

# SUMMONS TO THE MEETING of the MILTON KEYNES COUNCIL

WEDNESDAY 20 SEPTEMBER 2017  
7.30 PM

## WORSHIP AREA

## CHURCH OF CHRIST THE CORNERSTONE CENTRAL MILTON KEYNES



Sharon Bridglalsingh  
Service Director (Legal and Democratic Services)

For more information about the meeting please contact Simon Heap on (01908) 252567 or by e-mail [simon.heap@milton-keynes.gov.uk](mailto:simon.heap@milton-keynes.gov.uk)

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## AGENDA

Item No:

### **1. Procedure**

(a) Apologies

(b) Minutes

To approve, and the Mayor to sign as a correct record, the Minutes of the meeting of the Council held on 19 July 2017 (Item 1) (**Pages 9 to 20**).

(c) Disclosure of Interests

Councillors to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

(d) Announcements

To receive any announcements.

### **2. Public Involvement**

(a) Deputations and Petitions

No deputations have been submitted for consideration at this meeting.

Any petitions received will be reported at the meeting.

(b) Questions from Members of the Public

To receive questions and provide answers to questions from members of the public.

### **3. Business Remaining from Last Meeting**

None.

### **4. Reports from Cabinet and Committees**

Standards Sub-Committee - 10 May 2017

Report from the Standards Committee

To consider the report at Item 4 (**Pages 21 to 27**)

### **5. Councillors' Matters**

(a) Councillors' Questions

Councillors to ask questions of the Leader, a Cabinet Member, the Chair of any Committee, or the Leader of a Political Group on the Council.

(b) Notices of Motions:

1. Local Authority Funding

Councillor Marland – 3 August 2017

"1. That this Council notes that:

(a) local government has faced the most severe austerity spending cuts from Central Government imposed on any sector;

- (b) the Revenue Support Grant received by Milton Keynes Council has been cut by £74m since 2010, and by 2020 Milton Keynes Council will receive no revenue funding from Central Government;
- (c) in the same period since 2010 demand for services in Milton Keynes has risen by at least £89m;
- (d) the total level of cuts after revenue received from extra Council Tax, income and Business Rates has been over £130m; and
- (e) the longer austerity continues the harder it is to maintain services to a level the public and this Council would like, and that the impact on services has been real and consequential.

2. That this Council further notes that:

- (a) Central Government had promised by 2020 Local Government would be able to retain 100% of the Business Rates it raises in their local areas;
- (b) the Local Government Association was working with the Department of Local Government to implement such a scheme and pilots had been established;
- (c) the Local Government Finance White Paper was withdrawn without consultation from the Queen's Speech, which covers two legislative years, and replaced with a vague proposal to consult on future finance;
- (d) the Conservative Chair of the Local Government Association, Lord Porter, has stated publicly that abandoning the Local Government Finance White Paper without an alternative in place before the end of Revenue Support Grant in 2020 places Local Government "on a financial cliff edge;"
- (e) the promise in the Conservative Manifesto to implement a "Dementia Tax," was a misguided attempt to address the growing underfunding of adult social care, and disappeared without a trace, like much of the Conservative Manifesto;
- (f) New Home Bonus, which replaced Growth Area Funding, has been substantially reduced; and
- (g) the £1.5billion found to fund the Conservative Government's deal with the Democratic Unionist Party would be enough to fund Milton Keynes Council Public Realm services for 40 years, and shows that the Government imposition for austerity for 7 years and into the future is a political choice.

3. That the Council therefore calls on:
  - (a) the Government to abandon austerity and properly fund public services;
  - (b) Milton Keynes' two MPs to call for more funding for Milton Keynes Council and to call on the Prime Minister to reinstate the Local Government Finance Bill;
  - (c) on Cabinet to highlight the impact of cuts on services in Milton Keynes; and
  - (d) on Cabinet to ensure that the cuts and savings required to ensure a balanced budget are brought forward openly at the earliest opportunity for Budget Scrutiny Committee to analyse and comment on."
2. Public Sector Pay

Councillor Marland – 3 August 2017

- "1. That this Council notes that:
  - (a) pay squeezes in the public sector have now been in force for almost a decade, with the real-terms impact on workers running into thousands of pounds of cuts;
  - (b) there is no democratic mandate for this scale of cuts: the policy has gone further than any proposals at the 2010 general election, and it was not presented as part of the Conservative 2015 manifesto;
  - (c) the squeeze on pay has had a disproportionate impact on women, with women making up two thirds of the public sector workforce;
  - (d) increasing evidence shows support for end to the pay squeeze and independent polling carried out by Survation has found that 75% of all voters support above-inflation increases in public sector pay, including 69% of Conservative voters;
  - (e) the pay squeeze has put pressure on staff recruitment and retention, particularly in areas in competition for staff with the private sector, leading to increased levels of payment for agency staff; and
  - (f) by reversing its cuts to Corporation Tax rates, the Government could meet the £8.5 billion needed in this Parliament to end the pay squeeze across the whole public sector.
2. That this Council believes that:
  - (a) public services and the people who deliver them are important;

- (b) pay for public sector workers should not be set by arbitrary Government caps, but by working with Pay Review Bodies, Trade Unions, employers and employees, who can better address the complexity of pay decisions across the sector and services; and
  - (c) increases in public sector pay should be met by Central Government funding as the public sector, including local authorities, has faced huge budget cuts, and pay increases should not mean additional budget pressures on frontline services.
3. That this Council supports requests by the general public and trade unions, including the GMB and UNISON, to end the public sector pay pinch and calls on Government to:
- (a) end to public sector pay cuts;
  - (b) properly fund all public services;
  - (c) restore the independence for the Pay Review Bodies; and
  - (d) implement a REAL living wage for public sector workers.”
3. Urban Capacity Study

Councillor Walker – 5 September 2017

“That this Council:

- 1. notes with concern the recent Urban Capacity Study which unhelpfully raises again the concept of development on many green open spaces within the built up environment of Milton Keynes;
- 2. recalls the decision of Council and Delegated Decision on 25 March 2015 and 23 June 2015 to not include numerous sites of significant recreational and amenity value to local residents;
- 3. notes and reaffirms this Council’s commitment to the values and principles of Milton Keynes including the preservation of green open spaces which were one of the original founding principles of the New City and which remains one of its Unique Selling Points;
- 4. calls upon the Cabinet as the Executive Arm of this Council to urgently confirm its commitment to the decision of Council as mentioned in point 2 above and for the Leader of the Council to reassure Council that the details of the Urban Capacity Study will not be taken forward in any form as an option for Strategic Development; and

5. asks Cabinet to voluntary register, the two sites in Woolstone (UCS072 and UCS073), one site in Springfield (UCS074), one site in Stantonbury (UCS100) and one site in Bletchley (UCS107) as Village Greens under the Commons Act 2006 section 15(8) bearing in mind the re-assurance that the Leader gave at Full Council on 21 June 2017 in respect of the Woolstone and Springfield sites and previous Cabinet member assurances in respect of the sites in Bletchley and Stantonbury.”

**6. Appointment of Statutory Officer - Officer Responsible for the Administration of Financial Affairs**

Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and secure that one of their officers has responsibility for the administration of those affairs.

This role is known both as the Chief Finance Officer (CFO) and Section 151 Officer. Article 13 of the Constitution designates the Corporate Director - Resources as the Council's CFO who holds these responsibilities.

Nicole Jones was appointed to the position of Corporate Director - Resources in November 2016 and therefore took on this statutory CFO role and, at its meeting of 28 November 2016, Council confirmed her designation. Council also enabled the Chief Executive to nominate an appropriate officer to act in their stead until the point at which a meeting of the Council takes place to formally consider the appointment.

Unfortunately, Nicole has been diagnosed with a serious illness and is unable to fulfil all the significant duties associated with her role. Therefore, it has been necessary to secure the services of an interim Corporate Director - Resources and reallocate most of the post's responsibilities to them and some to other colleagues. Don McLure has taken on the interim role, pending a permanent appointment. Under the delegations outlined above, the CEO appointed Don McLure as the Council's CFO with effect from 14 August 2017.

The Council is recommended:

- (a) to confirm the designation of Don McLure as the Council's officer responsible for the administration of financial affairs (Chief Finance Officer/Section 151 Officer); and
- (b) to note, with sadness, Nicole's ill health and send its good wishes to her.

Accountable Officer: Carole Mills (Head of Paid Service and Chief Executive Officer) Tel: (01908) 252200

## **7. Quarterly Report on Special Urgency Decisions**

In accordance with Access to Information Procedure Rule 17.4, to note that the Provisions for Special Urgency, as set out in Access to Information Procedure Rule 16, was not used during the period 1 June 2017 to 31 August 2017.

Access to Information Procedure Rule 16 provides for key decisions to be taken within the usual 5 day notice period, subject to the agreement of the Chair/Vice-Chairs of the Scrutiny Management Committee.

Contact Officer: Simon Heap (Committee Services and Scrutiny Manager) – 01908 252567

Background Papers: None





Minutes of the MILTON KEYNES COUNCIL held on WEDNESDAY 19 JULY 2017 at 7.30 pm

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

Alderman Bristow,

**Apologies:** Councillors Alexander, Betteley, Brackenbury, Brunning, Buckley, Green, Jenkins, Small and K Wilson and Aldermen Bartlett, Beeley, E Henderson and Howell and Alderwomen I Henderson, Irons, Lloyd and Saunders

**Also Present:** 20 members of the public

## **CL27 MINUTES**

That the Minutes of the meeting of the Council held on 21 June 2017 be approved and signed by the Mayor as a correct record, subject to amending the number of public present to 38; amending the spelling of 'Rooks' to 'Rook in Minute CL17(2); correcting the spelling of Mrs Hillary Gwyneth-Terry to Mrs Hilary Terry in Minute CL17(5); removing the 'w' after the words 'Councillor Marland' in the first paragraph of Minute CL19; amending the wording of Councillor Marland's response to Councillor McDonald's supplementary question in Minute CL23(k); and recording Councillor D McCall's question to Councillor Marland in Minute CL23.

## **CL28 DISCLOSURE OF INTERESTS**

Councillor P Geary advised the Council that having taken advice it was not clear whether he had any form of disclosable interest in respect of Item 4[a] (Making of the Olney Neighbourhood Plan), but he would be leaving the room during consideration of the item and therefore would be taking no part in the debate or the voting.

**CL29****ANNOUNCEMENTS**

## 1. Milton Keynes Sea Cadets

The Mayor announced that he had recently visited the local Sea Cadet Corps and learnt the Unit was functioning well and that it was likely to be recommended for a burgee - a maritime distinguishing flag awarded to the top 20 per cent of units for their good work.

Outstanding achievements by the Unit included boating hours being nearly 50% above target in a four month boating season; winning the National First Aid Trophy for the past 3 years and providing the 6th successive Lord Lieutenant's Cadet. The Unit also received the rarely-awarded Captain's Commendation last year.

The Council joined the Mayor in sending its congratulations to the Unit on its achievements and wishing it continued success in its work with the young people of Milton Keynes.

## 2. Councillor Brackenbury

The Mayor, on behalf of the Council, congratulated Councillor Brackenbury and his wife on the birth of his daughter Lena Victoria.

**CL30****PETITION – PARKING CHARGES: LOUGHTON**

The Council received a petition in connection with Residents' Parking Charges in Loughton, which was presented by Mr Peter Rothery.

The Council noted that the petition would be referred to the Cabinet for consideration.

**CL31****QUESTIONS FROM MEMBERS OF THE PUBLIC**

## (a) Question from Mr Laurie Wylie to Councillor Long (Cabinet member for Adult Care and Housing)

Mr Wylie, referring to reports in the local press about proposals for modular housing for the homeless at Site 3 Westcroft, which conflicted directly with the agreed and published development brief, asked Councillor Long if he thought it was an appropriate method to communicate, particularly as it excluded consultation with both ward and parish councillors.

Councillor Long indicated that there were no proposals for developing Site 3 Westcroft for modular housing and while there was an agreed Development Brief for the site it was no longer valid.

Mr Wylie, as a supplementary question, asked Councillor Long if he accepted that a Development Brief existed for site 3 Westcroft, something he expressed no knowledge of when

asked a question by Cllr Bald at last week's Cabinet meeting. Mr Wylie also asked Councillor Long if he also accepted that the current design brief was very specific and if his hastily prepared press statement conflicted directly with the agreed and published Development Brief and in so doing had caused a great deal of unnecessary stress for local residents.

Councillor Long reiterated his earlier answer that in his view there was no longer a valid development brief for Site 3 Westcroft and there needed to be further discussions with the wider community as to the future use of the site.

Councillor Long also reiterated that there were no proposals for developing Site 3 Westcroft for modular housing. At the present only one site was being considered for modular housing and in depth discussions were taking place with the parish council and Ward councillors in that area.

(b) Question from Ms Clare Overton to Councillor Gifford  
(Cabinet member for Place)

Ms Overton, noting that proposed plans to close the Westcroft Library in September and replace it with a mobile library one day a week until the new library opened in Autumn 2018, at a time when Bletchley Library was also closed had been dropped, suggested that such plans would have been totally unworkable for the community and questioned if the Council understood just how important library services were to families. Ms Overton sought reassurance that the replacement provision for Westcroft would be on a like for like basis and there would be no break in service.

Councillor Gifford in welcoming the public support for the Library Service indicated the Council's commitment to the Service and its plans to both invest in new libraries such as at Westcroft, and also to upgrade its existing libraries as was currently taking place at Bletchley and was planned for Central Milton Keynes.

Councillor Gifford expressed her disappointment that it had not been possible to phase work on the new library so that it was complete before the Council was required to vacate the existing building, despite the Council trying to agree an extension to its occupancy. While the option of using the mobile library had been considered, that option had been dismissed. Negotiations were currently being held to secure temporary premises from October when the current library closed until the new library opened in 2018. Use of a temporary building would allow 'Story Times' and book lending to continue.

Ms Overton, asked a supplementary question, asked Councillor Gifford when the temporary solution would be known.

Councillor Gifford indicated that the temporary solution would be made known as soon as it is agreed and well before the end of October.

(c) Question from Ms Melanie Chilton to Councillor A Geary (Leader of the Conservative Group)

Ms Chilton, referring to a recent announcement in the Milton Keynes Citizen about the proposal for housing pods for the homeless on Reserve Site 3 at Westcroft, which appeared to cut right across what was in the Development Brief agreed around 2 years ago, which designated the site for a dementia home plus traditional housing asked Councillor A Geary, as current Conservative Group Leader and also Leader of the Council at the time the Development Brief was agreed, if he could explain if Milton Keynes Development Partnership, as owners of the site, were able to change the Brief without going through the full process again.

Councillor A Geary indicated that his understanding was that when Milton Keynes Development Partnership was established, the process to be used for marketing land in an open and transparent way, which engaged all stakeholders, was by an agreed Development Brief. As far as he was aware this process had been used at Westcroft.

Councillor Geary expressed his surprise that Councillor Long did not believe there to be a valid Development Brief for Site 3 Westcroft as the Chief Executive of the Development Partnership had confirmed the previous day that there was a valid Development Brief.

Councillor Geary indicated that to change an agreed Development Brief because the site was to be marketed for other than its agreed purpose, while the process would not need to be started from the beginning, the Chief Executive of the Development Partnership had confirmed that it would be necessary to amend the Development Brief to bring it up to date and this would require consultation.

Ms Chilton, as a supplementary question, asked Councillor A Geary to confirm that if Site 3 was to be developed as suggested in recent media reports, that a new Development Brief would be needed.

Councillor A Geary indicated that in his opinion an up to date and refreshed Development Brief would be required which should go through the right process. However, he could not guarantee that if the Cabinet member for Adult Care and Housing wanted to use the site for another purpose that he would not leak it to the press before the proper processes had been undertaken.

**CL32**

**MAKING OF THE OLNEY NEIGHBOURHOOD PLAN**

Councillor Gifford (Cabinet member for Place) moved the following recommendation from the meeting of the Cabinet held on 11 July 2017, which was seconded by Councillor Marland:

“That the Council be recommended to make the Olney Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, and that:

- (a) the decision document setting out the results of the referendum and the Council’s decision to make the plan, and the Olney Neighbourhood Plan be published on the Council’s website and by other means, to bring them to the attention of people who live, work or carry out business in the neighbourhood area; and
- (b) the decision document and details on how to view the plan be sent to the qualifying body (Olney Town Council) and any person who asked to be notified of the decision.”

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

The Council heard from 4 members of the public during consideration of this item.

RESOLVED –

That the Council be recommended to make the Olney Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, and that:

- (a) the decision document setting out the results of the referendum and the Council’s decision to make the plan, and the Olney Neighbourhood Plan be published on the Council’s website and by other means, to bring them to the attention of people who live, work or carry out business in the neighbourhood area; and
- (b) the decision document and details on how to view the plan be sent to the qualifying body (Olney Town Council) and any person who asked to be notified of the decision.

(Councillor P Geary left the room during consideration of the item and took no part in the debate or the voting.)

**CL33**

**MILTON KEYNES ECONOMIC DEVELOPMENT STRATEGY 2017-2027**

Councillor Marland (Leader of the Council) moved the following recommendation from the meeting of the Cabinet held on 11 July 2017, which was seconded by Councillor Gifford:

“That the Milton Keynes Economic Development Strategy 2017-2027 be approved.”

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

RESOLVED –

That the Milton Keynes Economic Development Strategy 2017-2027 be approved.

**CL34**

**COUNCILLORS' QUESTIONS**

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

Councillor McLean, referring to his request to Councillor Gowans at the Cabinet meeting on 11 July 2017 with reference to the £50k contribution to Central Bedfordshire Council's traffic mitigation scheme for Aspley Guise and the impact heavy lorries travelling to Cranfield and beyond were having on a number of villages in Milton Keynes, asked Councillor Gowans if he could make representations to Central Bedfordshire Council requesting that the weight restriction on the road between Fen Street and Salford be removed so that lorries might be able to take a shorter route avoiding the villages.

Councillor Gowans indicated that he had asked the Head of Highways to investigate the highway network in the area with colleagues at Central Bedfordshire Council to understand why the weight limit is in place and what measures could be taken.

Councillor McLean, as a supplementary question asked Councillor Gowans when he would be able to give a definitive response.

Councillor Gowans indicated that he could not say for sure, but he would provide a written response as soon as possible.

- (b) Question from Councillor Wales to Councillors Nolan (Cabinet member for Children and Families)

Councillor Wales asked Councillor Nolan what was the current percentage of Milton Keynes schools judged as good or outstanding by Ofsted, bearing in mind when it was last reported it was 92%.

Councillor Nolan indicated that currently 94% of Milton Keynes schools had been judged by Ofsted as good or better which rated Milton Keynes as 22<sup>nd</sup> in the South East. Milton Keynes did however have the highest percentage of schools achieving good or better in the South East.

- (c) Question from Councillor McPake to Councillor Gifford (Cabinet member for Place)

Councillor McPake, referring to the high percentage of failed or not working lights in bus shelters, asked Councillor Gifford to support the programme to upgrade the lights which was currently going through the approval process.

Councillor Gifford, indicated that she supported the programme and the Corporate Director – Place was aware of the scheme.

- (d) Question from Councillor A Geary to Councillors Marland (Leader of the Council)

Councillor A Geary, referring to the earlier public questions, asked Councillor Marland if he agreed that the Development Brief process with Milton Keynes Development Partnership was the right way to deal with development briefs and, if once a development brief was agreed by Cabinet, that it should remain in place unaltered until such time as there was a formal decision to alter it.

Councillor Marland indicated that he would take advice and supply a written response.

Councillor A Geary as a supplementary question, referring to the views expressed by one of the Cabinet members earlier, asked Councillor Marland if he had more problems in his Cabinet than the Prime Minister had in hers’.

Councillor Marland said that he very much doubted it.

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

Councillor P Geary, referring to the ongoing Sherington Neighbourhood Plan process and the apparent delay resulting from the Council’s Planning Department failing to prepare a short report needed to initiate the referendum process asked Councillor Gifford to speak with officer colleagues to ensure the referendum process was started as soon as possible.

Councillor Gifford, indicated that that she was aware of the backlog in handling Neighbourhood Plans due to limited resources being available in the Planning Department to support the process. However, additional resources were to be brought in shortly in order that any delays were addressed.

Councillor P Geary, as a supplementary question asked Councillor Gifford and officer colleagues to do whatever they could to get the referendum process started without any further delay.

Councillor Gifford indicated that she would see what she could do.

- (f) Question from Councillor Eastman to Councillor Legg (Cabinet member for Customer Services)

Councillor Eastman, referring to Councillor Legg’s recent walk using sight impairment glasses, asked Councillor Legg if his awareness of the problems experienced by residents, particularly those with sight impairments; mobility

impairments; those who used wheel chairs; pedestrians, including young children; and parents with pushchairs caused by vehicles parking on pavements, had been increased and whether he believed action was necessary and if so what solutions would he suggest.

Councillor Legg, indicated that his walk had raised his awareness and as a result he had briefed the responsible Cabinet member about the problems he had experienced.

Councillor Eastman, as a supplementary question asked Councillor Legg, if he did another walk with sight impairment glasses that he also tried using the glasses and a wheel chair at the same time.

Councillor Legg indicated that the organisation which asked him to undertake the walk generally did not use wheelchairs for such walks. Also they insisted that the person wearing the sight impairment glasses was accompanied.

- (g) Question from Councillor Geaney to Councillor Long (Cabinet member for Adult Care and Housing)

Councillor Geaney, referring to her understanding that the longest ladder available to the Fire Service would only reach the 14<sup>th</sup> floor of Melish Court in Bletchley and that a sprinkler system was to be installed, asked Councillor Long if he had a date by which the sprinklers would be operational.

Councillor Long, indicated that the Administration was committed to fire safety and a range of work was being undertaken which included talking to private landlords about fire safety in their premises. With regard to the length of ladders available to the fire service, Councillor Long indicated that this was a national problem which he believed should be funded by Government to ensure there was adequate provision across the country.

Councillor Long, referring to the specific issue of sprinklers, indicated that £300,000 had been allocated to provide sprinklers in the communal areas at both the Gables at Wolverton and Melish Court in Bletchley. It would then be necessary to have a discussion with residents as to whether sprinklers should also be provided in individual flats within those blocks, which would require additional funding to be found.

Councillor Geaney, as a supplementary question asked Councillor Long to outline the timetable for the installation of the sprinklers, specifically when the works would begin and when they would be completed.

Councillor Long indicated that the sprinklers would be installed as soon as they practically could be.



- (h) Question from Councillor I McCall to Councillors Marland (Leader of the Council)

Councillor I McCall, referring to her question at the last Council meeting and numerous representations from residents, asked Councillor Marland for an update on two sites in Pattison Lane, Woolstone and two sites on Springfield which were included in the Urban Capacity Study, despite promises being made two years ago by Cabinet that the sites would be withdrawn from the list of potential future development sites.

Councillor Marland confirmed the commitments previously given that the sites would be designated as amenity land in Plan:MK. The former pub site in Springfield was currently part of the Neighbourhood Plan process being undertaken by Campbell Park Parish Council and it was up to the Parish Council to consult with residents and come up with options for the site. Therefore it was not really appropriate for Plan:MK to deal with the detail of that site, as it was part of the Neighbourhood Plan process.

Councillor Marland reiterated that, following consultation with Councillor Ferrans, the two sites in Pattison Lane, Woolstone and the two sites on Springfield had been withdrawn from the Urban Capacity Study process.

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

Councillor Bint, referring to changes to the roads around the Brooklands Campus of Walton High which, despite being long awaited, had been introduced without notice causing disruption to staff, parents and pupils and potentially compromising safety, asked Councillor Gowans for reassurance that he would work with officer colleagues and the School to ensure that there was a safe route into the School by the time term started after the summer break.

Councillor Gowans, indicated that he was very disappointed by the lack of communication by the primary developer about changes to the roads, particularly as the developer had given assurances at a meeting attended by both he and Councillor Bint that there would be extensive communication.

Councillor Bint, as a supplementary question asked Councillor Gowans again sought reassurance that there would be a safe route into the School by the time term started after the summer break.

Councillor Gowans indicated that it was an ongoing process and that he and officer colleagues were trying to ensure routes were safe at all times.

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

Councillor D McCall, indicating his support for measures to provide much needed housing in the borough referred to two well used play areas in his Ward, one which was next to a new development of 1,200 homes and had recently attracted considerable investment in the facilities available, asked Councillor Marland for reassurance that the Urban Capacity Study process would not destroy such well used and much needed community assets as these two play areas.

Councillor Marland indicated that both sites had been reassessed and would be withdrawn from the Urban Capacity Study and designated as play areas in Plan:MK

- (k) Question from Councillor Walker to Councillors Marland (Leader of the Council)

Councillor Walker, initially referring to increased Government funding for schools, went on to refer to the work of the RegenerationMK Committee, the milestones already reached by the RegenerationMK programme. He also suggested that the programme was possibly the most important thing the Council would be undertaking in the coming years. Councillor Walker referring to concerns being expressed by some residents in his Ward, asked Councillor Marland to reaffirm the importance of the RegenerationMK programme and reassure residents that the programme was about more than housing and would also address infrastructure, peoples wellbeing, the natural environment and would create new jobs and opportunities for both young and old.

Councillor Marland indicated that RegenerationMK was based on People, Place and Prosperity and was aimed at only giving residents a good home, but also a good education with good prospects.

Councillor Marland referring to the Governments investment in schools, which was being funded from the Free Schools Budget, hoped that the Council's Capital Programme did not suffer as a result and threaten such schemes as the school build programme and RegenerationMK.

- (l) Question from Councillor Dransfield to Councillors A Geary (Leader of the Conservative Group)

Councillor Dransfield, referring to the petition presented earlier in connection with charging for residents parking in Loughton, asked Councillor A Geary if he agreed that it should not be residents that were penalised, but instead the persons who were taking the residents' parking spaces.

Councillor A Geary agreed and indicated that it was not fair that residents had to pay to solve a problem not of their making.

Councillor Dransfield, as a supplementary question, asked Councillor A Geary if, when he was Leader of the Council, Cabinet members had license to speak on behalf of their residents rather than toe the party line and whether he was surprised that Councillor Nolan refused to support a complaint about the parking charges at the Parish Council meeting the previous Monday.

Councillor A Geary confirmed that Councillor Dransfield was correct and Ward should always be put before Party and generally where a councillor did otherwise, it was usually the start of the slippery slope to election failure.

- (m) Question from Councillor Bald to Councillor Long (Cabinet member for Adult Care and Housing)

Councillor Bald, referring to Councillor Long's earlier statement that there were no proposals for modular housing at Site 3 Westcroft, questioned as to whether this was a play on words and asked Councillor Long if he was still considering the site for modular housing or whether modular housing on the site was off the agenda completely.

Councillor Long confirmed that there were no proposals to build modular housing on the site.

Councillor Bald, referring to Councillor Long's statement that the current Development Brief was not valid, asked Councillor Long why he did not think it was valid.

Councillor Long indicated that as he did not support the current Development Brief, as far as he was concerned something much better could be done with the Site.

Councillor Long referred to the advice given by the Chief Executive of Milton Keynes Development Partnership, referred to by Councillor A Geary earlier, which made it clear that a development brief was not set in stone and could be changed.

- (n) Question from Councillor McLean to Councillor Gowans (Cabinet member for Public Realm)

Councillor McLean, referring to a number of failed street lights and patches of degraded and dangerous underfoot surface on the Midnight Moo route asked Councillor Gowans if in advance of the event next year both the street lights and the underfoot surface could be repaired.

Councillor Gowans indicated that he supported such an initiative as suggested by Councillor McLean.

- (o) Question from Councillor P Geary to Councillor Gowans (Cabinet member for Public Realm)

Councillor P Geary asked Councillor Gowans how many of the Council's parking machines accepted new pound coins.

Councillor Gowans, indicated that all of the machines accepted new pound coins.

- (p) Question from Councillor A Geary to Councillors Marland (Leader of the Council)

Councillor A Geary, referring to Councillor Long's earlier answer to the question from Councillor Bald regarding Site 3 Westcroft, asked Councillor Marland if he still thought that he had fewer problems with his Cabinet than the Prime Minister.

Councillor Marland indicated that he still believed he had fewer problems.

**CL35**

**WARD BASED BUDGETS - 1 APRIL 2017 TO 30 JUNE 2017**

The Council noted that between 1 April 2017 and 30 June 2017 Ward Based Budget applications totalling £2,270 had been approved.

THE MAYOR CLOSED THE MEETING AT 9:10 PM

**REPORT FROM THE STANDARDS COMMITTEE**

Chairman of the Standards Committee: Councillor Brackenbury

**Executive Summary:**

The purpose of this report is to inform the Council that an elected Member of Milton Keynes Council has been found to have breached the Code of Conduct applicable to Members and Co-Opted Members.

**1. Recommendation(s)**

1.1 That the report be noted.

**2. Issues**

2.1 On 11 May 2016 Councillor C Williams sent an email to a member of the public concerning the organisation of a public event. The recipient of the email complained to the Monitoring Officer that Councillor C Williams' email was disrespectful and rude and that he had failed to observe the Council's the Code of Conduct.

2.2 In accordance with the Council's procedure for dealing with Code of Conduct complaints, the Monitoring Officer sought informal resolution and, as this was not successful, took the matter to formal resolution stage. This involved consultation with an Independent Person. Following consultation with the Independent Person the Monitoring Officer's decision was to refer the matter to an Assessment Sub Committee.

2.3 The Assessment Sub-Committee of the Standards Committee met on 2 December 2016 to consider the matter and decided that the matter should be further investigated by the Monitoring Officer with a view to a resolution being explored. The Monitoring Officer was to be assisted by a Monitoring Officer from another Council. The Assessment Sub Committee was chaired by the, Councillor Miles, Chair of the Standards Committee 2016/17. The other Sub-Committee members were Councillors McDonald and Alexander.

2.4 In pursuance of this decision, the Council's Deputy Monitoring Officer and the Deputy Monitoring Officer of Bedford Borough Council met with Councillor C Williams on 3 March 2017. Councillor Williams was prepared to apologise for the final sentence of his email, which was typed in bold and read "I cannot wait to meet you face to face!!". Councillor Williams was unrepentant about the content and tone of the remainder of his email and therefore with it not being possible to reach an informal resolution the matter was referred back to the Standards Sub-Committee.

2.5 This was reported to the meeting of the Assessment Sub Committee of the Standards Committee on 10 May 2017. The Sub Committee was chaired by Councillor Miles as Chair of Standards Committee 2016/17 and comprised of Councillors McPake and McDonald. The Sub-Committee heard representations from Councillor C Williams, the Deputy Monitoring Officer of Bedford Borough Council and the Independent Person. The Complainant was not in attendance at this meeting.

- 2.6 After considering the evidence, the Sub-Committee found that Councillor C Williams had breached Paragraphs 2 and 6 of the Code of Conduct, namely that Milton Keynes Councillors should:
- “(2) Respect others and not bully any person  
(6) Not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute.”
- 2.7 The Sub-Committee decided that the following sanctions should be applied to Councillor C Williams in respect of the breach:
- The Councillor be censured,
  - The Sub-Committee’s findings in respect of the conduct be published,
  - The findings be reported to Council for information, and
  - The Monitoring Officer be instructed to arrange tailored training in respect of the Code of Conduct for the Subject Member.
- 2.8 A letter of censure, dated 29 June 2017, was sent to Councillor C Williams by Councillor Brackenbury, the current Chair of the Standards Committee.
- 2.9 Further the findings of the Sub-Committee will be published on the Council’s website following the noting of this matter by Council on 20 September 2017.
- 2.10 A training session has been arranged for Councillor C Williams with a very experienced lawyer from LGSS. When this session has taken place the outcome will be reported to the Standards Committee.

### 3. **Conclusion**

- 3.1 The Standards Committee is content that the sanctions imposed by the Sub-Committee following the Hearing which took place on 10 May 2017 have been progressed, and implementation will be complete following the remaining publication and the training which is expected to take place in the coming month.
- 3.2 The Minutes of the Hearing are attached to this report as an Annex.

### 4. **Implications**

#### 4.1 Policy

N/A

#### 4.2 Resources and Risk

The publication of a finding that a councillor is in breach of the code of conduct can present a reputational risk to the named councillor and, possibly all ward councillors. This is because the public expect a certain level of conduct from their elected representatives when acting in their position as a councillor. The complaint process is one way of holding them to account, public scrutiny is another.

Annex and Background Paper: Annex – Minutes of the meeting of the Standards Sub-Committee held on 10 May 2017



Minutes of the meeting of the STANDARDS SUB-COMMITTEE held on WEDNESDAY 10 MAY 2017 at 10.00am

**Present:** Councillor Miles (Chair)  
Councillors McDonald and McPake.

**Officers:** S Bridglalsingh (Service Director [Legal and Democratic Services and Monitoring Officer]), J Kealey (Interim Head of Legal Services, Procurement, Planning & Property) and S Muir (Committee Manager)

**Also Present:** Councillor C Williams  
M Briggs (Independent Person) and M Neale (Head of Legal Services/Deputy Monitoring Officer (Bedford Borough Council))

**SHSC01 CHAIR**

Councillor Miles, Chair of the Standards Committee, took the Chair.

**SHSC02 DECLARATION OF INTEREST**

Councillor McPake declared a personal interest as she had taken part in discussions about the transport arrangements for the Electric Daisy Carnival event referred to, with Milton Keynes Council Transport Officers, but stated that she knew nothing of the incident included in the complaint.

**SHSC03 EXCLUSION OF PUBLIC AND PRESS**

The Hearing Sub-Committee heard from the subject Member who indicated that he did not consider that the press and public should be excluded from the meeting.

The Service Director (Legal and Democratic Services and Monitoring Officer) clarified that as the complainant was not present to indicate otherwise and as there were personal details of the identity of that person included in the report and annexes and although it was a matter for the Sub-Committee to decide, her advice was that the need to keep information exempt outweighed the public interest in disclosing the information.

The Chair proposed that the public and press representatives be excluded from the meeting by virtue Paragraph 2 (Information which is likely to reveal the Identity of an Individual) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Standards Hearing Panel may consider the Annexes and Appendixes to Item 5 (Report of the Monitoring Officer).

The Sub-Committee heard from Councillor Macdonald who indicated his support for the proposal.

The Sub-Committee also heard from Councillor McPake who indicated a contrary view.

RESOLVED -

That the public and press representatives be excluded from the meeting by virtue Paragraph 2 (Information which is likely to reveal the Identity of an Individual) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Standards Hearing Panel may consider the Annexes and Appendixes to Item 5 (Report of the Monitoring Officer). On these grounds it was considered that the need to keep information exempt outweighed the public interest in disclosing the information.

#### **SHSC04**

#### **MONITORING OFFICER ASSESSMENT REPORT**

The Standards Hearing Sub-Committee considered the Monitoring Officer's report which set out the nature of the allegation against the subject Member.

The Sub-Committee were informed that the complaint had previously come before it on 2 December 2016, when it decided that an external investigation would not be in the public interest and it resolved instead that the complaint be referred to the Monitoring Officer for further investigation in conjunction with a fellow Monitoring Officer, with a view to a resolution being sought.

It was reported that on 3 March 2017 a meeting took place between the Subject Member, the Council's Deputy Monitoring Officer and the Deputy Monitoring Officer of Bedford Borough Council, but that resolution had not proved possible. The matter had therefore been referred back to the Standards Hearing Sub-Committee.

The Hearing Sub-Committee heard from the Monitoring Officer, that the role of the Hearing Sub-Committee was to determine whether, the actions of the Subject Member, constituted a breach of the Code of Conduct, and if so, whether any action should be taken on the complaint against the Subject Member. The Councillors of Milton Keynes Council must:

2. respect others and not bully any person; and
6. not conduct themselves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute.

In deciding whether there had been a breach of the Code of Conduct the Hearing Sub-Committee considered the facts of the complaint and the Subject Member's response and decide whether, in the light of the Subject Member's response, the complaint against him was proved.



If the Sub-Committee decided that the complaint that the Subject Member was proved it must proceed to consider what sanction(s), if any, should be applied to him. The following sanctions were available:

The Hearing Sub-Committee may:

1. Censure the Councillor.
2. Publish its findings in respect of the conduct.
3. Report its findings to the Council for information.
4. Instruct the Monitoring Officer to arrange training for the Member.
5. Recommend the Group Leader to remove (the Subject Member) from Committees or Cabinet.
6. Withdraw facilities (only where this is an appropriate response in the context of the acts complained of and must not prevent the Subject Member from carrying out their duties as a Councillor).
7. Bar from the offices (only where this is an appropriate response in the context of the acts complained of and must not prevent the Subject Member from carrying out their duties as a Councillor)

The Hearing Sub-Committee also considered the report from the Head of Legal Services/Deputy Monitoring Officer (Bedford Borough Council) who had met with the Subject Member to attempt to explore a potential resolution.

The Hearing Sub-Committee also heard from the Subject Member that he had considered the report of the Deputy Monitoring Officer (Bedford Borough Council) and had nothing further to add that that stage.

The Deputy Monitoring Officer (Bedford Borough Council) clarified the complainant did not wish to take an active part in the complaints process, but had not withdrawn her complaint and wished to be informed of the outcome.

The Monitoring Officer of Milton Keynes Council explained that the Hearing Sub-Committee was required to consider whether the Subject Member had breached the Code of Conduct.

The Hearing Sub-Committee heard representation from the Subject Member and asked questions of him to clarify his position. The Sub-Committee also heard from the Independent Person.

The Hearing Sub-Committee was then adjourned in order that it could consider the report and the Subject Member's representations, and consult with the Independent Person. The Deputy Monitoring Officer (Bedford Borough Council) and the Head of Legal Services, Procurement, Planning & Property, left the meeting.

Following detailed consideration of the facts of the evidence the Sub-Committee found that the Subject Member had breached the Council's Code of Conduct with regard to the following sections of Part 1 of the General Obligations of the Milton Keynes Council Code of Conduct for Members and Co-Opted Members. This was seconded by Councillor McDonald.

The Members of Milton Keynes Council must:

Section 2. Respect others and not bully any person; and

Section 6. Not conducting them-selves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute.

The Sub-Committee decided that the following sanctions be applied:

1. The Member be censured;
2. The Sub-Committee's findings in respect of the conduct be published;
3. The findings be reported to Council for information; and
4. The Monitoring Officer be instructed to arrange tailored training in respect of the Code of Conduct for the subject Member.

It was unanimously

RESOLVED -

1. That the complaint Subject Member be found in breach of the Code of Conduct with regard to the following sections of Part 1 of the General Obligations of the Milton Keynes Council Code of Conduct for Members and Co-Opted Members:
  - Paragraph 2. Respect others and not bully any person; and
  - Paragraph 6. Not conduct them-selves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute.
2. That the following sanctions be applied:
  1. The Member be censured;
  2. The Sub-Committee's findings in respect of the conduct be published;
  3. The findings be reported to Council for information; and
  4. The Monitoring Officer be instructed to arrange tailored training in respect of the Code of Conduct for the subject Member.
3. That it be noted that:
  1. The Member would be written to within 10 working days detailing the Sub Committee's findings; and

2. That the Member would have 21 days from the issue of the Sub Committee's letter to request an appeal of the Sub Committee's Decision.

THE CHAIR CLOSED THE MEETING AT 11:10 AM