

Minutes of the meeting of the CABINET held on TUESDAY 10 JULY 2018 at 6.30 pm

**Present:** Councillor Marland (Chair)

Councillors Legg, Long, Middleton, Nolan and O'Neill

**Officers:** C Mills (Chief Executive), M Bracey (Corporate Director People), S Gonsalves (Acting Director of Policy, Insight and Communications), T Blackburne-Maze (Service Director [Public Realm]), T Darke (Service Director [Growth Economy and Culture]), M Kelleher (Service Director [Housing]), P Cummins (Head of Legal Services), J Cheston (Development Plans Manager), J Agar (Senior Practitioner [Taxi Enforcement]), K Evans (Senior Enforcement Officer), P Schofield (Senior Learning and Development Advisor), R Mascarenhas (Youth Participation Worker) and S Muir (Committee Manager).

**Also Present:** C MacDonald (Chief Executive Officer [Milton Keynes Development Partnership]) and three members of the Youth Cabinet, Councillors Bint, Brown, Crooks, Ferrans, Hosking, Geaney, A Geary, Khan, Marklew, McDonald, McLean, Morla, Rankine and Walker and 160 members of the public.

**Apologies:** Councillors Gowans and Priestley.

**C53 CABINET ANNOUNCEMENTS**

Councillor Marland thanked the Chief Executive for her contribution to the Council over the last four years on the occasion of her leaving the Council.

The best wishes of the Cabinet for the outgoing Chief Executive were noted.

**C54 MINUTES**

RESOLVED -

That the Minutes of the meeting of the Cabinet held on 6 June 2018, be approved and signed by the Chair as a correct record, subject to Councillor Morla's name being removed from the list of Cabinet members and Councillors Legg and Priestley's names being added to the list of Cabinet members,

**C55 DISCLOSURES OF INTEREST**

None were received.

**C56**

**DEPUTATIONS AND PETITIONS**

The Cabinet received a petition on behalf of residents in Greenleys from Ms Adamson and Alderman Fred Smith, requesting that the Rugby Fields, Field Lane Greenleys were not be closed or moved, which was presented to Councillor Legg, the Cabinet member for Customer Services.

Ms Adamson, in presenting the petition, indicated that the land was gifted to the residents by Milton Keynes Corporation for recreational purposes. Residents wished it to remain so and did not believe that building homes on this site was a good solution to the area's housing needs.

Councillor Legg accepted the petition on behalf of the Cabinet and indicated that it was his understanding that a meeting to discuss the issue had been arranged with Councillor Middleton, (Ward Councillor), which he would be happy to attend.

**C57**

**QUESTIONS FROM MEMBERS OF THE PUBLIC**

Question from Mr A Francis to Councillor Marland (Leader of the Council).

Mr A Francis asked Councillor Marland to clarify if the government grant of £1.75m awarded to Milton Keynes two years ago to acquire 11 electric buses had been received and when the buses would arrive.

Councillor Marland thanked Mr A Francis for his question and indicated that discussions between bus companies and eFIS (the electric bus enabling company) and the Council to establish a positive business case for bringing new electric buses to Milton Keynes were being facilitated and that the Government had extended the deadline to enable the project to be delivered during the current financial year.

In response to a supplementary question, Councillor Marland acknowledged Mr Francis's offer to mediate with Milton Keynes bus companies.

**C58**

**COUNCILLOR'S ITEMS**

Councillor Marland (Leader of the Council) indicated that the following two items would be considered together:

- (a) Willen Bridge - Item submitted by Councillor Crooks
- (b) Willen Bridge - Item submitted by Councillors Bint and Morris

The Cabinet considered an item submitted by Councillors Bint and Morris that asked that the Cabinet abandoned the proposal to build an additional bridge over the M1 near Willen, and to withdraw its application for government funding for this bridge, because of:

- (i) the absence of any consultation by the Council with Willen Residents, its Ward Councillors or its Parish Council prior to the bid submission;
- (ii) the absence of any scrutiny, any formal transparent public involvement of the Cabinet, or any public decision that residents or others could have contributed to or objected to, in respect of the bid submission;
- (iii) the overwhelming objection expressed by Willen residents to the proposed new bridge over the motorway;
- (iv) the absence of any credible evidence that an additional bridge was a necessary and sufficient solution to the perceived problem of getting traffic from the new homes into the rest of the Milton Keynes urban area; and
- (v) the fact that the land was designated (in the submission draft of Plan:MK) for development after 2031 and there was sufficient land suitable for development identified elsewhere in Milton Keynes for the housing needs of the current residents plus the target net inward migration of new residents into Milton Keynes over this timescale, without bringing this site forward in the way that was being proposed.

Councillor Crooks introduced his item and indicated that since he had submitted it, he had been advised that the Council had postponed the submission of the business case to the Government from September to December 2018, to allow the Council and Highways England to investigate alternative means of linking the proposed eastern developments in the draft Plan:MK, and reconfiguration of Junction 14 on the M1, and also that a stakeholders group was to be established.

Councillor Crooks also emphasised his concerns about the impact on the residents in Willen, the amount of resident concern about the issue, that residents must be invited to join the stakeholders group that was planned to be set up and as a compromise, that there should be no final decision to accept any Government funding without first having undertaken comprehensive consultation with residents.

Councillor Bint gave Councillor Morris's apologies and indicated that he and Councillor Morris did not support the building of a bridge for the reasons outlined in their item.

Councillor Bint also reiterated the comments that there had been no consultation with residents or parish and town councils about the matter, that there had been no Executive Decision nor Scrutiny Committee Decision to consider the bid

submission and that the current grid roads in the area, the H3 and H5, were already gridlocked at busy times.

Councillor Bint also indicated that the H4 at Tongwell Street was not a feasible alternative option due to the anticipated increased amounts of traffic that would use the bridge and also the resultant noise and pollution that would impact on residents.

The Cabinet also heard statements from residents who objected to the proposal and from Councillors Hosking and McClean (Ward Members for Olney) and Councillor A Geary (Ward member for Newport Pagnell North and Hanslope) who supported the reasons given by Councillors Bint and Morris to reconsider the bid, and added that Newport Pagnell and the rural villages in the east of the borough would be severely impacted by the building of the bridge to link any future housing developments on the eastern side of the M1.

Councillor Marland (Leader of the Council) thanked the members of the public and Ward Councillors for their comments, indicated that he understood their concerns and explained that:

- the bid was at a very preliminary stage, as the Council had only submitted an Expression of Interest to the Government, which had been shortlisted;
- the Cabinet was committed to continuing to develop a business case for infrastructure to support new development east of the M1;
- the Cabinet was committed to not considering any options that included Compulsory Purchase Orders;
- full consultation would take place through the preparation of a Development Framework for the site, and this had already started;
- a range of options was being explored to ensure traffic impacts were mitigated. The preferred option would be established based on the effectiveness of each option through traffic modelling and how deliverable each of the possible interventions was; and
- it was not in the interest of the borough to withdraw the expression of interest for funding until the outcome of Plan:MK , which was currently being reviewed by the Planning Inspectorate, was known.

Councillor Marland also indicated that should the Expression of Interest be successful, the required Executive Decisions would be made and there would be opportunities for consideration by the relevant Scrutiny Committee.

**C59**

**COUNCILLOR'S QUESTIONS**

- (a) Question from Councillor A Geary to Councillor Marland (Leader of the Council).

Referring to the Council's Development Plans Team and the weight given to Neighbourhood Plans, when evaluating planning applications, following two recent planning decisions in the Newport Pagnell North and Hanslope Ward, Councillor A Geary asked that the Service Director [Growth Economy and Culture]) ensured that proper weight was given to Neighbourhood Plans.

Councillor Marland indicated that the Service Director [Growth Economy and Culture]) would investigate the matter and provide a written response.

Councillor Marland also indicated that in the future it was the Cabinet's intention that villages, either in the urban or rural parts of Milton Keynes, should be protected or retain their own identity and Developers be encouraged to respect this position.

Councillor A Geary as a supplementary question, indicated that the first application he had referred to had subsequently been withdrawn, but nonetheless he welcomed Councillor Marland's response.

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

Referring to the collection and recycling of cardboard by the Councils contractors and Materials Recycling Factory (MRF), Councillor Rankine indicated that wet cardboard was not collected and all large, dry, cardboard items were required to be broken down and placed in recycling sacks for collection and recycling. Councillor Rankine also indicated that as water was used as part of the recycling process there should not be a problem with wet cardboard being collected and asked if this could now be collected by the Council's contractors.

In response Councillor Marland indicated that large items of dry cardboard and wet items of cardboard of any size could not be processed by the Materials Recycling Factory. Therefore they would not be collected.

**C60**

**UPDATE OF THE FUNDING PROPOSALS FOR YOUTH CABINET PROJECTS - REFERRAL FROM YOUTH CABINET**

The Cabinet received an update from the Youth Cabinet (YCab) detailing the funding proposals for projects using funds provided by the Cabinet

The YCab representatives indicated that £10,000 per year for three years had been provided by the Cabinet and the first year's projects

had funded Marketing & Promotional Material, events such as the MySayMK Conference and grant funding of £1,574.47 to support the Youth Information Service (YIS).

Councillor Nolan, the Cabinet member for Children and Families, thanked the Youth Cabinet for their work and for the detailed report.

**RESOLVED -**

That the funding proposals by the Youth Cabinet for projects be noted.

**C61**

**REFERRAL FROM COUNCIL 20 JUNE 2018 - TRAVELLERS**

The Cabinet considered a referral from the Council meeting held on 20 June 2018 that had asked the Cabinet to take immediate action on the issue of Travellers. The item was introduced by Councillor Marland, Leader of the Council. Councillor Marland indicated that the referral would be combined with Item 10 of the agenda, 'Unauthorised Encampments'.

It was reported that Milton Keynes had a number of gypsies and travellers that lived in the Borough who did not have permanent sites on which to camp. Such unauthorised encampments were defined by the Government as 'encampments of caravans and/or other vehicles on land without the landowner or occupier's consent and constituting trespass'. Unauthorised camping was not a criminal offence but a civil offence, giving landowners the right to repossess their property using the due process of law.

Councillor Marland summarised the proposed range of actions that it was anticipated would deliver short, medium and long term outcomes, and mitigating factors and solutions designed to resolve the issue of unauthorised encampments. Councillor Marland also reassured the affected communities that actions were being taken to minimise the consequences of the issue. These included:

- monitoring the effectiveness of new physical barrier projects and, if appropriate, to seek funding for further work if needed;
- agreeing to work with partners to agree a common process to ensure enforcement activity and removal of unauthorised encampments was as fast as possible;
- working with police and other agencies to ensure that any criminal or anti-social behaviour was recorded and dealt with properly, with input from the Environmental Crime Team;
- agreeing to obtain independent legal advice on securing wide ranging injunction(s) and make this advice available to councillors;
- investigating other appropriate means of protecting communities from unauthorised encampments;

- establishing a Traveller Liaison Partnership to share intelligence, co-ordinate appropriate actions and responses, seeking input from all relevant agencies and organisations, including local residents and the Gypsy and Traveller Community;
- seeking funding to identify, design and deliver sites to meet the assessed legal requirement of the Council;
- investigating the need and effectiveness for a transit traveller site;
- improving communication with residents and the community on this issue; and.
- that capital funding of £250,000 to improve physical security at sensitive sites to protect against unauthorised encampments be made available.

Councillor Marland recognised that there was considerable community tension around this issue in the Borough, despite a commitment from the Council to undertake specific measures to protect sensitive sites and work towards minimising the impact of unauthorised encampments. It seemed that the length of time such actions could take had not given confidence to local communities that the Council was committed to resolve the issues fairly and permanently.

Councillor Marland also clarified that the Council currently had no significant liaison with the gypsy and traveller community apart from enforcement activity or providing services to those travellers using permanent pitches, and requested that Revenue Funding of £65,000 for a Gypsy and Traveller Coordination resource to deliver a number of these activities, be agreed.

Councillor Marland also indicated that Officers were already gathering evidence to:

- assess whether any action could be taken against any individuals related to unauthorised encampments and environmental crime;
- allocate extra resources to the Environmental Crime Enforcement Team with a commitment to review this pressure during the budget process; and
- to support the significant and supportive partnership working with Thames Valley Police.

The Cabinet heard from Councillor Morla, who had moved the motion at the Council meeting, who explained her reasons for doing so and indicated that little progress had seemed to be made since the Council meeting (Minute CL25 refers).

Councillor Morla also requested a copy of the all the solutions together with a protocol from the Council and Police detailing the measures that could be taken and the reassurance that the Council was working in partnership with the Parks Trust and residents to resolve the issue.

The Cabinet heard from Councillors, Brown, Ferrans, Geaney, A Geary and Walker who spoke of similar problems in nearby estates, resulting in anti-social behaviour and damage to underpasses, lighting and littering problems, and referred to the costs of repairing these. They also welcomed the progress being made. Councillor Bint also spoke and referred to Police action under s21 powers and indicated he was not convinced that permanent pitches would resolve the issue.

The Cabinet also heard from local residents who were concerned about the cost of repairs to local taxpayers, lack of progress in issuing injunctions to move travellers on and the lack of permanent traveller's pitches in Milton Keynes. Residents and Councillors were also concerned that the legal advice obtained by the Council to issue injunctions was not good and was taking too long to obtain.

Councillor Marland summarised that damage to underpasses, broken street lights and littering problems should be fixed quickly and asked the Service Director [Public Realm]) to investigate and provide a time-table for this work.

Councillor Marland indicated that evidence of unauthorised encampments, criminal and antisocial behaviour was being gathered; however public expectations needed to be managed, e.g. if travellers arrived at a place on a Friday evening, the Council would be unable to respond until the following Monday morning.

Councillor Marland acknowledged that there were no quick fixes and that injunctions taken out by other Councils had been the result of years of work which was not seen by the public and also indicated that when the legal advice was received it would be assessed to ensure that it would make fast improvements to resident's lives and that the details would be circulated.

#### RESOLVED -

1. That capital funding of £250,000 to improve physical security at sensitive sites to protect against unauthorised encampments be made available.
2. That the effectiveness of new physical barrier projects be monitored and, if appropriate, funding be sought for further work if needed.
3. That it be agreed the Council would work with partners to agree a common process to ensure enforcement activity and removal of unauthorised encampments is as fast as possible.



4. That it be agreed the Council would work with the police and other agencies to ensure any criminal or anti-social behaviour was recorded and dealt with properly, with input from the Environmental Crime Team.
5. That it be agreed that independent legal advice on securing wide ranging injunction(s) be sought and that this advice be made available.
6. That other appropriate means of protecting communities from unauthorised encampments be investigated.
7. That a Traveller Liaison Partnership post be established to share intelligence, co-ordinate appropriate actions and responses, seeking input from all relevant agencies and organisations, including local residents and the Gypsy and Traveller Community.
8. That funding be sought to identify, design and deliver sites to meet the assessed legal requirement of MK Council;
9. That the need and effectiveness for a transit traveller site be investigated.
10. That communications with residents and the community on this issue be improved.
11. That revenue funding of £65,000 for a Gypsy and Traveller Coordination resource to deliver a number of these activities be agreed.

**C62**

**REFERRAL FROM COUNCIL 20 JUNE 2018 - FLOODING**

The Cabinet considered a referral from the Council meeting held on 20 June 2018 with reference to Flooding, that was introduced by Councillor Walker and which asked the Cabinet to:

- (a) publish a report detailing the current status of all drains, culverts, watercourses and current flood mitigation schemes, along with planned improvements to drainage following the outcome of the independent review, if required;
- (b) ensure that all existing planned flood protection schemes are completed by November 2019;
- (c) review planning guidance for new housing developments to ensure how future developments can best deal with sustained periods of extremely heavy rainfall, the incidence of which appears to be growing as a consequence of climate change; and
- (d) investigate how some current issues can be addressed, e.g. houses on some estates are below the street level, communal drains are now on private property, how houses on Netherfield can maintain a standard roof line and on Coffee Hall and Tinkers Bridge where the street structure was

designed so as to lead to many houses to be below the street level”.

Councillor Marland in response, indicated that an urgent report considering the Flooding issues during the bank holiday weekend of the 26 to 28 May 2018 had been considered by the Cabinet at its meeting on 6 June 2018 (Minute C08 refers).

**C63**

**REFERRAL FROM COUNCIL 20 JUNE 2018 - MILTON KEYNES REGISTER OFFICE**

The Cabinet considered a referral from the Council meeting held on 20 June 2018 which asked the Cabinet to review the decision taken to relocate the Council’s registry office from Bracknell House in Bletchley to the Civic Offices, as requested in a petition submitted to the Council meeting that numbered over 3,500 signatures.

Councillor Rankine introduced the referral and indicated that the number of signatures that had been collected overwhelmingly illustrated the concerns of residents about the proposal to relocate the Borough’s registry office from Bracknell House in Bletchley to the Civic Offices in Central Milton Keynes.

Councillor Marland thanked Councillor Rankine for highlighting the issue and explained that Bracknell House in Bletchley was a listed building and it was therefore difficult and expensive to carry out the necessary modifications to comply with the Disability Access legislation, to enable those with disabilities and parents with buggies to access the building to register births, weddings and deaths. Additionally, the current layout with offices upstairs and waiting areas in corridors was inadequate and unsuitable for people to wait in during stressful times. Also, the weddings suite could only accommodate up to 30 wedding guests which was unsatisfactory in many cases.

Councillor Marland stated that the new Registry area on the ground floor of the Civic Offices was a modern, purpose built area with separate public access to the Civic offices, accessible waiting areas, interview rooms and a much larger weddings suite.

Councillor Marland also indicated that Bracknell House would continue to be available for smaller events and the use would be monitored. It was also anticipated that continued community use of Bracknell House, in partnership with parish and town councils and community groups, would be investigated.

**RESOLVED -**

That the response be noted.

## **REGENERATION - BALLOT ARRANGEMENTS AND AMENDMENTS TO THE YOUR:MK PARTNERSHIP AGREEMENT WITH MEARS GROUP PLC**

The Cabinet considered the ballot arrangements and amendments to the Your:MK Partnership agreement with Mears Group PLC which were part of the Regeneration programme and were presented by Councillor Long, the Cabinet member for Housing and Regeneration.

It was reported that in accordance with Cabinet's decision on 2 January 2018 (Minute C109 refers) the implications of a 'No' vote had been assessed and the outcomes indicated that in the case of a "No" vote the following would apply:

- the Council would continue to invest in its housing stock from within the Housing Revenue Account, but its ability to help improve people's life chances and lift people out of poverty would be reduced, with the priority estates being likely to remain amongst the most deprived areas in England as a result.
- tenants in the priority estates would continue to benefit from repairs and maintenance services, (including investment in the replacement of kitchens, bathrooms, boilers, etc.) in line with the priorities and standards set through the proposed consultation on the Housing Revenue Account Business Plan.
- for tenant and non-tenant residents, the implications of a NO vote would be that there would be no significant improvements in the physical environment of their area.

It was also reported that the proposed changes to the YourMK Partnership Agreement with Mears Group PLC included bringing the Neighbourhood Employment Team and the community engagement function back to the Council, clearly badging the repairs work as being undertaken by Mears Group PLC and bringing the management of this contract to the Council. Changes in the structure, operation, and senior management of the YourMK LLP regeneration partnership were also being sought.

It was further reported that the implications for Regeneration be noted, an additional £199k from the Housing Revenue Account to fund an asset management team be approved from 2019/20 onward with an additional £135k allocated for the remainder of 2018/19 to cover the in-year pressure having been agreed, and that the Corporate Director (Place) be delegated to negotiate and agree changes to the Partnership Agreement with Mears Group PLC, in consultation with the Cabinet Member for Housing and Regeneration.

Councillor Long introduced the item and indicated that the issue of Regeneration of estates in Milton Keynes was extremely important,

should be driven and approved by residents, and summarised the proposed community engagement functions.

Councillor Long also indicated that the Residents Steering Groups had been set up in each red line regeneration area for Regeneration, which would formally decide on a ballot date for that area.

The Cabinet received a number of questions and comments from 19 residents that included:

- A request for a response to the February 2018 Fullers Slade Residents Association (FSRA ) submission to the Cabinet Regeneration Sub Committee of a fully costed critique of 'Options' for Fullers Slade. This had been forwarded to the Services Director of Housing and Regeneration to be submitted to Savills for evaluation and validation and the results fed back to the FSRA. There had not yet been a response and confirmation was requested that:
  - (a) the FSRA report and proposal was submitted to Savills; and,
  - (b) if Savills did produce a report, when would the FSRA receive the feedback?
- Concerns about the formation of the Residents Steering group in Fullers Slade and reassurance that in future this would work together with the Fullers Slade Residents Association.
- Lack of scrutiny of the resident engagement process.
- Independent Chair's be appointed to resident Steering Groups to ensure the Terms of Reference or Constitutions were followed.
- Milton Keynes Council should engage with the Residents of Regeneration of Estates (RORE) group.
- Serpentine Court (Lakes Estate) was not fit for purpose and needed to be demolished and replaced. Housing assessments, consultation, resident engagement had been carried out and to stop now would lose all the good faith built up with residents
- Residents of Serpentine Court felt alienated and embarrassed to tell people where they lived and wanted to live in modern houses with up to date heating, insulation, bathrooms and kitchens that they could be proud of.
- Residents at Serpentine Court were engaged in the process and eagerly anticipated the replacement and renaming the building as this would improve their health and wellbeing, job prospects, children's futures and life chances.

- Residents in regeneration areas needed to have their expectations managed.
- What were the budgets and parameters for Regeneration?
- There were two sides to every story and whilst some in Regeneration areas wanted new homes, others did not.
- Residents wanted to know the timelines, so they could plan their futures.
- Only the views from those within the redline areas of each Regeneration site should be listened to.
- Residents in each redline area needed to be engaged with on a 1:1 basis to ascertain their needs.
- Restarting the process would damage the trust with residents and views previously submitted would be ignored.
- It was good that Serpentine Court was subject to Regeneration soon, but the project needed to be widened out to include the whole of the Lakes Estate, as proposed in the Neighbourhood Plan.
- 65% of residents surveyed by the Tinkers Bridge Residents Association indicated they wanted to stay in their current home.
- Regeneration models from other local authority areas should be used e.g. Preston.
- The topic should be deferred to a later date.

The Cabinet also heard from Councillors Ferrans, A Geary, Khan, Marklew and Walker who indicated that:

- Regeneration was a very complex area, and being involved in a Regeneration area was an extremely stressful issue and therefore needed excellent communications and engagement.
- The proposed changes to the Your:MK Partnership Agreement with Mears Group PLC were further increasing the uncertainty for affected residents.
- The Council needed to listen to residents and trust them.
- A one size fits all approach could not be taken in Regeneration.
- The positive aspects of the Regeneration needed to be highlighted.
- The Serpentine Court Ballot should be brought forward.
- The Council needed to provide direction and scrutiny of Your:MK.

- Each stage of the process needed to be understood by residents.
- Resident Steering Groups should represent a good cross section of residents on each estate.
- That engagement should be resident led in Fullers Slade.
- Residents in the red line areas were the most affected and needed the most support.
- It was clear that approaches worked differently in different areas and the suggested changes were difficult to understand.
- There was a contradiction in the messages being communicated.

Councillor Long thanked all for their comments and views and indicated that:

- With reference to the Fullers Slade Residents Association critique, this had been forwarded to Saville's and a response had been received the previous day that was currently being assessed and would be forwarded to the Fullers Slade Residents Association in due course.
- He was happy to meet with the Residents of Regeneration of Estates (RORE) group but would continue to work with the Milton Keynes Residents Steering Groups and Residents Associations.
- The living conditions at Serpentine Court were dreadful and maintenance and repairs would not resolve the problems, therefore, a ballot to ascertain the way forward would be carried out.
- The wider Lakes Estate could be included as a Regeneration Project at a later stage of the programme.
- It took many years to build up trust in the Regeneration areas. Fullers Slade was the first phase of the Regeneration programme and the lessons learned and good practice would be incorporated into subsequent phases.
- The Cabinet had a responsibility to spend the Reserves in the Housing Revenue Account prudently, therefore the Regeneration programme would be completed by phasing the different projects. The Council did not have the power to borrow to accelerate the project.
- The funding being used was from the Housing Revenue Account and not from Council taxpayers.
- At no point had any Cabinet member indicated that estates would be demolished. However, if the tenant's ballot on each

Regeneration area decided on that option then the Council would abide by that decision.

- Whilst the Council supported the Residents Associations, different models of engagement were required to achieve the Regeneration phases.

Councillor Marland thanked all those who had attended and had spoken, and summarised that it was not easy to make a decision that affected peoples lives so closely. Every area was different and that whilst Serpentine Court was an exemplar of the process, this did not mean that it would be the correct approach for other areas in Milton Keynes.

Councillor Marland also indicated that the recent flooding incident in some areas, that included the Regeneration Areas, illustrated the lack of proper housing maintenance, and underfunding of the service for the last 40 years. This was also reflected in the evidence from Serpentine Court residents that had been handed out at the meeting stating that that the building was not fit for purpose and had never been properly maintained.

Councillor Marland also stated that the residents of Serpentine Court had led the design process for the Regeneration of that building and the ballot would move the project forward.

**RESOLVED -**

1. That the ballot arrangements be noted.
2. That the implications of a "NO" vote, particularly in respect of the Housing Revenue Account, and the role of Council tenants in informing and shaping investment priorities be noted.
3. That the proposed changes to the Your:MK Partnership Agreement with Mears Group PLC be agreed.
4. That the implications for Regeneration be noted.
5. That it be agreed that an additional £199,000 from the Housing Revenue Account to fund an Asset Management team be approved from 2019/20 onwards, with an additional £135,000 allocated for the remainder of 2018/19 to cover the in-year pressure.
6. That the Corporate Director (Place) be delegated to negotiate and agree changes to the Partnership Agreement with Mears Group PLC, in consultation with the Cabinet Member for Housing and Regeneration.

**C65**

### **THE HOUSING REVENUE ACCOUNT BUSINESS PLAN**

The Cabinet considered approving the Housing Revenue Account Business Plan, which was presented by Councillor Long, the Cabinet member for Housing and Regeneration.

It was reported that the Housing Revenue Account Business Plan was a key part of the Council's long term financial planning and set out how the Council proposed to deliver and finance services to tenants, and investment in their homes, over a 30-year period. These services and investment plans were informed by the Council Plan, the Housing Strategy, and by the expectations and wishes of Council tenants.

It was also reported that the Business Plan was constrained by the resources available, which were a combination of tenants' rents and service charges, capital receipts, and prudent levels of debt finance.

Councillor Long indicated that in order to finalise the Housing Revenue Account Business Plan, tenants would be consulted on a range of issues, in order to better reflect their expectations and wishes.

Councillor Long also indicated that a further report would be brought to Cabinet in November to report the results of the proposed tenant consultation, include an update of the Housing Revenue Account Business Plan to reflect the results, and to propose a 5-year Investment Programme to cost-effectively plan and deliver investment in the housing stock in the medium term as part of the budget-setting process for 2019/20.

The Cabinet also heard from Councillor Ferrans, Chair of the Community and Housing Scrutiny Committee, who welcomed the report and indicated that it would be considered at the next meeting of the Community and Housing Scrutiny Committee, which was crucial to the process.

**RESOLVED -**

1. That the progress toward finalising a 30-year HRA Business Plan be noted.
2. That a 12 week consultation with tenants on options and priorities for Housing Revenue Account investment, to inform a finalised Housing Revenue Business Plan be approved.
3. That it be noted that a further report be brought to Cabinet in November 2018 to report the results of the proposed tenant consultation, and to include an update of the Housing Revenue Account Business Plan.

**C66**

**DRAFT HOUSING STRATEGY FOR MILTON KEYNES**

The Cabinet considered the Draft Housing Strategy for Milton Keynes, which was introduced by Councillor Long, the Cabinet member for Regeneration and Housing.

It was reported that it was intended that the strategy set clear direction on housing for all of those involved in building or managing homes, not just for the Council as having access to a good quality housing that was truly affordable was key to being able to lead a



healthy, active and happy life. Poor quality housing damaged health, reduced children's school attainment and strained relationships.

It was also reported that the strategy offered a holistic approach to:

- build enough housing for everyone ,that was truly affordable so that no-one in Milton Keynes need end up homeless;
- improve the quality of all homes, existing and new;
- do more to support those facing housing crisis and ensure that people could live independently in their own home for as long as they wished;
- ensure that all Council tenants and leaseholders had the best quality homes and services possible; and
- ensure that the Council stood as an exemplar of best practice.

The Cabinet also heard from Councillor Ferrans, Chair of the Community and Housing Scrutiny Committee, who welcomed the strategy and confirmed that the Community and Housing Scrutiny Committee would be considering it at its next meeting.

**RESOLVED -**

1. That the draft Housing Strategy as a statement of the Council's Housing priorities for the period 2018 to 2023 for a 12 week period of public consultation be approved.
2. That it be noted that a final Housing Strategy for the period 2018 to 2023 would be brought back to the Cabinet, following consultation, for approval and recommendation to Council for adoption.

**C67**

### **ADOPTION OF THE MILTON KEYNES SITE ALLOCATIONS POLICY**

The Cabinet considered adopting the Milton Keynes Site Allocations Policy, which was introduced by Councillor Legg, the Cabinet member for Customer Services and Planning Policy.

It was reported that the most recent stage of the Plan's preparation process was the independent public examination of the Plan. As part of this, public hearing sessions were held on 12 and 13 September 2017.

The Planning Inspector conducting the examination then initiated a consultation between February and April 2018 on a schedule of modifications which he deemed to be necessary in order to make the Plan 'sound' and legally compliant.

The consultation had now been carried out and consequently, the Planning Inspector's Report on the examination of the Milton Keynes Site Allocations Plan, received on 12 June 2018, had now been

found to be 'sound' and legally capable of being adopted. The Plan could therefore be adopted by the Council as part of the formal 'development plan' for the Borough and thus be afforded full weight in the determination of planning applications and at appeals.

It was also reported that the alternative option would be to not agree to adopt the Site Allocations Plan. This was not recommended because it would be contrary to a commitment contained in the 2013 Core Strategy. It would also remove approximately 995 homes from the Council's housing trajectory, leaving the Borough more vulnerable to speculative planning applications for housing on 'windfall' sites, on the basis of not having an identified five-year housing land supply.

RESOLVED -

That the Council be recommended to adopt the Milton Keynes Site Allocations Plan.

**C68**

### **AMENDMENTS TO THE TAXI LICENSING POLICY**

The Cabinet considered adopting the amendments to the Taxi Licencing Policy, which was introduced by Councillor Legg, the Cabinet member for Customer Services and Licensing and Regulatory Services.

It was reported that on 14 March 2018 the Regulatory Committee considered reports from officers recommending amendments to the Milton Keynes Council's (MKC) Taxi Licensing procedures to improve its customer service; facilitate online systems; and deal with the issue of cross-border hiring and its adverse impact on the safety of Milton Keynes' residents, and the Taxi Licensing Service budget.

It was therefore recommended by the Regulatory Committee that the Council's Hackney Carriage & Private Hire (Taxi) Policy be revised by:

- (a) imposing a condition on all drivers that they must undertake 'safeguarding' training;
- (b) creating a new verbal driver testing processes known as 'Driver Assessment Suitability'; and
- (c) removing the restrictions regarding rear tinted windows.

Councillor Legg stated that the Council had experienced a significant increase in Private Hire Vehicles licensed by other Councils working within its district boundaries over the past 2-3 years. Whilst the Council was addressing the problem of defects on these vehicles with vehicle suspension powers delegated by South Northants & Aylesbury Vale Councils, these powers did not allow the Council to take remedial action against out of town drivers, as this power remained with the Authority that had issued the licence.

**RESOLVED -**

That the following amendments to the Council's Hackney Carriage and Private Hire (Taxi) Licensing Policy be approved:

- (a) revisions to permit 'online' applications;
- (b) adding the requirement that all drivers must undertake 'Safeguarding' training;
- (c) adoption of a new testing process known as 'Driver Assessment Suitability' which would replace the induction and knowledge test; and
- (d) removal of the requirement that licensed vehicles must have rear tinted window transmissibility of 50%.

**C69**

**AMENDMENTS TO THE STREET TRADING POLICY**

The Cabinet considered adopting the amendments to the Street Trading Policy, which were introduced by Councillor Legg, the Cabinet member for Customer Services and Licensing and Regulatory Services.

It was reported that although there was no legal requirement under the Local Government Miscellaneous Provisions Act 1982 for the Council to have a policy, it was good practice to do so as it provided published guidance on procedures and standards. The policy provided guidance where legal requirements were not established and it was anticipated this would assist consistent decision making.

It was also reported that the Policy stated that it was to be reviewed every 3 years, but a review could be triggered at any time by a change in legislation or other relevant factors. In this case, other relevant factors have required changes to the policy which could be revised without going out to consultation when introducing minor changes. Minor amendments were being proposed to clarify specific terms in the Milton Keynes Street Trading Policy and these amendments needed to be adopted by the Cabinet.

Councillor Legg indicated that subsequent to the Council's response to a query from Cripps LLP, representing Hermes Investment Management, it was determined that clarification should be given in the Policy that a 60 metre boundary of designated streets did not apply to any internal shopping mall, permanent structures with covered areas and the outdoor walkways within the shops jurisdiction such as at the Centre:MK. This would apply to all premises of this type within the Borough and the relevant Paragraph 2.4 of the Policy had been amended accordingly.

Councillor Legg also indicated that on 14 March 2018 the proposed amendments to the policy were considered by the Regulatory Committee and recommended for adoption by the Cabinet (Minute RC27 refers).

Councillor Legg also stated that the Policy amendments included the following:

- (a) that a mandatory requirement that the street trading consent permit summary was to be displayed within the food mobile where it can be easily read by members of the public, when trading;
- (b) that the mandatory minimum food hygiene rating be expanded. (Added at 10.2 (e) of the Policy);
- (c) that the Market exemption definition be expanded. (Added at 24.4 and 24.5 of the Policy); and
- (d) that the Community event exemption definition be expanded. (Added at 2.3.1 of Policy).

RESOLVED -

That the revisions to the Milton Keynes Council Street Trading Policy be adopted.

**C70**

#### **THE LITTER ACTION PLAN 2018 -2020**

The Cabinet considered adopting the Litter Action Plan 2018-2020 which was introduced by Councillor Marland, Leader of the Council.

It was reported that the five theme 'Litter Action' included service efficiency, community-led initiatives to reduce litter including working with parishes and town councils, dedicated communications and enforcement approaches, working with the Councils partners, and improving and enhancing the customer journey for reporting littering issues.

It was anticipated that the five themes would be combined into a suite of actions to improve the living environment of the residents of Milton Keynes and to also communicate, educate and enforce, and where necessary, to steer appropriate behaviour expected from residents.

It was also reported that the Environmental Offences (Fixed Penalties) (England) Regulations 2017 amended S.88(6A)(a) of the Environmental Protection Act 1990 allowed the amounts for litter Fixed Penalty Notices (FPN's) to be not less than £50 and not more than £150 (from April 2018 to March 2019) and from £65 to £150 from April 2019. S.6 of the Regulations set a default amount for these offences at £100.

Councillor Marland explained that as a result of resources being deployed from the enforcement team to deal with unlawful encampments, as indicated at Minute C61 above, and after discussions between himself, the Cabinet member responsible for Public Realm and the S151 Officer, and to reflect the priority of tackling litter, one off funding of two enforcement officers had been approved to deal with litter and environmental crime. The overall budget would be reviewed during the budget setting process.

The Cabinet heard from Councillor Nolan, the Cabinet member for Children and Families, who indicated that an Awards Scheme for the Best Kept Areas should be included; community organisations and partners such as the Parks Trust and Neighbourhood Action Groups could champion individual streets. The amounts of litter from food outlets adjacent to schools should be analysed and litter action plans for street traders should be included in licence application criteria.

The Cabinet also heard from Councillor Rankine who welcomed the proposals but indicated that the proposed policy clashed with other existing Council policies which seemed to encourage littering, such as the Council's refuse contractors not collecting contaminated recycling sacks. Councillor Ferrans indicated that:

- Council Litterbins needed to be emptied more often than every 8 weeks;
- Community Litter Picks and parish and town council schemes should be promoted; and
- an annual amnesty for collecting large items to stop fly tipping should be introduced.

The Cabinet also heard from three members of the public during consideration of the item.

**RESOLVED -**

1. That the Litter Action Plan be implemented with immediate effect.
2. That in respect of litter, the fixed penalty payable in pursuance of a notice under s88(6A)(a) of the Environmental Protection Act 1990 be specified as £125.
3. That the amount specified under s88(6A)(a) of the Environmental Protection Act 1990 will be treated as having been paid if £80 be paid before the end of 14 days starting with the date on which the penalty notice was given.
4. That in respect of littering from vehicles, the amount of fixed penalty would be the amount specified under s88(6A)(a) and therefore would be £125.
5. That in respect of littering from vehicles, the amount specified under s88(6A)(a) will be treated as having been paid in full of £80 is paid within 14 days beginning with the day on which the penalty notice be given.
6. That in respect of flyposting, the amount of a penalty payable in pursuance of a notice under section 43(1) Anti-Social Behaviour Act 2003 be specified as £125.
7. That the amount specified under section 43(1) Anti-Social Behaviour Act 2003 would be treated as having been paid if

£80 be paid before the end of 14 days starting with the date on which the penalty notice was given.

8. That, in respect of fly tipping the amount specified under s33ZA(9)(a) Environmental Protection Act 1990 for a fixed penalty notice be £250.
9. That the amount specified under section s33ZA(9)(a) Environmental Protection Act 1990 would be treated as having been paid if £150 be paid before the end of a period of 10 days following the date of the notice.

**C71**

### **MILTON KEYNES COUNCIL BUSINESS PLAN 2018/19**

The Cabinet considered the Council's Business Plan 2018/19 which was introduced by Councillor Marland, Leader of the Council.

It was reported that the revised Council Plan 2016 - 20 was adopted at Council on 20 June 2018 (Minute CL33 refers). The Delivery Plan, which formed part of the revised Council Plan, was a comprehensive overview of key milestones and targets to deliver the commitments that reflected the Council Plan priorities and set out actions that covered the one year period.

It was also reported that the Business Plan included performance indicators, management information and timely updates that it was anticipated would be used to report progress against the priorities to Cabinet. The service planning process would be reviewed to ensure all the key priorities were reflected and the appropriate performance information was collected for reporting and monitoring purposes.

Councillor Marland indicated that the Council was not required to have a Business Plan framework, but by having one meant that progress against the delivery of the revised Council Plan could be monitored quarterly.

**RESOLVED -**

1. That the Business Plan be approved.
2. That it be noted that progress would be reported to the Cabinet on a quarterly basis.

**C72**

### **MILTON KEYNES DEVELOPMENT PARTNERSHIP QUARTERLY REVIEW**

The Cabinet considered the Milton Keynes Development Partnership Quarterly review which was introduced by Councillor Middleton, the Cabinet member for Resources and Innovation.

It was reported that the Development Partnership was required to prepare a Business Plan to explain how its board intended to meet the strategic objectives, both commercial and social, set out in the Accountability Framework. Typically an annual Business Plan would be submitted to the Council. It was noted that an interim Business Plan had been received at this time, recognising that the newly

constituted Board would need some time to prepare a full Business Plan.

It was also reported that to ensure that the Board of the Milton Keynes Development Partnership was held accountable and its performance was it appropriately reviewed. The responsible Cabinet Member and the s151 Officer met with the Chairman and Chief Executive of Milton Keynes Development Partnership on a quarterly basis to monitor progress against the (interim) Business Plan and discuss any other pertinent matters.

Councillor Middleton indicated that, to date, the Milton Keynes Development Partnership had increased its balance sheet by over 100%. This would allow the partnership to:

- fulfil its target by 31/3/2019 to repay the debt used to originally purchase its assets;
- remit by 21/22 financial year some £8m to the Council in dividends with further sums possible where investment returns were realised; and
- deliver an uplifted 36% affordable housing in its developments.

Councillor Middleton also highlighted that the Milton Keynes Development Partnership had increased the proportion of affordable housing on their sites. The Council required that 30% affordable housing was delivered. Since inception, the Partnership had enabled sites that would deliver over 650 homes. This included a contractual guarantee of over 195 affordable homes. Since January 2018 the Partnership had marketed two sites that would deliver 48 units with a 36% affordable provision (18 units).

RESOLVED -

That the Milton Keynes Development Partnership quarterly update be noted.

C73

### **APPRENTICESHIP PROVIDERS DYNAMIC PURCHASING SYSTEM**

The Cabinet considered approving the Apprenticeship Providers Dynamic Purchasing System to procure apprenticeship providers in partnership with the LGSS, which was introduced by Councillor Middleton the Cabinet member for Resources and Innovation.

It was reported that the Government had introduced an apprenticeship levy for all large employers in both the public and private sectors in an effort to improve the availability of apprenticeships. Therefore, to flexibly procure professional apprenticeship providers to support the provision of apprenticeships under the apprenticeship levy, it was proposed that a Dynamic Purchasing System framework agreement be established by the LGSS to support Milton Keynes Council, Northamptonshire County

Council and Cambridgeshire County Council to deliver an apprenticeship programme across all three authorities.

It was anticipated that this approach would ensure that every apprenticeship provider commissioned to offer apprenticeships was operating under the same rules and quality standards and that a unified approach across all three local authorities would deliver a better quality, more cost effective service utilising economies of scale in the roll out of the new system.

It was also reported that the proposed term of the Dynamic Purchasing System would be 5 years, with a maximum value of £15,000,000, and that the Milton Keynes Council levy for the 5 year period was forecast to be £3,051,114.

Councillor Middleton indicated that as part of the procurement process, authority for the award of any Milton Keynes Council contracts from the Dynamic Purchasing System, where the value of the contract was over £500k, would be delegated to the Corporate Director for Resources and that the Dynamic Purchasing System would be open to other local authorities and schools.

**RESOLVED -**

1. That the commencement of a procurement process to establish a Dynamic Purchasing System to procure apprenticeship providers in partnership with LGSS as a collaborative procurement to spend the accumulating year on year levy of Milton Keynes Council, Northamptonshire County Council and Cambridgeshire County Council be approved.
2. That authority for the award of any Milton Keynes Council contracts from the Dynamic Purchasing System where the value of the contract is over £500k be delegated to the Corporate Director for Resources.
3. That it be noted that the Dynamic Purchasing System will be open to other local authorities and schools.

**THE CHAIR CLOSED THE MEETING AT 10.32 PM**

