

## ITEM 4(a)



Minutes of the MILTON KEYNES COUNCIL held on WEDNESDAY 22 MARCH 2017 at 7.30 pm

**Present:** Councillor Coventry (Mayor)  
Councillors Alexander, Bald, Betteley, Bint, Brackenbury, M Bradburn, R Bradburn, Brunning, Buckley, Burke, Cannon, Clancy, Crooks, Dransfield, Eastman, Exon, Ferrans, Ganatra, Geaney, A Geary, P Geary, Gifford, Gowans, Green, D Hopkins, V Hopkins, Hosking, Khan, Legg, Long, Marland, D McCall, I McCall, McDonald, McKenzie, McLean, McPake, Miles, Morris, Nolan, O'Neill, Patey-Smith, Petchey, Small, Wales, Walker, Wallis, Webb, P Williams, C Wilson and K Wilson

Alderman Bartlett,

**Apologies:** Councillors Jenkins, Middleton, Morla and C Williams and Aldermen Beeley, Bristow, E Henderson and Howell and Alderwomen I Henderson, Irons, Lloyd and Saunders

**Also Present:** 15 members of the public

### **CL106 MINUTES**

That the Minutes of the meeting of the Council held on 15 February 2017 be approved and signed by the Mayor as a correct record.

### **CL107 DISCLOSURE OF INTERESTS**

The Council's Monitoring Officer advised the Council in respect of the need for councillors to declare any interests in respect of the motions relating to 16/03568/OUT Minor - Land to North West of 46, Yardley Road, Olney, European Union Citizens and Calling for Action to Build More Homes.

Councillor Ferrans disclosed a personal interest in respect of Item 5(b)(iv) (Council Calls for More Apprentices) as she was a member of the Milton Keynes Development Partnership Board, which was mentioned in the amendment to be moved to the motion.

Councillor D McCall disclosed a personal interest in respect of Item 5(b)(iii) (Calling for Action to Build More Homes) as he worked with a charity which supported homeless people.

**CL108                    ANNOUNCEMENTS**

Councillor Alice Jenkins

The Mayor announced that Councillor Jenkins recently gave birth to a baby boy, Henry Alfred and indicated that he would be passing on the Council's congratulations.

**CL109                    PRESENTATION FROM THE CHIEF FIRE OFFICER**

The Council received a presentation from Jason Thelwell, the Chief Fire Officer for Buckinghamshire and Milton Keynes.

Mr Thelwell outlined the financial challenges faced by the Fire Authority, and set that against the changing nature of the service towards prevention and referred to the reducing number of fire incidents in Milton Keynes and the increase in call-outs relating to road traffic collisions.

Mr Thelwell also referred to new initiatives being undertaken in Milton Keynes by the Fire Service which included working with young people to develop vital life skills to help promote a safe, happy and healthy home life; additional training for fire fighters in water rescue techniques; a new co-responder scheme at Olney fire station, with on call firefighters being mobilised to medical emergencies; and the introduction of three new fire engines to Milton Keynes in the next 12 months.

Mr Thelwell answered questions from councillors in relation to the involvement of the Fire Service in flooding incidents, the Authority's apprenticeship scheme, the impact on the Fire Service of the withdrawal by the Council of a 24 hour emergency response, the name of Broughton fire station, the potential impact on response times once Great Holm fire station was closed and the types of smoke alarms fitted by the Fire Service in domestic properties.

The Mayor thanked Mr Thelwell for attending, for his presentation and for responding to questions from councillors.

**CL110                    QUESTIONS FROM MEMBERS OF THE PUBLIC**

Question from Mr A Rankine to Councillor Gowans (Cabinet member for Public Realm)

Mr Rankine asked Councillor Gowans if the Council's new Waste Strategy would potentially contravene regulations in that the Council had a legal obligation to reduce waste and maximise recycling over other methods of disposal.

Councillor Gowans indicated that the Council would not be making any changes to what waste was collected and would be maintaining the current collection frequencies. However, Councillor Gowans accepted that there might be a slight reduction in green waste collected, but residents would be encouraged to either home compost or use other responsible means of disposal.

Mr Rankine, by way of a supplementary question asked if the Council was making recycling more difficult by reducing the availability of pink recycling sacks, when its obligation was to maximise recycling.

Councillor Gowans indicated that the Council was looking at alternative ways of distributing the pink recycling sacks to try and reduce the miss-use of the sacks, but it had no interest in reducing the levels of recycling.

**CL111**

**COUNCIL PROCEDURE RULE 1 - ANNUAL COUNCIL MEETINGS**

Further to Minute CL102 of the Council's meeting held on 15 February 2017, the Council noted that the following recommendation from the Constitution Commission, moved by Councillor Dransfield and seconded by Councillor Marland, had, in accordance with Council Procedure Rule 21.2 stood adjourned since that meeting:

"That the revised Council Procedure Rule 1, which allows for the Annual Council Meetings to be combined, be adopted."

Councillor A Geary moved the following amendment to the revised Council Procedure Rule 1, which was seconded by Councillor Brackenbury and accepted by the mover of the motion.

"That the following words be deleted from the draft Council Procedure Rule 1 - Annual Council Meetings:

'unless the Mayor decides to hold the Annual Meeting in two parts when:

- "(a) a Ceremonial Meeting dealing with items (i) to (iv) above will be held on the Wednesday 13 calendar days after the day of local elections, or in a year when there are no local elections on the Wednesday 13 calendar days after the first Thursday in May at 7.30 pm; and
- (b) a Business Meeting dealing with the remaining items [(v) to (xviii) above] will be held on the Wednesday 20 calendar days after the day of local elections, or in a year when there are no local elections on the Wednesday 20 calendar days after the first Thursday in May at 7.30 pm.'

and replaced with the words: 'The Mayor may decide to hold the Annual meeting in two parts with items (v) to (xviii) above being dealt with at a second (Business) Meeting to be held 7 days after the first (Ceremonial) meeting.'"

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

RESOLVED –

That the revised Council Procedure Rule 1, attached as an Annex to these minutes, which allows for the Annual Council Meetings to be combined, be adopted.

**CL112**

**ADOPTION OF TAXI LICENSING FEES 2017**

Councillor Morris moved the following recommendation from the meeting of the Regulatory Committee held on 7 December 2017, which was seconded by Councillor Alexander:

- “1. That the fees detailed in Annex A of the report be adopted and take effect on 1 May 2017.
2. That the fees detailed in Annex B of the report be adopted and advertised in accordance with the legislative provisions of the Act.
3. That the Regulatory Committee be authorised to consider any objections made to the fees stated in Annex B and, if satisfied that no changes are required, confirm the adoption of the fees or, if it considers, having considered the objections, changes are required instruct officer colleagues to submit a further report to Council.”

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

RESOLVED –

1. That the fees detailed in Annex A of the report be adopted and take effect on 1 May 2017.
2. That the fees detailed in Annex B of the report be adopted and advertised in accordance with the legislative provisions of the Act.
3. That the Regulatory Committee be authorised to consider any objections made to the fees stated in Annex B and, if satisfied that no changes are required, confirm the adoption of the fees or, if it considers, having considered the objections, changes are required instruct officer colleagues to submit a further report to Council.

**CL113**

**PAY POLICY STATEMENT 2017/18**

Councillor Eastman moved the following recommendation from the meeting of the Joint Negotiating Committee (Employer’s Side) held on 20 February 2017, which was seconded by Councillor Morris:

“That the Pay Policy Statement 2017/18 be adopted.”

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

RESOLVED –

That the Pay Policy Statement 2017/18 be adopted.

**CL114**

**ANNUAL REPORTS**

The Council received the Annual Scrutiny Report from the Chair of the Scrutiny Management Committee, together with reports from the Chairs of the Executive Scrutiny, Licensing and Regulatory Committees.

**CL115**

**COUNCILLORS' QUESTIONS**

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

Councillor Bint asked Councillor Gowans for details of:

- (i) how many Grid Road Signs the Budget was able to replace or repair over the coming year.
- (ii) how many Grid Road Signs typically get stolen, wrecked or knocked over and need replacing or repairing each year.
- (iii) the backlog of Grid Road Signs which need replacing or repairing.

Councillor Gowans indicated that he would provide a written answer and publish the answer in Councillors' Weekly News.

- (b) Question from Councillor McPake to Councillor Gowans (Cabinet member for Public Realm)

Councillor McPake asked Councillor Gowans what measures were to be put in place to cover the Council's Statutory Flood and Water responsibilities in the period between the current officer responsible leaving the Council and a replacement being appointed.

Councillor Gowans indicated that officer colleagues were ensuring that appropriate skills were in place.

As a supplementary, Councillor McPake expressed her concern that it did not appear that an officer would be in place by the time the current officer left the Council.

Councillor Gowans indicated as this was a paid service issue he could ask officers to supply further details if Councillor McPake wished.

- (c) Question from Councillor Bald to Councillor Marland (Leader of the Council)

Councillor Bald asked Councillor Marland to explain the statement in the Council Tax Letter that Council Tax accounted for 45% of the Council's Budget, when in reality it was around 60%. Councillor Bald also asked whether this was a deliberate attempt to suggest that the Government contributed more to the Council's Budget than it did, or was Councillor Marland expecting Council Tax collection rates to plummet.

Councillor Markland indicated that as far as he was aware the letter was correct.

As a supplementary question, Councillor Bald, quoting the Council's Budget Report which stated that Council Tax contributed £109m to a Budget of £189m asked Councillor Marland for an explanation why the Council Tax Letter appeared to quote an incorrect figure.

Councillor Marland undertook for a written explanation to be provided.

- (d) Question from Councillor Brackenbury to Councillor Gowans (Cabinet member for Public Realm)

Councillor Brackenbury asked Councillor Gowans to clarify what provision had been made for the ongoing cost of replacement food caddies once caddies were introduced as part of the new Waste Strategy.

Councillor Gowans indicated that budgetary provision was available to meet the expected replacement costs

As a supplementary question, Councillor Brackenbury asked Councillor Gowans what measures were to be put in place to stop abuse of the sticker system to be used on the green waste bins to indicate payment.

Councillor Gowans indicated that such measures were still being finalised with the Council's Contractors and would be part of the contract management arrangements.

- (e) Question from Councillor P Geary to Councillor Gifford (Cabinet member for Place)

Councillor P Geary, referring to a scheme undertaken by Ravenstone Parish Council with the aid of a contribution from the Parish Partnership Fund on which the Parish Council had made a slight saving on the overall cost, asked Councillor Gifford to look into why this Council was now seeking to reduce its contribution by a sum greater than the saving achieved.

Councillor Gifford indicated that she was not aware of the issue, so she would look into the matter and she would meet with Councillor Geary, other ward councillors and the Chair of the Parish Council to discuss.

- (f) Question from Councillor C Wilson to Councillor Gowans (Cabinet member for Public Realm)

Councillor C Wilson, noting that there were plans to provide at least one crossing of the V4 Grid Road between Fairfields and Whitehouse at some time in the future, asked Councillor Gowans if he would attend a site inspection so that he was aware of the dangers people currently faced in crossing the road and then consider what temporary solutions could be put in place in advance of the permanent crossings being provided.

Councillor Gowans indicated that he was willing to attend a site inspection and would then discuss the matter with officer colleagues and share the suggested way forward with ward councillors.

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

Councillor McLean, noting that the wrong Parish and Ward had been quoted in a report on the sale of land at Woad Farm, Lathbury, asked Councillor Marland if it was possible to stop the marketing of the land until such time that Lathbury Parish Council and the Ward Members had been consulted.

Councillor Markland indicated that he would ask Councillor Middleton, as the responsible Cabinet member, to respond.

As a supplementary question, Councillor McLean asked Councillor Marland that measures be put in place to ensure that ward councillors and parish / town councils were consulted in advance on any future land sales.

Councillor Markland indicated that he would ask Councillor Middleton to also respond to that question.

- (h) Question from Councillor R Bradburn to Councillor Marland (Leader of the Council)

Councillor R Bradburn, referring to the new HMRC IR35 Regulations which related to temporary staff, asked Councillor Marland how many front line staff were affected and what measures were being put in place to mitigate any problems which might result from the introduction of the Regulations.

Councillor Markland indicated that work was underway to address this issue and the Corporate Director Resources would provide a response in due course.

- (i) Question from Councillor D McCall to Councillor Marland (Leader of the Council)

Councillor D McCall asked Councillor Marland if he was aware that a number of councillors had spotted the error relating to the parish and ward in which the land was located in the report on the sale of land at Woad Farm and notified the Cabinet member, including himself.

Councillor D McCall informed the Leader of the Council that it was his understanding that the appropriate parish council and ward councillors had been consulted as a result of the mistake being identified.

Councillor Marland thanked Councillor McCall for the information and indicated that he would still be asking Councillor Middleton to provide a response to Councillor McLean as to the actions taken.

Councillor Webb took the opportunity to thank all councillors who had supported the Youth Counselling Service with donations from their Ward Based Grants.

**CL116**

**16/03568/OUT MINOR - LAND TO NORTH WEST OF 46, YARDLEY ROAD, OLNEY**

Councillor P Geary moved the following motion which was seconded by Councillor Hosking:

"That the Development Control Committee be requested to review application 16/03568/OUT, Land to North West of number 46 Yardley Road, Olney, as determined by the Development Control Panel on 16 February 2017 on the basis that the Panel may have been inadvertently misled about some of the facts in this case in as much as:

The Panel relied heavily on the fact that the land had no chance of being returned to employment use and hence should therefore be used for residential use, irrespective of the fact that the land is in demand for use for employment purposes, with the neighbouring company, Scorpion Mouldings, having tried to buy the site to expand their business, but despite the sale notice the site was apparently not for sale. Development of this site for housing could put this successful thriving local manufacturing company in serious jeopardy."

In accordance with Council Procedure Rule 15 the motion was signed, in addition to Councillor P Geary by Councillors Bald, Hosking McLean and Morris.

The Council heard from three members of the public during consideration of the motion.

On being put to the vote the motion was declared lost, with 21 councillors voting in favour, 26 councillors voting against and 5 councillors abstaining from voting.

**CL117**

**EUROPEAN UNION CITIZENS**

Councillor Crooks moved the following motion which was seconded by Councillor Brackenbury:

"That this Council calls upon the Government to ensure that citizens of another European Union country who are legally resident in the United Kingdom and living within the borough of Milton Keynes continue to be treated in the same way as at present, in respect of their EU derived-rights, after the United Kingdom leaves the European Union."

On being put to the vote the motion was declared carried with 32 councillors voting in favour, 1 councillors voting against and 19 councillors abstaining.



RESOLVED –

That this Council calls upon the Government to ensure that citizens of another European Union country who are legally resident in the United Kingdom and living within the borough of Milton Keynes continue to be treated in the same way as at present, in respect of their EU derived-rights, after the United Kingdom leaves the European Union.

**CL118**

**CALLING FOR ACTION TO BUILD MORE HOMES**

Councillor Bald moved the following motion which was seconded by Councillor Ganatra:

- “1. That this Council acknowledges that:
  - (a) there is significant pressure on housing in Milton Keynes; and
  - (b) the only sustainable solution to this problem is to build more homes suitable for families in temporary accommodation, street homeless, young people living with parents and private renters who would like to purchase their own home.
2. That the Council notes that:
  - (a) for the foreseeable future, lifting the Housing Revenue Account debt cap is not a means of funding new homes;
  - (b) councils, including Labour run councils, have developed successful ways of building new homes financed via the general fund, private investment, or a combination of both;
  - (c) some councils have set up their own Housing Company, or a Joint Venture, or partner with a Housing Association; there are many successful models out there;
3. That the Council further notes and endorses the policy of the Administration to operate more commercially, to be innovative and to progress new revenue streams.
4. That the Council therefore requests Cabinet to embrace the learnings from other councils and come forward urgently with proposals to build a significant number of new homes on Council land, combining a mix of housing types for rent (social, affordable, market rents) drawing on Public Works Loan Board; New Homes Bonus; and/or private capital.”

Councillor Long moved the following amendment which was seconded by Councillor Ferrans and accepted by the mover of the motion:

- “1. That the following new Clause 1(b) be added and the former Clause 1(b) renumber as ‘1(c)’:  

‘1(b) the current continuing increase in the number of families in temporary accommodation are those who the Council has a legal duty to house and the associated cost of temporary accommodation is primarily due to the lack of supply in Housing Revenue Account properties;’
2. That the words ‘that are affordable to those on all incomes and.’, be added after the word ‘homes’ and the words ‘those in need of social and affordable housing to rent or buy’ be added after the words ‘living with parents’ in new Clause 1(c) [former Clause 1(b)].
3. That all of the words after the words ‘drawing on’ be deleted from Clause 4 and replaced with ‘all available funding sources’.
4. That a new Clause 5 be added as follows:  

‘That this Council agrees to:

  - (a) support the building and acquisition of new Council and social housing, using all legal options possible, with a view to addressing the housing shortage while ensuring a mix of supply to meet all needs;
  - (b) explore all options for achieving such an outcome except for the privatisation of existing Council stock;
  - (c) explore co-operative and tenant led models of housing supply;
  - (d) support the cross-party Local Government Association’s position of:
    - (i) remove the cap on the ability of the Council to borrow through the Housing Revenue Account to build Council owned properties;
    - (ii) end the freeze on the Local Housing Allowance (LHA) which is a major contributing factor in rising homelessness;
    - (iii) allow the Council to retain 100% of receipts, without condition, from the sale of Council houses for reinvestment;

- (e) urge and support the two MPs for Milton Keynes to publicly support Milton Keynes Council's and the Local Government Association's position and campaign accordingly."

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

RESOLVED –

1. That this Council acknowledges that:
  - (a) there is significant pressure on housing in Milton Keynes;
  - (b) the current continuing increase in the number of families in temporary accommodation are those who the Council has a legal duty to house and the associated cost of temporary accommodation is primarily due to the lack of supply in Housing Revenue Account properties; and
  - (c) the only sustainable solution to this problem is to build more homes that are affordable to those on all incomes and suitable for families in temporary accommodation, street homeless, young people living with parents, those in need of social and affordable housing to rent or buy and private renters who would like to purchase their own home.
2. That the Council notes that:
  - (a) for the foreseeable future, lifting the Housing Revenue Account debt cap is not a means of funding new homes;
  - (b) councils, including Labour run councils, have developed successful ways of building new homes financed via the general fund, private investment, or a combination of both; and
  - (c) some councils have set up their own Housing Company, or a Joint Venture, or partner with a Housing Association; there are many successful models out there.
3. That the Council further notes and endorses the policy of the Administration to operate more commercially, to be innovative and to progress new revenue streams.
4. That the Council therefore requests Cabinet to embrace the learnings from other councils and come forward urgently with proposals to build a significant number of new homes on Council land, combining a mix of housing types for rent (social, affordable, market rents) drawing on all available funding sources.

5. That this Council agrees to:
- (a) support the building and acquisition of new Council and social housing, using all legal options possible, with a view to addressing the housing shortage while ensuring a mix of supply to meet all needs;
  - (b) explore all options for achieving such an outcome except for the privatisation of existing Council stock;
  - (c) explore co-operative and tenant led models of housing supply;
  - (d) support the cross-party Local Government Association's position of:
    - (i) remove the cap on the ability of the Council to borrow through the Housing Revenue Account to build Council owned properties;
    - (ii) end the freeze on the Local Housing Allowance (LHA) which is a major contributing factor in rising homelessness;
    - (iii) allow the Council to retain 100% of receipts, without condition, from the sale of Council houses for reinvestment;
  - (e) urge and support the two MPs for Milton Keynes to publicly support Milton Keynes Council's and the Local Government Association's position and campaign accordingly.

**CL119 COUNCIL CALLS FOR MORE APPRENTICES**

With the consent of the Council, Councillor Walker withdrew his motion in respect of Apprentices.

**CL120 SCHEME OF COUNCILLORS' ALLOWANCES 2017/18**

The Council considered adopting a Scheme of Councillors' Allowances for 2017/18, which was substantially unchanged from that adopted by the Council for 2016/17.

The Mayor moved and the Deputy Mayor seconded:

- "1. That the Scheme of Councillors' Allowances be adopted to take effect from 1 April 2017.
- 2. That it be noted that the Basic Allowance in the Scheme includes incidental costs as the use of a councillor's home for Council business, telephone rental and broadband charges.
- 3. That the 2014 report on allowances for members of Parish and Town Councils be noted."

On being put to the vote the motion was declared carried with 47 councillors voting in favour, 0 councillors voting against and 2 councillors abstaining from voting.

RESOLVED –

1. That the Scheme of Councillors' Allowances be adopted to take effect from 1 April 2017.
2. That it be noted that the Basic Allowance in the Scheme includes incidental costs as the use of a councillor's home for Council business, telephone rental and broadband charges.
3. That the 2014 report on allowances for members of Parish and Town Councils be noted.

**CL121**

**RETURNING OFFICER'S FEES**

The Council considered the fees for the Council's Returning Officer for any Borough or Parish elections and Neighbourhood Plan Referendums during 2017/18.

The Mayor moved and the Deputy Mayor seconded that:

"That the schedule of fees and disbursements for acting as Returning Officer for Borough and Parish Elections and Neighbourhood Plan Referendums for 2017/18 be agreed."

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

RESOLVED –

That the schedule of fees and disbursements for acting as Returning Officer for Borough and Parish Elections and Neighbourhood Plan Referendums for 2017/18 be agreed.

**CL122**

**QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS**

In accordance with Access to Information Procedure Rule 17.4, the Council noted that the Provisions for Special Urgency, as set out in Access to Information Procedure Rule 16, and Overview and Scrutiny Procedure Rule 16(j) were not used during the period 1 January 2017 to 10 March 2017.

THE MAYOR CLOSED THE MEETING AT 10:37 PM