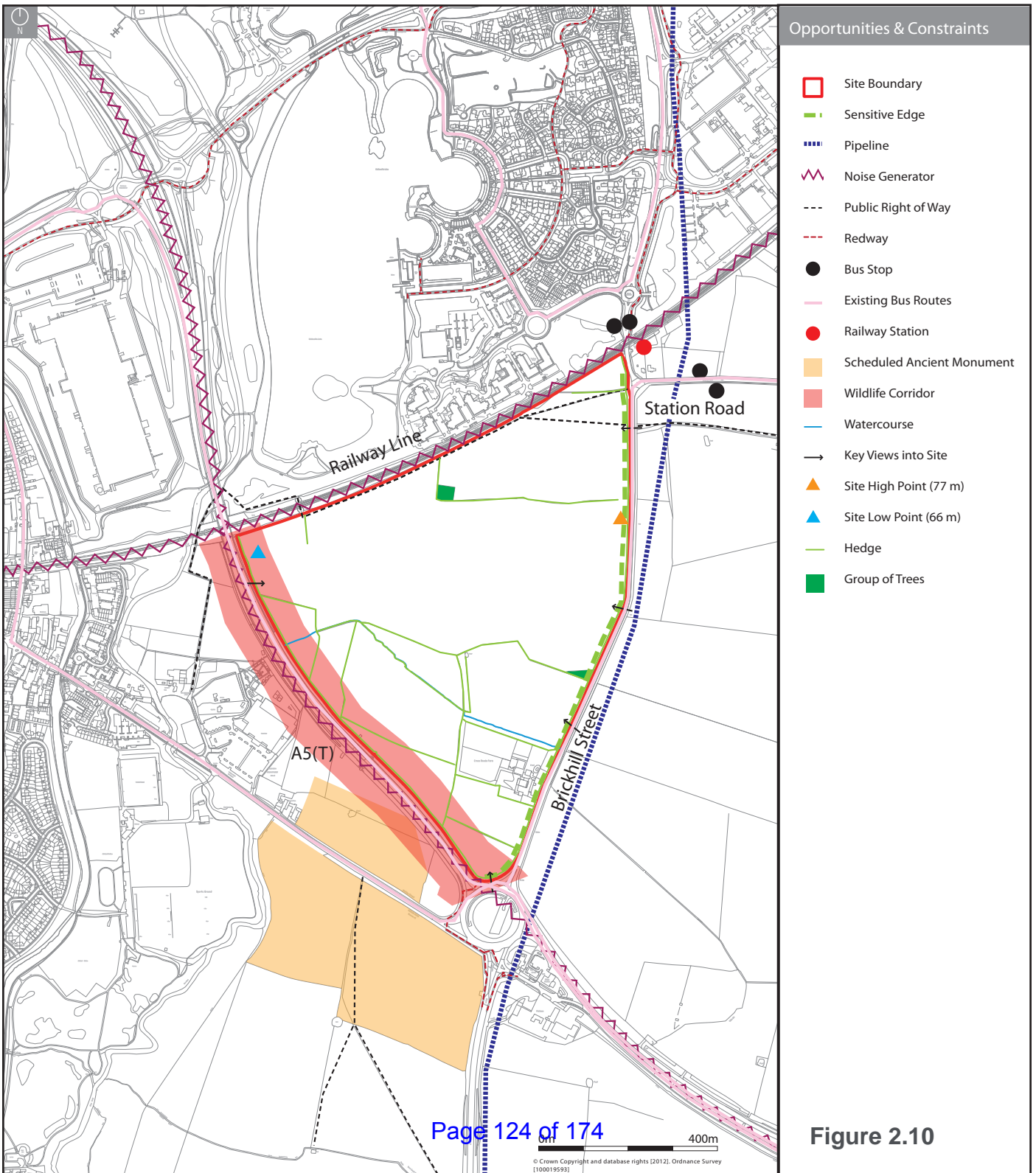


Figure 2.10

SECTION 3:

DEVELOPMENT FRAMEWORK

- 3.1 Introduction
- 3.2 The Vision
- 3.3 Land Uses
- 3.4 Landscape and Open Space Strategy
- 3.5 Movement Framework
- 3.6 Design
- 3.7 Sustainability
- 3.8 Indicative Development Framework Plan

3.1 Introduction

- 3.1.1 The Development Framework is not a masterplan but rather highlights key principles that will help inform and guide subsequent planning applications. The Development Framework looks holistically at the development of the site and seeks to ensure a comprehensive form of development. Development proposals should be informed by a thorough appraisal of the site's context and the opportunities and constraints identified in Section 2.
- 3.1.2 The vision has provided the basis for the development principles specific to the site. It is underpinned by best practice urban design principles.
- 3.1.3 The key strands of the Development Framework are:
- Land Uses
 - Landscape and Open Space Strategy
 - Movement Framework
 - Design
 - Sustainability
- Each strand of the Development Framework builds on the policy requirements set out in the Submission Version of Plan:MK.
- 3.1.4 These strands help to inform the Development Framework Plan.

3.2 The Vision

To create a high quality development that helps meet Milton Keynes employment needs, to attract investment and allows people the opportunity of working close to where they live.

A strategic employment development, founded on best practice in urban design and sustainable development, providing and creating a strategic arrival gateway for Milton Keynes.

Transport facilities will promote the most sustainable forms of movement, such as walking and cycling, and give particular emphasis to public transport. Connections will be made to the rest of Milton Keynes' grid road and transport network.

3.3 Land Uses

Policy SD16 of Submission Version of Plan:MK requires that:

- A minimum of 195,000m² of Class B2/B8 and ancillary B1 employment floorspace.

3.3.1 The site has been identified as being suitable for B2/B8 employment uses. Ancillary B1 employment use will be allowed providing office space for B2/B8 units.

3.3.2 The development should provide a mix of industrial unit sizes, including provision of small business units.



Underpass providing pedestrian route between site and Caldecotte

3.4 Landscape and Open Space Strategy

Policy SD16 of Submission Version Plan:MK requires that:

- A green open space link will be created on the site, linking into Caldecotte Lake to the north and providing future opportunity to link the park to the south/east. The open space link should include access and connectivity to Caldecotte Lake with mechanisms in place for its sustainable management over the long term and balancing ponds as part of a Sustainable Urban Drainage system across the Brickhill railway station and the existing Public Right of Way running along the site's northern boundary will be effectively integrated into the development.
- Existing vegetation to site boundaries should be maintained and enhanced to screen the development from wider views where a LVIA deems this necessary. New planting should be of native species to mitigate the loss of hedgerows necessary to facilitate development.

Policy NE3 of Submission Version Plan:MK requires that:

- Development proposals maintain and protect biodiversity and geological resources, and wherever possible, enhance biodiversity, and the structure and function of ecological networks.

Landscape

3.4.1 A Landscape Visual Impact Assessment (LVIA) should be undertaken to assess the impact of the development on the landscape and to identify appropriate mitigation measures. In addition to any measures identified through the LVIA, development should include:

- a landscaped belt along the western boundary (A5) of the site;
- a landscaped belt along the eastern boundary (Brickhill Street) of the site;

- a landscaped belt along the northern boundary (railway line) of the site;
- green fingers of planting extending from Brickhill Street boundary into the site; and
- tree planting along the Spine Street.

3.4.2 The large footprint nature of the development will result in large development parcels and will require a certain amount of cut and fill. As a result it is unlikely that any meaningful retention of existing hedgerows and trees within the site can practically be achieved. Hedgerows on the edge of the site should be retained and enhanced, except where to provide access. Where hedgerows or trees are lost, compensatory planting should be provided elsewhere within the site.

3.4.3 The landscape design should help to tie buildings together and create a coherent and unified structure for the site.

3.4.4 Developers should undertake arboricultural and ecological surveys, which should be submitted alongside their planning application with any mitigation measures incorporated into development proposals..

Areas of Wildlife Interest

3.4.5 Land along the western boundary of the site, adjacent to the A5, and along the northern boundary, adjacent to the railway, are identified as lying within a wildlife corridor. These corridors should be retained and enhanced as ecological habitats.

3.4.6 A site-wide ecological enhancement scheme will be required that incorporates net gains for wildlife into the development. Use of native species within new hedgerows and landscaping will aid this enhancement.

Green Link

3.4.7 Along the edge of the A5 a multi-functional landscaped area of open space will be provided, serving as a recreational and ecological resource, a location for surface water attenuation, and as a noise and visual buffer from the road. This strip may vary in width, but should be designed to ensure that:

- public access, including a pedestrian leisure route, is provided;
- a landscaped belt, including tree planting, is provided;
- provision is made for ecological enhancement; and
- provision is made for sustainable drainage, including wet and dry ponds.

3.4.8 The pedestrian leisure route within the open space should connect the A5 roundabout at the south of the site with Caldecotte to the north (via the existing underpass under the railway).

3.4.9 The completed green link open space should be transferred to the Parks Trust or into a management company on completion, together with the necessary endowment to cover future maintenance costs.

3.5 Movement Framework

Policy SD16 of Submission Version of Plan:MK requires that:

- Access to be taken from Brickhill Street, which will be upgraded to grid road standard.
- The development will be subject to a Transport Assessment, which will investigate the development’s impact on the local highway network, including the A5/Watling Street roundabout. The development will contribute to any necessary improvements as agreed by the relevant highway authorities and Highways England. The Transport Assessment will also set out the basis for effective public connections to and from the site to be implemented prior to completion of the development.
- Direct footpath connections to Bow Brickhill railway station and the existing Public Right of Way running along the site’s northern boundary will be effectively integrated into the development.

Policy CT3 of Submission Version of Plan:MK requires that:

- The existing redway, footway and right of way network should be retained, improved and enhanced.

Policy CT5 of Submission Version of Plan:MK requires that:

- Where appropriate most developments must be no more than 400m from a bus stop. Bus stops must have good pedestrian access, be open to public supervision and be sheltered where appropriate.

Policy CT6 of Submission Version of Plan:MK requires that:

- New developments will be required to provide electric charging points in line with Milton Keynes Parking Standards.

- 3.5.1 The Movement Strategy is illustrated on figure 3.1.
- 3.5.2 The submission of a Transport Assessment will be required as part of any planning application, to determine whether the impact of the development on transport is acceptable. It should identify what measures will be taken to deal with the anticipated transport impacts of the scheme and to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport.
- 3.5.3 The development will be required to contribute to any necessary improvements to the local highway network, including the A5 roundabout.
- 3.5.4 Vehicular access into the site will be taken off Brickhill Street (V10) from a new junction. The form of the junction will need to be determined through the submission of the Transport Assessment.
- 3.5.5 It is the Council’s intention to upgrade the whole length of Brickhill Street (south of the railway line) to grid road standard in order to serve growth in the wider area to the south east of Milton Keynes. The developer will be required to upgrade the length of Brickhill Street from the A5 roundabout to the new junction to grid road standard. The developer will be required to make a financial contribution towards improvements to the strategic highway network, which would include a contribution to the upgrade of the remainder of Brickhill Street to grid road standard. In order to direct traffic from the development onto the A5, the developer will

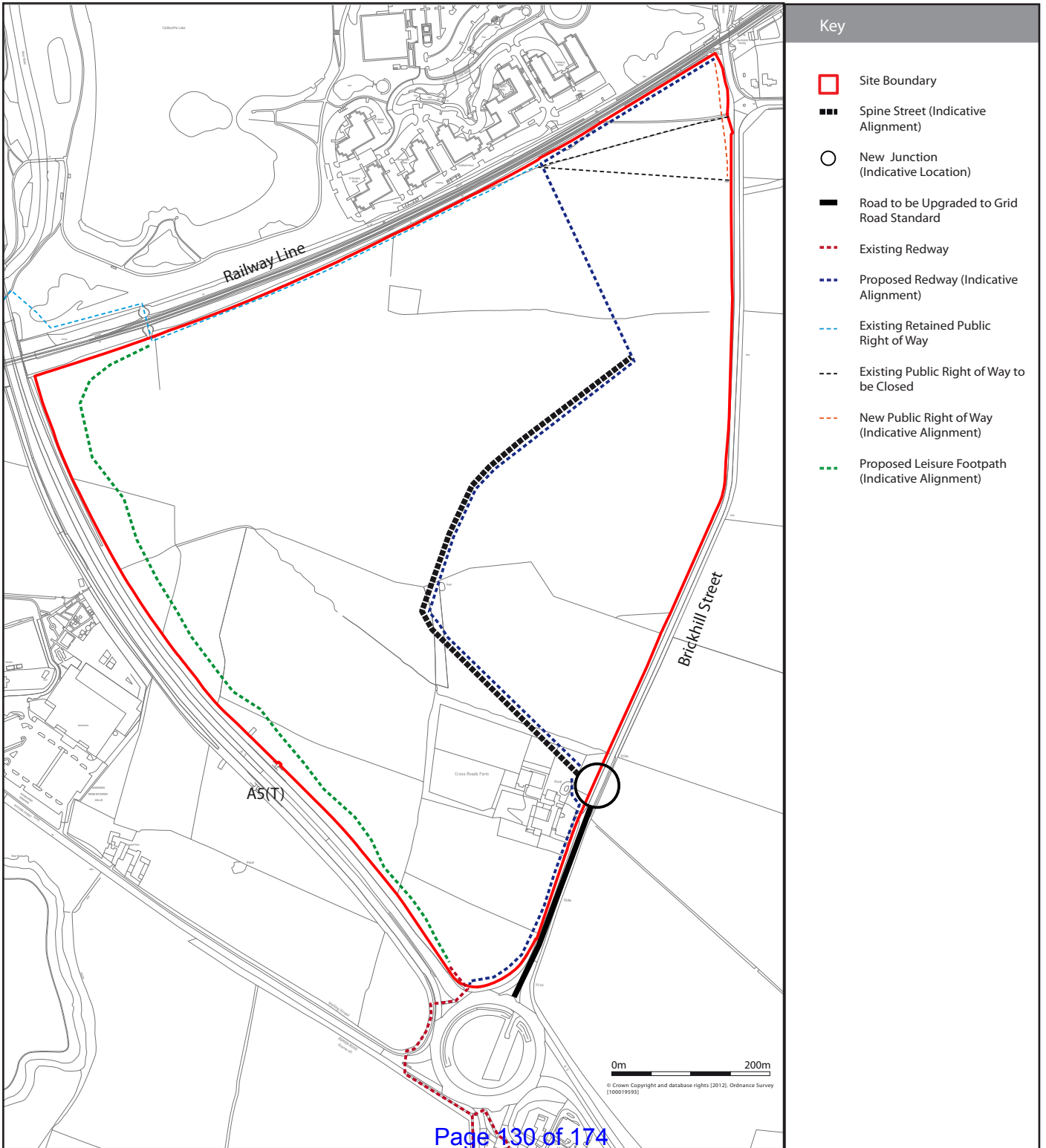


Figure 3.1 Movement Framework

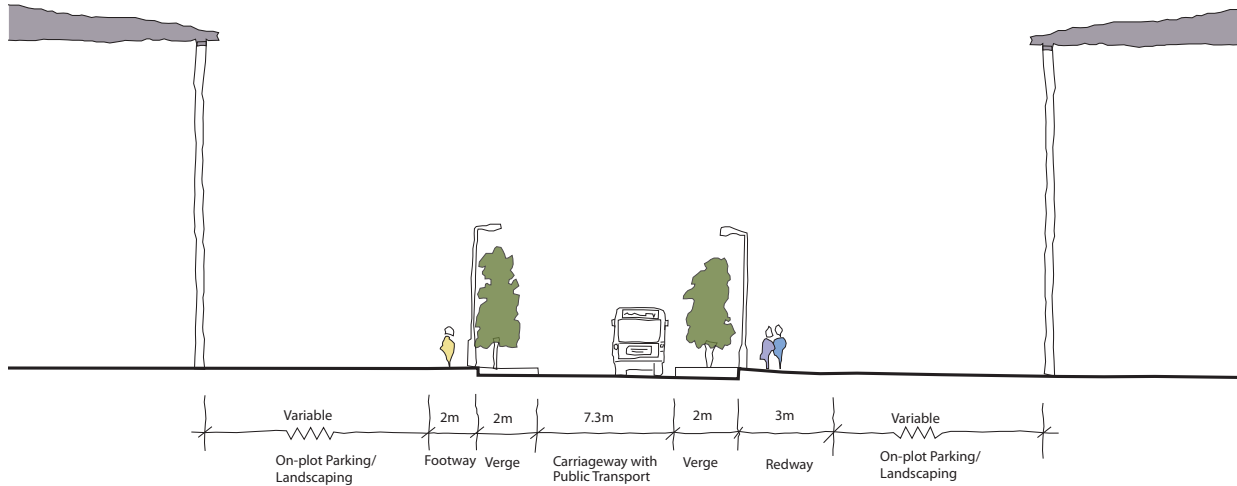


Figure 3.2 Spine Street Cross-section

be required to prepare and adhere to a Lorry Routeing Plan through an obligation under S106.

3.5.6 Within the site, development plots will be served off a Spine Street running through the site (see Figure 3.2 - illustrative cross-section). Tree planting and verges should be provided along both sides of the street. A pedestrian footway and a redway should be incorporated into the street.

3.5.7 An enhanced bus service will be required to enter the site and the Spine Street should be of sufficient width to accommodate buses. Bus stops with shelters should be provided along the Spine Street to ensure that all buildings are within 400m of a bus stop. A turning point at the end of the Spine Street should be provided that is capable of accommodating buses and other large vehicles.

3.5.8 Pedestrian/cycle links will be provided from the development into the wider redway network. A new redway will be provided within the site from Bow Brickhill level crossing to the A5 roundabout. It will follow the Spine Street for part of its length, and Brickhill Street to the south of the proposed new site access.

3.5.9 A new leisure footpath will be provided through the open space area on the western edge of the site. The existing footpath along the edge of the railway will be retained. At the north-eastern corner, where the footpath moves away from the edge of the site, there will be a need to redirect the footpath to accommodate development. Agreement on the form and alignment of the footpaths should be agreed with the Public Rights of Way Officer. A sufficiently wide corridor should be provided to ensure that the footpath is not dominated by adjoining buildings.

3.5.10 Electric charging points will be sought in line with standards set out in the Milton Keynes Parking Standards.

Travel Plans

- 3.5.11 Local Transport Plan 3 (LTP3) states that “All significant new developments across all land uses will be required to develop travel plans.”
- 3.5.12 Interventions might include cyclists’ changing facilities; electric vehicle charging points; promotion of public transport; bus travel vouchers (MK Moove tickets) for employees; literature containing public transport, cycling and walking information; support for car sharing.

3.6 Design

Policy SD16 of Submission Version of Plan:MK requires that:

- The design and appearance of buildings should be sensitive to the neighbouring uses, with development fronting Brickhill Street being sensitive to views into the site from the wider landscape. Buildings should be designed to provide an attractive entrance to Milton Keynes from the south.
- Building heights should be informed by the Landscape and Visual Impact Assessment (LVIA) and should avoid unacceptable impact on the wider landscape and heritage assets.
- A desktop Archaeological Assessment should be undertaken to understand the likely presence of archaeological remains within the site.

Policy D3 of Submission Version of Plan:MK requires that:

- Forward thinking and distinctive architecture is incorporated, unless the existing context suggests an alternative approach would be more appropriate.

Character Areas

- 3.6.1 The site has been split up into a number of character areas (see figure 3.4). These have emerged in response to the surrounding context and the commercial need to accommodate a range of building sizes.
- 3.6.2 **Gateway:** located adjacent to the A5 roundabout, this area will be medium to large scale units. Offices orientated south to create a focus at the site entrance. Buildings will be orientated with gable ends onto Brickhill Street in order to minimise massing when viewed from the east.
- 3.6.3 **North Brickhill Street:** Small to Medium Enterprise (SME) units. This part of the site is at the high point of the site and closest to existing residential development. The scale and massing of buildings should reflect this context.
- 3.6.4 **South Brickhill Street:** Small to medium scale units orientated with gable ends onto Brickhill Street in order to minimise massing when viewed from the east.
- 3.6.5 **Central:** This area is capable of accommodating large scale units. Buildings could be orientated north-south or east-west.

Detailed Design Appearance

- 3.6.6 The aim should be to create a clear coherent image for the development through the use of a consistent palette of materials and building forms. Development should have a contemporary character reflecting Milton Keynes reputation as a forward-thinking modern city.

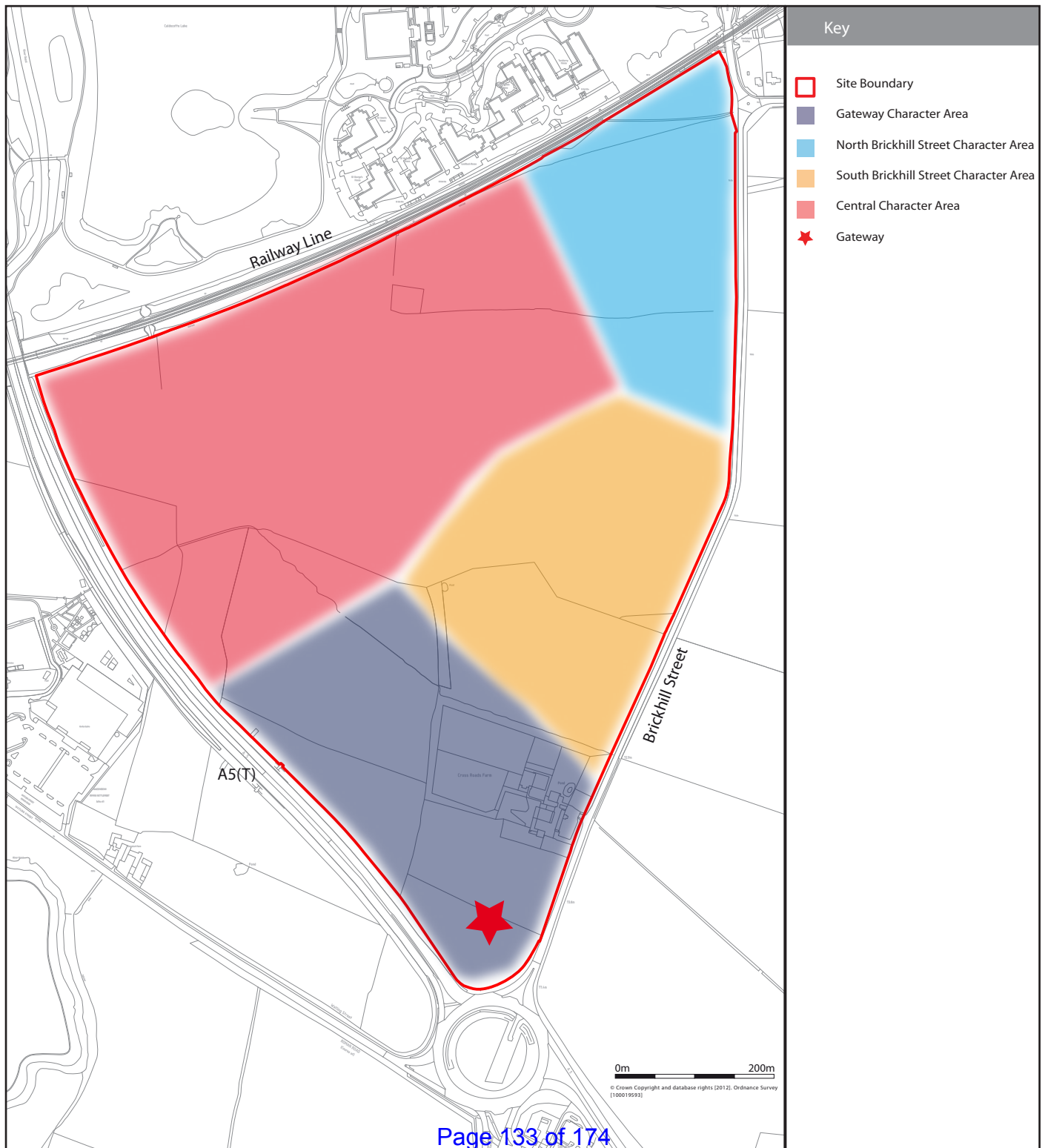


Figure 3.3 Character Areas

- 3.6.7 The design of individual industrial buildings should aim to reduce their perceived bulk and massing. The choice of materials and use of colour can help to reduce the visual impact of buildings.
- 3.6.8 The office elements of individual buildings represent the most visually attractive part of the building elevation and provide an active frontage. Consequently, offices should be located on elevations that front the key public areas of the development, in particular the Spine Street.
- 3.6.9 The southern corner of the site, adjacent to the A5 roundabout, is a key gateway, and a landmark building should be provided in this location. The building should provide attractive elevations on those frontages viewed from the south.
- 3.6.10 Building heights will be informed by the findings of the LVIA.

Archaeology

- 3.6.11 Prior to a planning application being submitted the area should be subject to an archaeological evaluation comprising geophysical survey (100% detailed magnetometry) and subsequent trial trenching to a specification agreed with the Council's Archaeological Officer. This will enable any necessary mitigation (excavation or avoidance of significant archaeology) to be agreed and secured via a planning condition.

3.7 Sustainability

Policy DS3 of Submission Version of Plan:MK requires that:

- The supply of superfast broadband to all employment premises will be promoted to increase the attractiveness of the Borough as a business location

Policy FR1 of Submission Version of Plan:MK requires that:

- Development within areas of flood risk from any source of flooding, will only be acceptable if it is clearly demonstrated that it is appropriate at that location, and that there are no suitable available alternative sites at a lower flood risk.

Policy FR2 of Submission Version of Plan:MK requires that:

- New development is required to incorporate SuDS; in line with national policy and guidance and, which meet the requirements set out in national standards and the Council's relevant local guidance.

Policy SC1 of Submission Version of Plan:MK requires that:

- Development proposals for non-residential development with a floor space of 1000 sq.m or more will be required to submit an Energy and Climate Statement.

3.7.2 Sustainable drainage will be required to deal with surface water run-off on site. Measures that could be incorporated include green/brown roofs, rainwater harvesting systems, permeable pavements, and filter strips and swales.

3.7.3 When making planning applications it is essential that, to get the best results, the integration of water and SuDS options are considered early in the site evaluation and planning process, not just at the detailed design stage. Full consideration of SuDS at the pre-application and outline stage is important to ensuring surface water management is fully integrated into the development, leading to an effective drainage design, providing multiple benefits and with costs considered from the outset. Further guidance and information can be found in the "Milton Keynes Council Surface Water Drainage; Local Guidance for Planning Applications", which is available on the Council's website.

Sustainable Construction

3.7.4 The Council's Local Plan Policy D4 and its supplementary Sustainable Construction SPD sets sustainability standards that will have to be considered as part of the overall design process.

3.7.5 To satisfy policy D4, developers will either need to produce a sustainability statement showing how the relevant requirements of the SPD checklist will be satisfied, or carry out a BREEAM assessment demonstrating how an excellent standard will be achieved.

Surface Water Drainage and Flooding

3.7.1 Developers will need to submit a detailed Flood Risk Assessment (FRA) with any planning application for development of the site. The FRA will be expected to fully assess all potential forms of flood risk to the site.

Telecommunications and ICT Network

- 3.7.6 As a modern, growing city, Milton Keynes needs the right IT communications infrastructure to support the well being of its existing communities and its continued expansion.
- 3.7.7 Applicants should engage with network providers from the outset to ensure the needs of the service (including suitable new ducting) can be introduced alongside other on site infrastructure works as part of new developments to ensure the most efficient and viable approach is taken to securing connectivity.

3.8 Indicative Development Framework Plan

- 3.8.1 The Indicative Development Framework Plan (Figure 3.4) illustrates how the individual framework layers can be brought together to achieve the vision for South Caldecotte.

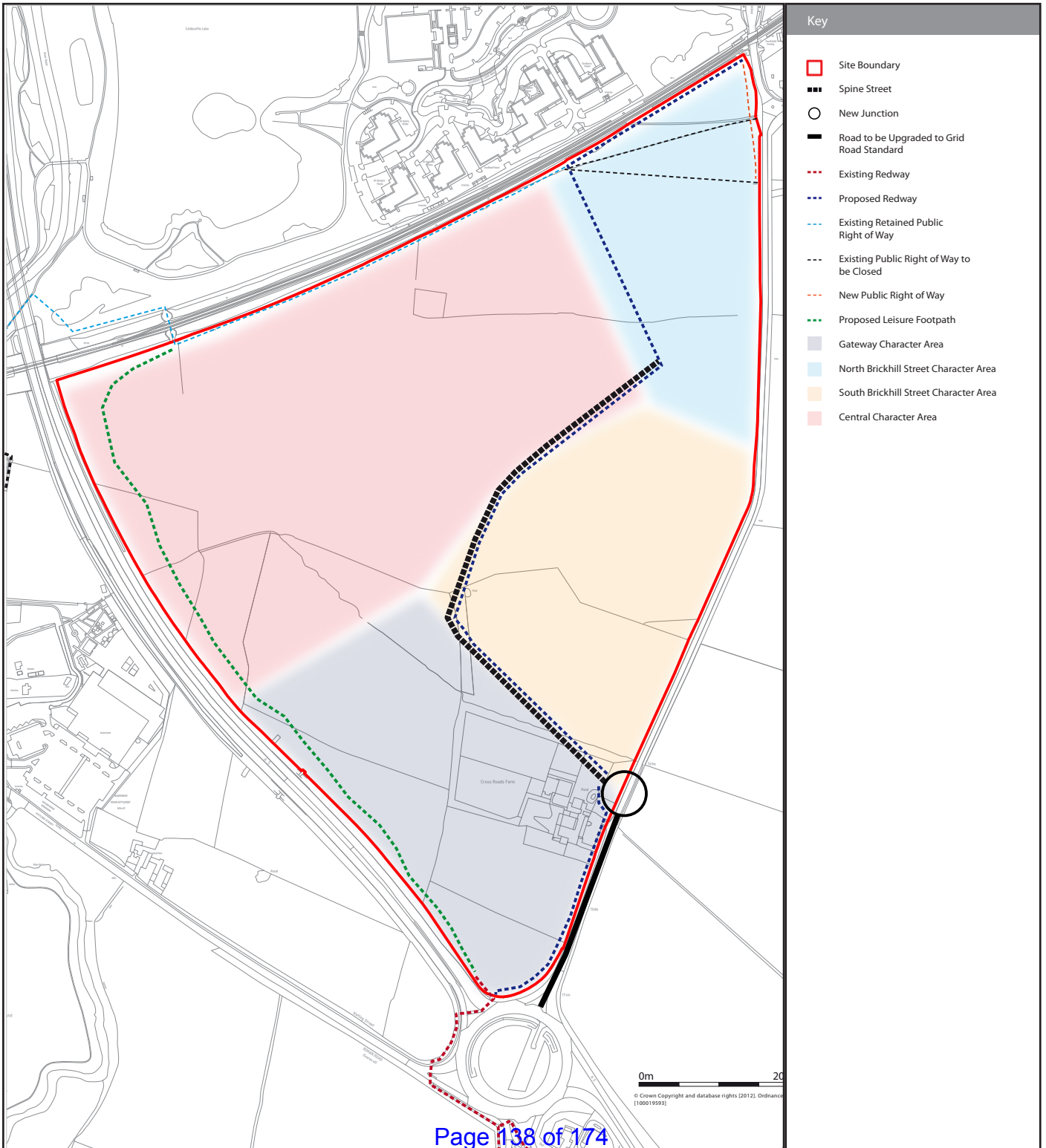


Figure 3.4 Development Framework Plan

SECTION 4: DELIVERY

- 4.1 Infrastructure Delivery
- 4.2 Management and Maintenance
- 4.3 Outline Application
- 4.4 Design and Access Statement

4.1 Infrastructure Delivery

- 4.1.1 Contributions will be sought towards necessary infrastructure and facilities, including:
- Highway infrastructure, both on and off-site;
 - Public transport services, walking and cycling provision;
 - Open space, including open space links;
 - Public art;
 - Management and maintenance of facilities.

4.2 Management and Maintenance

- 4.2.1 Consideration should be given at an early stage to the future management arrangements for infrastructure and facilities.
- 4.2.2 Milton Keynes Council, as highway authority, will adopt the roads and related infrastructure. Services infrastructure will be the responsibility for the relevant services provider.
- 4.2.3 The developer will provide for maintenance of the completed green space link. This may include transfer of the open space to the Parks Trust or into a management company.
- 4.2.4 Where this is considered to be beneficial, the land should be offered to the Parks Trust on a 999 year lease or freehold, with a commuted sum to pay for the cost of the maintenance and management. In anticipation of this arrangement, it is helpful for all landscape to be designed in consultation with the Parks Trust.

4.3 Outline Application

- 4.3.1 The local planning authority will encourage early dialogue on pre-application proposals.
- 4.3.2 Outline applications should include, as a minimum: the amount of development for each use; an indicative layout; parameters of the sizes of buildings; and indicative access points.
- 4.3.3 Any development may need to be supported by an Environmental Impact Assessment. Developers are encouraged to seek a Screening Opinion from the local planning authority in advance of submitting a planning application.
- 4.3.4 Developers should contact the local planning authority at an early stage with regard to the supporting information that should be submitted with their application. The requirements will include some or all of the following:
- Flood Risk Assessment (FRA);
 - Transport Assessment;
 - Biodiversity Report;
 - Arboricultural Statement;
 - Statement of Community Involvement.

4.4 Design and Access Statement

- 4.4.1 Design and Access Statements are required for major developments under the Planning and Compulsory Purchase Act 2004.
- 4.4.2 The design principles and components set out in Design and Access Statements for Outline Applications should also be in accordance with good practice, the Core Strategy, the New Residential Development Design Guide SPD guidance and this SPD..

- 4.4.3 Milton Keynes Council has produced a guidance note on 'Preparing Design & Access Statements.'
- 4.4.4 The Design and Access Statement should provide the basis for the quality of design to be controlled through subsequent Reserved Matters applications.
- 4.4.5 Applicants will be expected to demonstrate how they have incorporated high standards of design throughout the design evolution process and how these will be carried through to completions and subsequent maintenance.

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Wards Affected:

Danesborough and Walton

ITEM 7**DELEGATED DECISION****20 FEBRUARY 2018****DRAFT CALDECOTTE SITE C DEVELOPMENT BRIEF**

Decision Taker: Councillor Gifford, Cabinet member for Place

Report Sponsor: Neil Sainsbury, Head of Placemaking
Tel: (01908) 252708

Author: David Blandamer, Urban Designer, Tel: (01908) 254836

Executive Summary:

This report seeks authority to undertake formal consultation on the Draft Caldecotte Site C Development Brief for a 6 week period during March/April 2018.

1. Recommendation

That the draft Development Brief be approved for a 6 week formal consultation period.

2. Issues

Background

- 2.1 Caldecotte Site C is one of the sites that transferred from the Homes and Communities Agency (HCA) to the Milton Keynes Development Partnership (MKDP). MKDP is required to initiate the preparation of a Development Brief prior to marketing or disposing of any of its larger sites.
- 2.2 The Council has adopted a protocol for the preparation of development briefs (delegated decision 13 April 2013), which sets out a process for stakeholder engagement.
- 2.3 Development Briefs are the key documents which will influence what a site is eventually used for and therefore engagement with key stakeholders and citizens of Milton Keynes to establish their issues, views and aspirations is essential to the process of preparing and adopting Development Briefs.
- 2.4 The primary purpose of the draft Development Brief is to provide prospective developers with planning and design guidance to enable them to submit informed and high quality proposals for the development of this site. The draft Development Brief will reflect best practice guidance as well as local stakeholder aspirations for the site. A key aim of the draft Development Brief is therefore to streamline and speed up the process of submitting and determining planning applications.
- 2.5 The draft Brief has been informed by a desk top analysis of the site and a resulting understanding of the strengths, weaknesses, opportunities and threats as well as an understanding of the existing policy position.

2.6 The site is allocated in the made Walton Neighbourhood Plan for residential, leisure or commercial uses.

2.7 The draft Brief proposes a mix of uses including residential, offices, retail, and a hotel.

Consultation

2.8 Formal consultation will be undertaken in accordance with the Council's current Statement of Community Involvement as well as the adopted protocol for preparing Development Briefs. The consultation will take place for a 6 week period during March - April 2018. Consultation will involve:

- Copies of Development Brief displayed in Central Library and Civic Offices
- Document published on Council's website, in the Members Weekly News, and Council's Consultation Finder
- Copies/web links of Draft Development Brief sent to Danesborough and Walton Ward Councillors and Walton Community Council
- Presentations to Parish Council and ward members (if requested).

3. Options

- (a) The "do nothing option" is to not undertake formal consultation on the draft Development Brief. This is not an option if the draft Development Brief is to be adopted by Cabinet as it would not comply with the Council's Statement of Community Involvement and the adopted protocol for preparing Development Briefs.
- (b) The preferred option is to gain authorisation to undertake a period of formal consultation so that the draft Development Brief can be made available publicly for stakeholders and the local community to comment on, with a view to preparing a final Development Brief that reflects, where appropriate, stakeholder and community comments.

4. Implications

4.1 Policy

The Development Brief is not a Key Council Document, nor is it a Development Plan Document.

4.2 Resources and Risk

It is anticipated that the consultation process will be undertaken from within existing resources.

There are no known risks associated with the proposed consultation.

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

4.3 Carbon and Energy Management

There are no known carbon and energy management implications associated with the proposed consultation.

4.4 Legal

Development Briefs prepared and adopted by the local planning authority are a legitimate tool to inform developers and other interested parties of the opportunities and restrictions of a site in planning terms. While it is possible to adopt a development brief as a supplementary planning document (“SPD”), it is not proposed that the Development Brief is adopted as an SPD in this instance. As such, it is not necessary to examine whether or not the document meets the legal requirements for SPDs.

Once approved the Development Brief, while not part of the Council’s Local Plan, is capable of being a material consideration in determining any forthcoming planning applications related to the site.

In the light of this advice, there is no real identifiable risk to the Council should it take the recommended action.

4.5 Other Implications

E-Government: The Development Brief will be made available on the Council website.

Stakeholders: Consultation with a wide range of stakeholders will be undertaken in accordance with statutory requirements and the MKC Statement of Community Involvement.

Equalities: This decision is not relevant in regard to equality issues.

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

Background Papers: None

Annex: Draft Caldecotte Site C Development Brief

Caldecotte Site C Development Brief

CONSULTATION DRAFT



www.milton-keynes.gov.uk/udla



This document has been prepared by
Milton Keynes Council's Urban Design
and Landscape Architecture Team.

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SECTION 1: INTRODUCTION

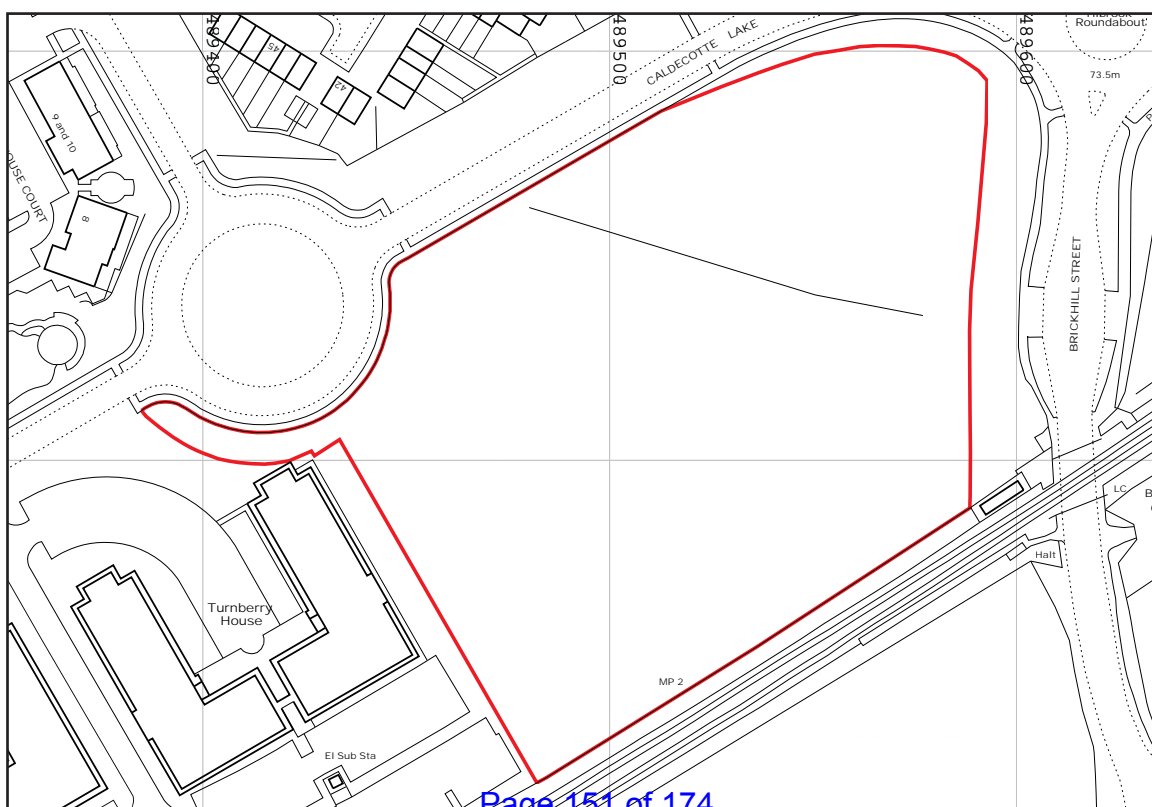
1.1 Location and Ownership

- 1.1.1 The site extends to approximately 1.9 ha (4.7 acres) and is located within Caldecotte grid square. The site is located at the junction of Brickhill Street (V10) and Caldecotte Lake Drive (see figure 1).
- 1.1.2 The site is in the ownership of Milton Keynes Development Partnership* (MKDP).

**MKDP is a limited liability partnership set up and owned by Milton Keynes Council to facilitate Milton Keynes's continued growth and economic success by promoting the development of land assets transferred to the council from the Homes and Communities Agency, in line with the Council's Corporate Plan and Economic*

Development Strategy. MKDP take a commercial and entrepreneurial approach to sell and develop these assets with third party developers and investors, whilst ensuring full community and stakeholder engagement in the preparation of development briefs for the sites.

It is a requirement on the MKDP that an adopted Development Brief must be in place before they commence marketing or developing any of their larger sites. This is intended to enable the Council, following consultation with all interested parties, to set clear expectations for the nature of any future development on the site; but also to assist the MKDP in marketing the site and to give potential bidders/development partners a degree of confidence about the parameters within which they should develop their proposals.



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Figure 1: The Site

1.2 Purpose of the Development Brief

- 1.2.1 The purpose of this document is to provide planning and design guidance for the development of this site in CMK. This will aid the development process, by allowing developers to submit informed proposals that respond to Council (MKC), landowner and other local stakeholder expectations for the site, and respect the requirements of MKC planning policy.
- 1.2.2 The Brief has been prepared to help deliver the Council's Corporate Plan Themes and Outcomes as well as the Core Strategy.
- 1.2.3 The consultation process associated with the preparation of this development brief is intended to give all interested parties full opportunities to set out their aspirations for the site and to identify constraints that need to be accommodated.
- 1.2.4 The Development Brief has been prepared to accord with current Planning Policy. A key aim though is to contextualise the policy for the site covered by the Brief. The Brief cannot formally change current policy, however there may be material considerations that suggest variations of current policy may be appropriate. Where this is the case, the Brief will state what they are and what the preferred use and/or variation in policy is. This will be weighed against the current policy when determining a planning application for the site.
- 1.2.5 Once approved by Milton Keynes Council Cabinet, the guidance contained within the Brief will be a material consideration in helping determine planning applications for the site.

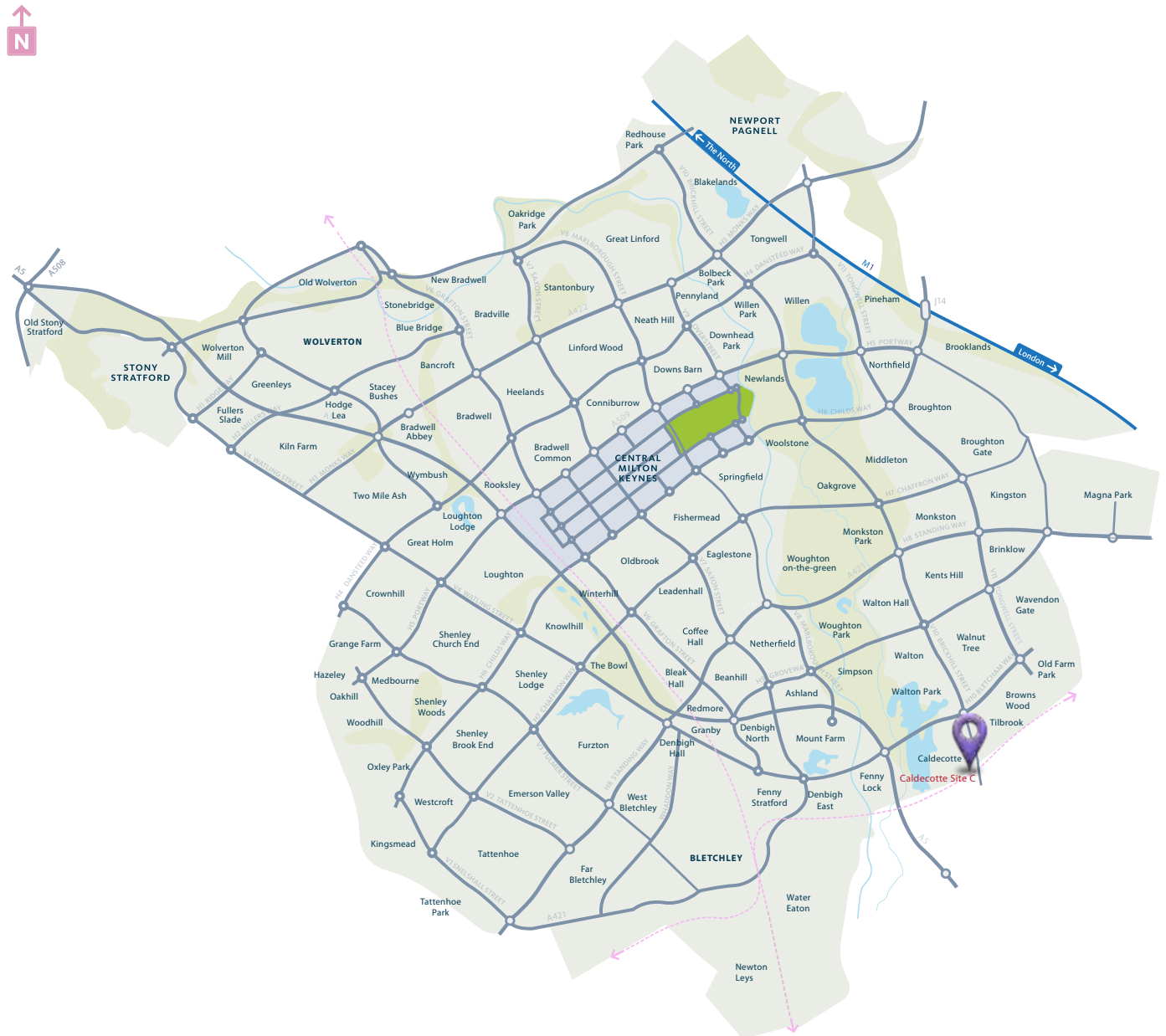


Figure 2: Site Location



Figure 3: Site Boundary

1.3 Structure of Brief

The Brief is divided into five sections:

Section 1 outlines the purpose of the brief, its location and ownership and other administrative information for developers.

Section 2 describes the planning policy context of the site.

Section 3 provides a site analysis of the site itself and the surrounding area. A thorough understanding of this will have an important bearing on the key design principles and parameters.

Section 4 outlines what the Brief is seeking to deliver in terms of land uses

Section 5 represents the Key Design and Development Principles, that should inform any development proposals. The accompanying Parameters Plan spatially illustrates the design principles.

SECTION 2: POLICY CONTEXT

2.1 National Planning Policy Framework

- 2.1.1 The National Planning Policy Framework (NPPF) was published in 2012. At the heart of the NPPF is a presumption in favour of sustainable development.
- 2.1.2 The following sections of the NPPF are of particular relevance to the development of this site:
- Building a strong, competitive economy
 - Requiring good design
- 2.1.3 As of 6 April 2015, National Planning Policy has been strengthened to make it clear that the Government's expectation is that Sustainable Drainage Systems (SuDS) will be provided in new developments. To this effect it is expected that, where planning applications are for major development, the Local Planning Authority must ensure that SuDS are put in place, unless demonstrated to be inappropriate.
- 2.1.4 Milton Keynes Council will therefore determine planning applications in accordance with national standards and local policy, whilst taking into account technical advice provided by the Lead Local Flood Authority.

2.2 Walton Neighbourhood Plan (January 2017)

- 2.2.1 The Walton Neighbourhood Plan was made part of the development plan in January 2017.
- 2.2.2 Once a Neighbourhood Plan has been agreed at a referendum and is made (brought into legal force) by the local planning authority, it becomes part of the local planning authority's

development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in a development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.

- 2.2.3 Policy WNP 6 (Caldecotte 'Site C') of the neighbourhood plan states that "Residential, commercial or leisure uses on the Caldecotte Site C will be supported. Development proposals will be expected to adhere to all of the development principles below:
- Residential proposals should not exceed 35 dwellings per hectare (net)
 - Development proposals should safeguard and incorporate the hedgerow frontage to Caldecotte Lake Drive into the layout of the development
 - Highway access to be taken from a new arm off Water Mill Roundabout – no highway access will be permitted directly to Caldecotte Lake Drive
 - An enhanced planting buffer to be provided to the railway line boundary to mitigate visual impact, and
 - All proposals should be designed so that they do not preclude the delivery of a preferred solution for a new railway crossing.

Provision of off street parking to address the current issues on Caldecotte Lake Drive, in addition to parking provision in line with Milton Keynes Council standards to serve the new development, would be supported and should be provided where possible.

2.2.4 Modelling has been undertaken in relation to the East/West Rail upgrade which indicates that a new bridge crossing is not required in this location. Consequently, proposals do not need to safeguard land for a new crossing.

2.3 Proposed Submission Plan:MK

2.3.1 The Proposed Submission Plan:MK consultation document was published in October 2017. It is anticipated that an examination will take place in summer 2018.

2.3.2 Plan:MK includes policies on place-making (SD1), sustainable construction (SC1), flood risk (FR2), biodiversity (NE2, NE3), heritage assets (HE2), open space (L4), design (D1-D4), housing (HN1-HN6), transport (CT1-CT4, CT5-CT6), parking (CT10), digital communications (CT9), promoting healthy communities (EH7) and infrastructure (INF1).

2.4 Milton Keynes Local Plan

2.4.1 The Milton Keynes Local Plan was adopted in December 2005. The following Local Plan policies have been ‘saved’ by the Secretary of State. They remain in force until superseded by policies in other development plan documents, e.g. Plan:MK.

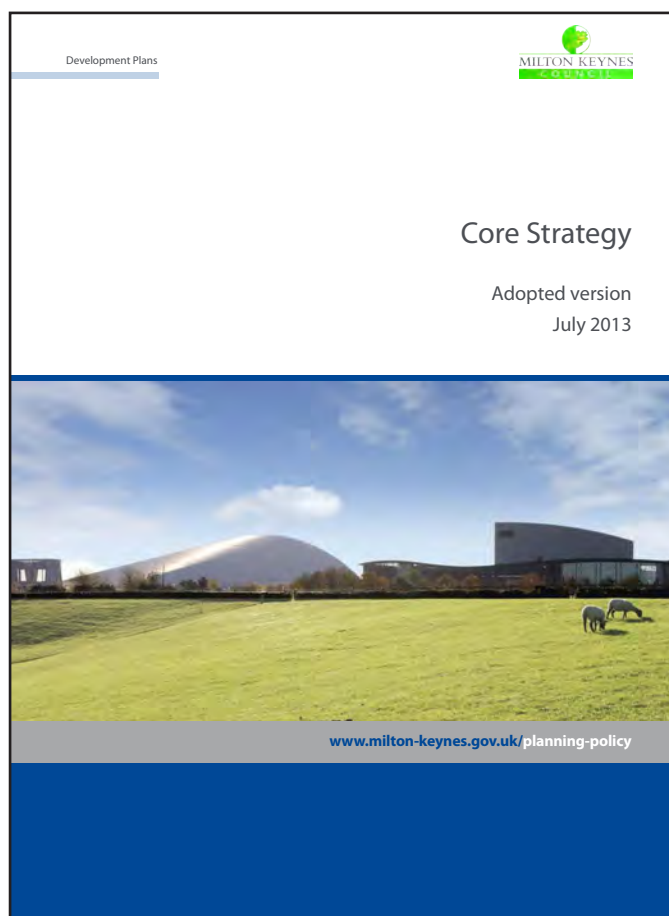
2.4.2 The site is allocated for employment use (Use Classes B1, B8).

2.4.3 Policy E7 (Retailing on Employment Land) states that “Planning permission will be refused for retail development on employment land, unless the retail use is either:

- (i) Ancillary to on-site production or storage; or
- (ii) Satisfies Policy R3 concerning car-related retail uses”

2.4.4 Policy D4 of the Local Plan sets out the Council’s requirements with regard to sustainable construction.

2.4.5 Policies D1 and D2 are general design policies that apply borough-wide. They look at the impact of development proposals on locality and the design of buildings. Policies T10 and T15 take account of traffic and parking provision respectively, while Policy T11 sets out the Council thresholds regarding whether or not a Transport Assessment/Travel Plan is required.



Core Strategy (2013)

2.5 Core Strategy

- 2.5.1 The Core Strategy was adopted in July 2013 and forms part of the development plan for Milton Keynes.
- 2.5.2 Policy CS3 allocates the site for employment use. Planning applications for more than 1,000 sq m of B1a/B1b uses on sites outside CMK will need to provide evidence that demonstrates why the development cannot occur in CMK.
- 2.5.3 Relevant Core Strategy policies include:
- Policy CSA National Planning Policy Framework - Presumption in favour of sustainable development
 - Policy CS4 Retail and Leisure Development
 - Policy CS11 A Well Connected Milton Keynes
 - Policy CS12 Developing Successful Neighbourhoods
 - Policy CS13 Ensuring High Quality, New Designed Places
 - Policy CS21 Delivering Infrastructure
- 2.5.4 Milton Keynes benefits from an innovative and strategic approach to open space provision and surface water management. In line with local policy contained within the Core Strategy, all new developments will be required to ensure that flood management is planned at the largest appropriate scale, providing sustainable and strategic surface water drainage as part of a network of multi-purpose open spaces.

2.6 Supplementary Planning Guidance (SPG)/Documents (SPDs)

- 2.6.1 The following Supplementary Planning Guidance/Documents (SPG/SPDs) should be

considered as material considerations when preparing any planning application for the site:

- Sustainable Construction SPD (2007)
- New Residential Development Design Guide SPD (2012)
- Parking Standards SPD (2016)
- A suite of Supplementary Planning Documents and Guidance relating to Developer Contributions

2.7 Council Plan

- 2.7.1 This Brief will, in particular, support the Key Priorities of “Housing” and “Economy”.

2.8 Planning Summary

- 2.8.1 The Walton Neighbourhood Plan supports residential, commercial and leisure uses. It requires developers to demonstrate that their proposals would not preclude the delivery of a preferred solution for a new railway crossing. However, modelling has been undertaken in relation to the East/West Rail upgrade which indicates that a new bridge crossing is not required in this location.



Parking Standards (2016)

SECTION 3: CONTEXTUAL ANALYSIS

3.1 Introduction

- 3.1.1 It is important to understand the existing site and surrounding area and their features, as this informs the layout and design principles for any redevelopment of the site. Figures 3 and 4 provide an analysis of the site and its context.

3.2 Surrounding Area

Land Uses

- 3.2.1 Immediately to the south of the site is the Marston Vale railway line. Further south is open countryside. To the east of the site is Brickhill Street, with Red Bull and the Tilbrook employment area further east.
- 3.2.2 To the north of the site is residential development. To the west of the site is office development. Further west is Caldecotte Lake.
- 3.2.3 There is a good quality play area within 400m to the north of the site.

Building Heights and Frontages

- 3.2.4 Adjoining office development is 2-3 storeys. Residential development to the north of the site is 2 storeys.
- 3.2.5 Residential development to the north of the site backs onto Caldecotte Lake Drive.

Public Transport Access

- 3.2.6 The nearest bus stops are located adjacent to the site on Brickhill Street. Bow Brickhill railway station is located adjacent to the site.

Building Appearance

- 3.2.7 Houses to the north of the site are built in a variety of brick colours and render with red pantile pitched roofs. However, these houses do not have a visual relationship with the site, due to the landscaping along Caldecotte Lake Drive, and do not form part of its immediate context.



View of interior of the site looking west



View of interior of the site looking south

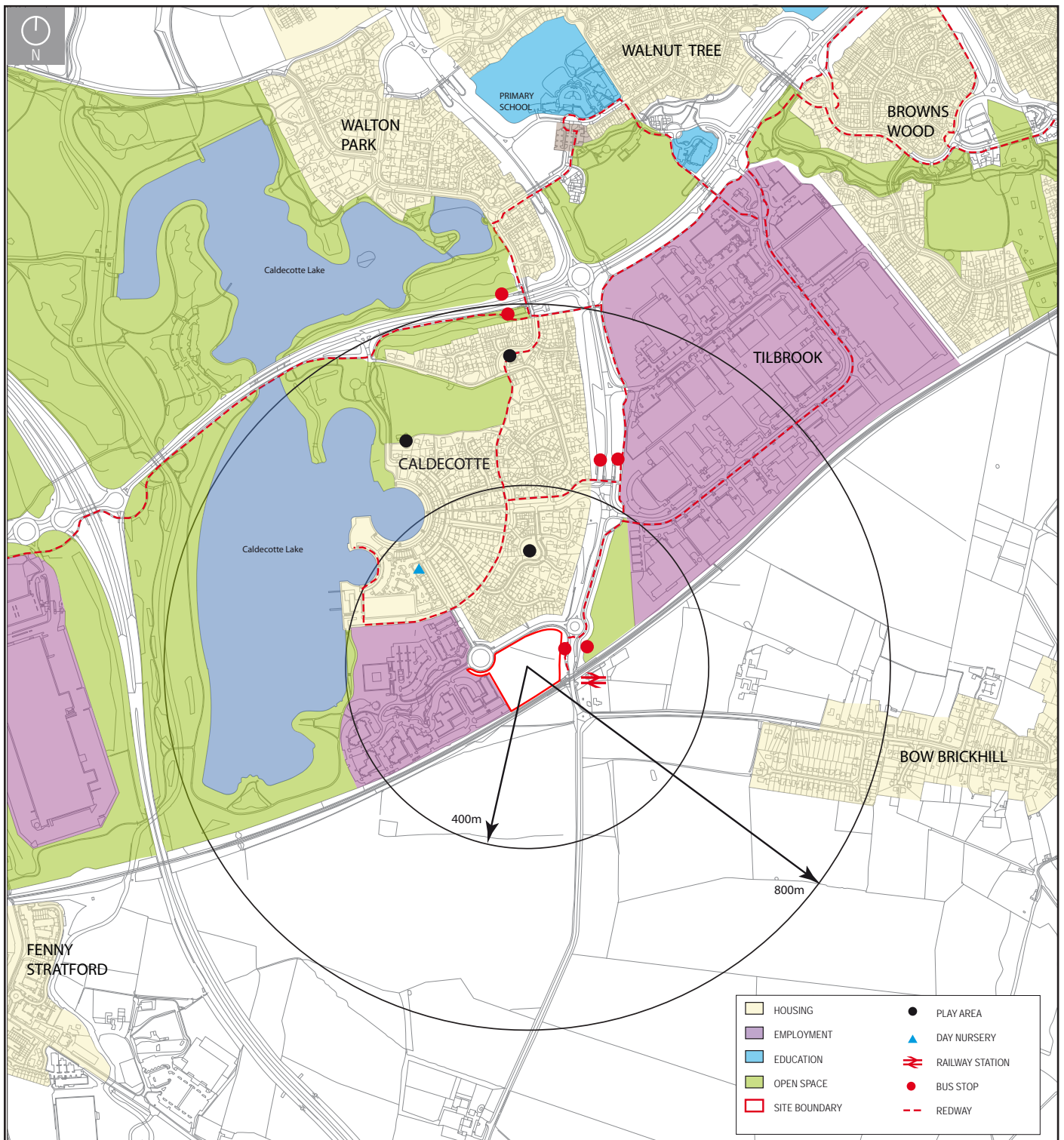


Figure 3: Surrounding Area

- 3.2.8 Adjoining office buildings are red brick, with significant areas of glazing.

Redway and footpath network

- 3.2.9 There is an existing redway which runs along the eastern side of Brickhill Street. There is a pedestrian footpath link from Caldecotte Lake Drive to the residential development to the north.

3.3 The Site

Topography and Landscape

- 3.3.1 The site is generally flat.
- 3.3.2 There is a hedge crossing the north-eastern corner of the site. The hedgerow and trees running diagonally across the site is the remnant of a field enclosure hedgerow.
- 3.3.3 The site is screened with planting from Brickhill Street. There is a line of trees along the boundary with the railway line.
- 3.3.4 There is a strong landscaped frontage to Caldecotte Lake Drive.

Vehicular Access

- 3.3.5 There is a roundabout at the north-western corner of the site (Water Mill Roundabout). An extra arm could be taken off Water Mill Roundabout to provide vehicular access into the site.



Caldecotte Lake Drive looking east.



Water Mill roundabout providing potential vehicular access point.



Line of trees along boundary with railway line.

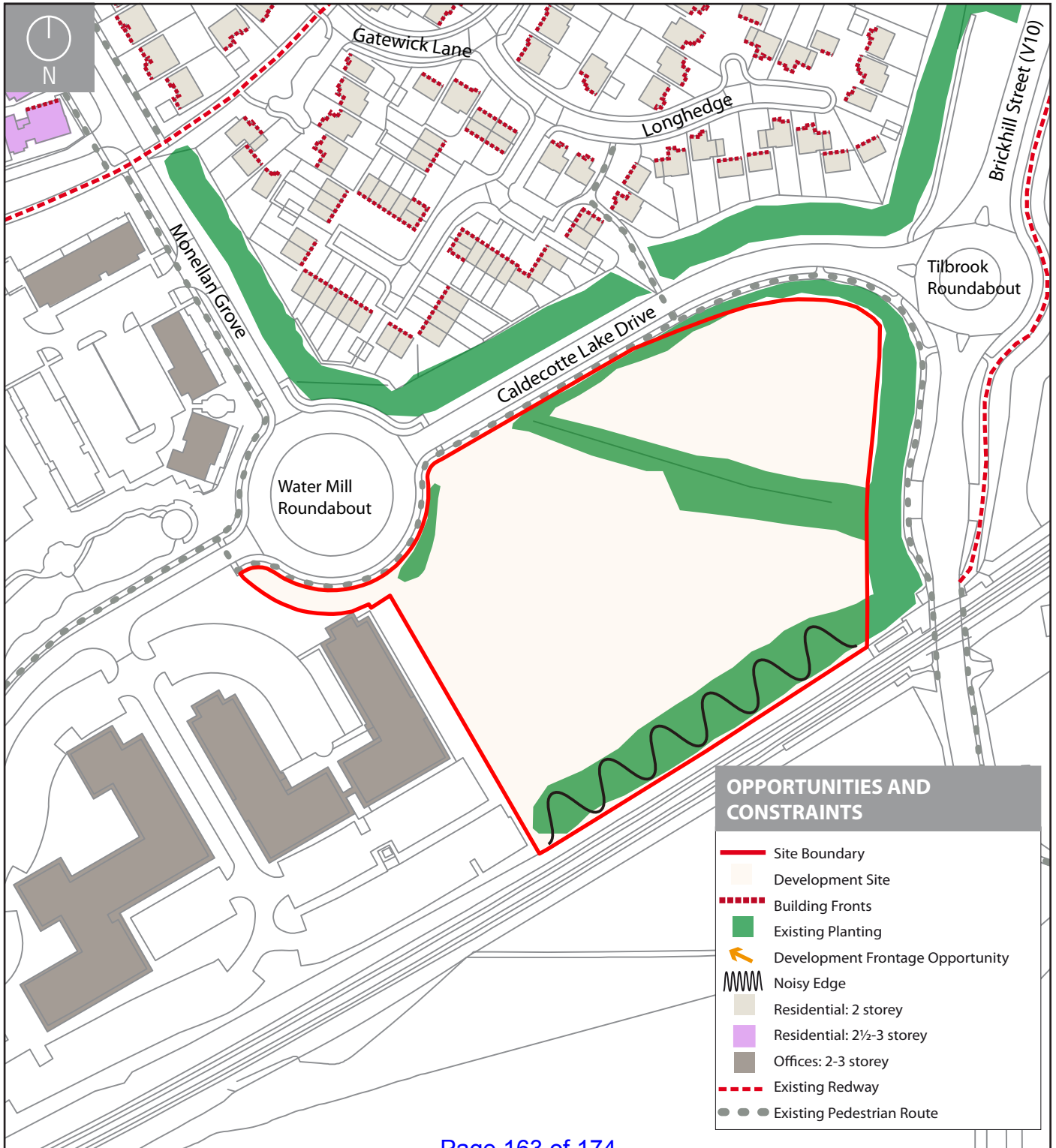


Figure 4: Site Analysis

3.4 Opportunities and Challenges

3.4.1 The preceding sections of the development brief provide an appraisal of the site's existing character and context.

Opportunities

- Site is adjacent to Bow Brickhill Railway Station on east-west rail line.
- Site is accessible by public transport, both bus and rail, and car.
- There is easy access to the redway network.
- Vehicular access can be provided off Water Mill Roundabout.
- The site is generally flat.

Challenges

- Noise from railway.
- Mature hedge and trees within site.
- Landscaping along Brickhill Street and Caldecotte Lake Drive reduces the site's visibility.
- Significant on-street parking, related to existing employment uses, occurs on Caldecotte Lake Drive.

3.4.2 The opportunities and challenges have served to underpin the rationale behind the approach and principles of this Brief and the Parameters Plan, outlined in section 5.



Pedestrian access to housing on northern side of Caldecotte Lake Drive.



Rail crossing on Brickhill Street.



Mature trees and hedgerow crossing the site.

SECTION 4: DEVELOPMENT OPPORTUNITIES

4.1 Development Opportunities

- 4.1.1 The planning policy context as outlined in Section 2 highlights that employment development uses are appropriate.

Employment

- 4.1.2 Employment use accords with Local Plan and Core Strategy policies. The site would be particularly appropriate for B1 use, given the nature of adjoining uses. Planning applications for more than 1,000 sq m of B1a/B1b uses will need to provide evidence that demonstrates why the development cannot occur in CMK.

Retail

- 4.1.3 Small-scale retail, as part of a mixed use development, would accord with the Walton Neighbourhood Plan. A small food store could serve both the existing businesses and adjoining housing.
- 4.1.4 Any application for retail development would need to satisfy the NPPF's sequential and impact tests.

Hotel

- 4.1.5 Hotel use would accord with the Walton Neighbourhood Plan.
- 4.1.6 Any application for hotel development would need to satisfy the NPPF's sequential and impact tests.

Housing

- 4.1.7 Residential use would accord with the Walton Neighbourhood Plan.
- 4.1.8 It is expected that 30% of the total housing will be provided as affordable housing, as outlined in the Council's Affordable Housing SPD adopted in 2013.
- 4.1.9 For developments of 50 dwellings or more, a Local Play Area should be provided on site. The play area should accord with the standards set out in Appendix L3 of the Local Plan.

SECTION 5: PLANNING AND DESIGN PRINCIPLES

5.1 Introduction

- 5.1.1 This section outlines the principles relevant to the design and development of the site. A Parameters Plan serves to spatially represent the key design principles.
- 5.1.2 Development proposals should be based on a thorough appraisal of the site's context.

5.2 Layout

- 5.2.1 The layout of development should respect the existing planting that exists on the northern and eastern edges of the site and be setback behind it. Development should be laid out and designed so that it fronts onto Caldecotte Lake Drive. As vehicular access is not allowed from Caldecotte Lake Drive, private drives should be included parallel to Caldecotte Lake Drive to provide frontage access to properties. The layout can be such that housing can front or back onto the other three boundaries.
- 5.2.2 Private areas created as part of the development should be inaccessible to the public.

5.3 Key Buildings and Frontages

Key Buildings

- 5.3.1 The north-eastern corner of the site is an appropriate location for a key building, which will assist with way-finding. It should be designed so that it is distinct from the surrounding buildings by virtue of its use, scale, architectural style, detailing or materials.

Frontages

- 5.3.2 The most important frontage is onto Caldecotte Lake Drive. Development should however overlook all other streets created as part of the development. In this regard care must be taken to avoid layouts and building footprints that result in blank elevations that front any of these routes.

5.4 Building Heights

- 5.4.1 Buildings should be predominantly 2-3 storeys in height. 4 storeys would be appropriate for a key building in the north-eastern corner of the site.

5.5 Detailed Design Appearance

- 5.5.1 The architectural approach to development should be informed by the contextual analysis.
- 5.5.2 As a general principle, the appearance of buildings should reflect Milton Keynes's ethos as a forward thinking, and innovative city. All buildings should be of exceptional design quality, should be well proportioned, should enhance their surroundings and be constructed from high quality, durable materials.

5.6 Sustainable Drainage

- 5.6.1 Sustainable drainage will be required to deal with surface water run-off on site. Measures that could be incorporated include green/brown roofs, rainwater harvesting systems, permeable pavements, and filter strips and swales.

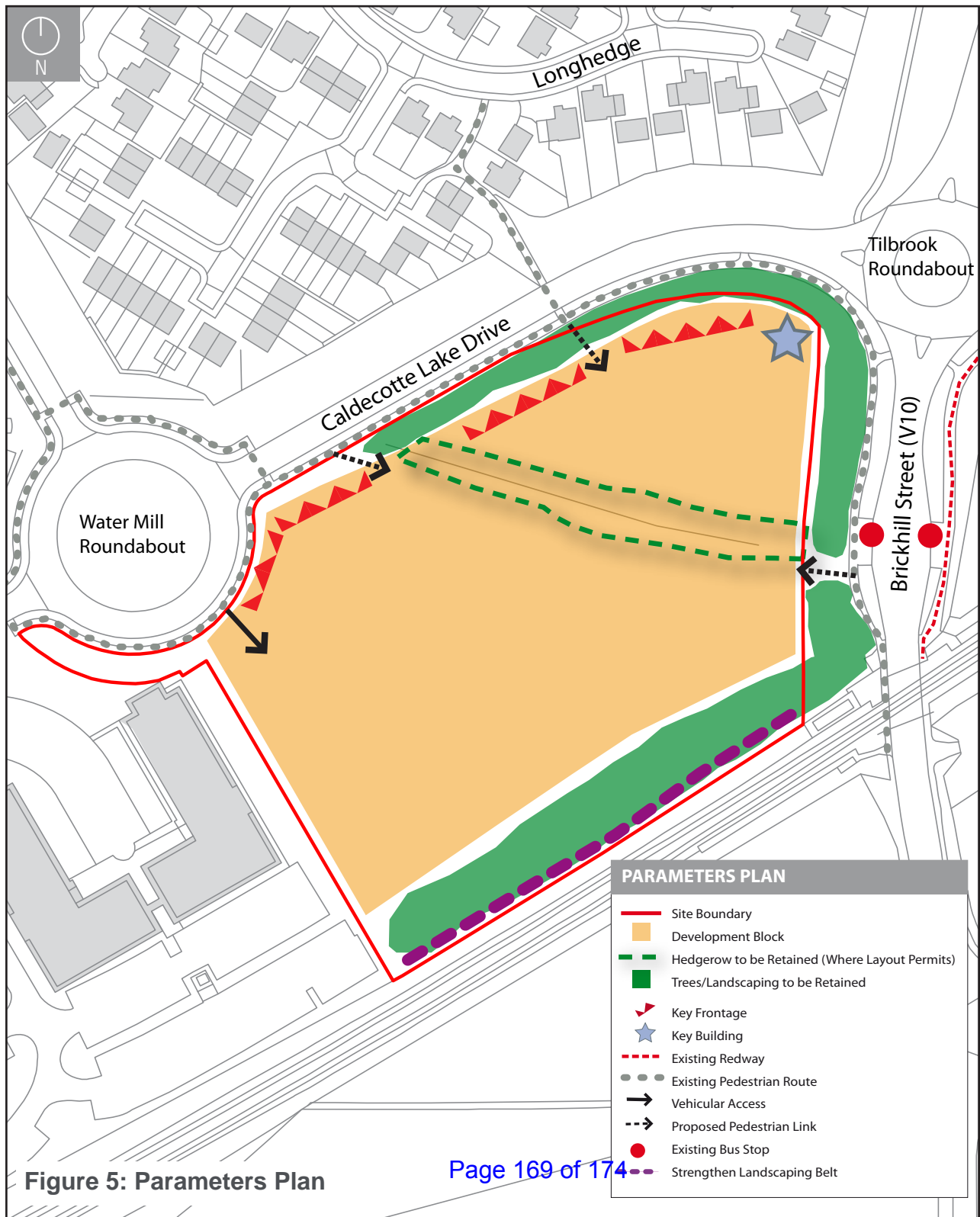


Figure 5: Parameters Plan

5.6.2 When making planning applications it is essential that, to get the best results, the integration of water and SuDS options are considered early in the site evaluation and planning process, not just at the detailed design stage. Full consideration of SuDS at the pre-application and outline stage is important to ensuring surface water management is fully integrated into the development, leading to an effective drainage design, providing multiple benefits and with costs considered from the outset. Further guidance and information can be found in the “Milton Keynes Council Surface Water Drainage; Local Guidance for Planning Applications”, which is available on the Council's website.

5.7 Sustainable Construction and Energy Efficiency

- 5.7.1 The Council's Local Plan Policy D4 and its supplementary Sustainable Construction SPD sets sustainability standards that will have to be considered as part of the overall design process.
- 5.7.2 To satisfy policy D4, developers will either need to produce a sustainability statement showing how the requirements of the relevant checklist in the SPD will be satisfied, or carry out a BREEAM assessment demonstrating how an excellent standard will be achieved.

5.8 Access and Movement

- 5.8.1 Vehicular access into the site will be taken as a fourth arm off Water Mill roundabout. This will result in an off centre alignment which will need further assessment as detailed designs

come forward. If this proves not to be possible, MKC's Highways team have confirmed that an access direct off Caldecotte Lake Drive would be an acceptable option.

- 5.8.2 Pedestrian/cycle links should be provided linking the development with the residential development to the north of Caldecotte Lake Drive and the bus stops and railway station on Brickhill Street.
- 5.8.3 Planning applications for proposals must include a Transport Assessment and a Travel Plan, produced in consultation with local transport providers and agreed with the Council. A Transport Assessment identifies what measures will be taken to deal with the anticipated transport impacts of the scheme and to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport.
- 5.8.4 Network Rail is concerned that development proposals for this area may impact upon the type and volume of user at the level crossing as well as increase the usage at the crossing. In the light of this, the Transport Assessment should include specific consideration of the impacts of pedestrian and vehicular traffic upon Bow Brickhill Level Crossing.

5.9 Parking

- 5.9.1 Car and cycle parking must be in accordance with Milton Keynes Council's Parking Standards.
- 5.9.2 For employment and commercial uses, car parking areas should be broken up with landscape and tree planting.

5.9.3 For residential uses, the location of parking should accord with the Car Parking Standards SPD.

5.9.4 Vehicle electric charging points should be provided in line with the Council's Car Parking Standards.

5.10 Public Realm and Landscaping

5.10.1 The landscape design should help to tie buildings together and create a coherent and unified structure for the site.

5.10.2 There is a heavily planted frontage to Caldecotte Lake Drive and Brickhill Street. This landscaping should be retained in order to provide a soft planted boundary to the development.

5.10.3 An enhanced planting buffer should be provided to the railway line boundary to mitigate visual impact. Developers should refer to Network Rail's "Recommended Planting Species" (July 2015) when selecting appropriate species to plant adjacent to or in close proximity to the existing railway boundary.

5.10.4 There is an existing hedgerow that runs across north-eastern corner of the site. Prior to development, a survey of the hedge should be undertaken to assess its quality and its biodiversity value. Subject to the findings of this assessment, the hedgerow should be retained where the layout permits. If it is not possible to retain the hedge, replacement planting should be provided elsewhere within the site.

5.10.5 There are a number of trees on the site. Prior to development, an arboricultural survey should be

undertaken which plots the location of the trees and assesses their quality.

5.10.6 Development proposals should be accompanied by a plan illustrating indicative landscape principles for the site.

5.11 Nature Conservation

5.11.1 The railway line to the south of the site is designated as a wildlife corridor in the Local Plan. There is an existing hedgerow and trees within the site which are likely to have biodiversity value. Any proposals for development will require a Preliminary Ecological Appraisal.

5.11.2 In addition, additional biodiversity improvements should be undertaken to satisfy the requirements of the Council's Local Plan Policy NE3.

5.12 Safety and Security

5.12.1 The layout of the development should avoid the creation of areas of public realm that are 'leftover' and not overlooked by any development, as they can become areas of anti-social behaviour. Furthermore, there should be no ambiguous space in terms of ownership.

5.13 Noise

5.13.1 The LPA and the developer(s), along with their chosen acoustic contractors, need to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway. Noise and Vibration Assessments should also consider the potential

for usage on railway lines to increase, e.g. increased frequency of trains, freight trains, bank holiday and weekend services, evening or night-services.

5.14 Superfast Broadband

- 5.14.1 All new developments are encouraged to provide superfast broadband. Larger developments of 30 or more homes can have the infrastructure installed for free if they start the application process very early in the lifecycle of their developments.

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