



Minutes of the meeting of the MILTON KEYNES COUNCIL held on TUESDAY 12 SEPTEMBER 2006 at 7.30 pm

Present: Councillor Carstens (Mayor)
Councillor Barry (Deputy Mayor)
Councillors Bristow, Brock, Burke, Butler-Ellis, Campbell, Carruthers, Sandra Clark, Stephen Clark, Crooks, Dransfield, Drewett, Eastman, Eaton, Edwards, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, Hopkins, Hoyle, Irons, Jury, Latham, Legg, Lloyd, Long, Mabbott, D McCall, I McCall, McKenzie, Miles, Morris, Morsley, Pendry, Pugh, Seymour, Tallack, Tamagnini-Barbosa, Tunney, Wharton, Williams and Wilson

Alderman Howell was also present:

Apologies: Councillors Box, Coventry, Geary, Holroyd, and Snell and Alderman Ellis

Also Present: Mr C Fogden (Chair of the Standards Committee) and 13 members of the public

CL40 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 11 July 2006, be approved and signed by the Mayor as a correct record.

CL41 DISCLOSURE OF INTERESTS

Councillors Burke, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, D McCall, I McCall, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa and Williams declared a prejudicial interest in Item 4(d)(ii) – Part (ii) [Providing Indemnities to Members and Relevant Authority Officers - Terms of Insurance], having contributed to the legal costs incurred by Councillor I McCall

Councillor Bristow declared a personal interest in Item 4(e) [Proposed Committee Arrangements to Coordinate the Council's Response to Consultations by the Milton Keynes Partnership] as a Council representative on Milton Keynes Partnership].

CL42

ANNOUNCEMENTS

(a) Greg Rutherford

The Mayor congratulated Greg Rutherford on his Silver Medal in the Long Jump at the recent European Athletics Championships.

(b) Britain in Bloom Competition

The Mayor announced that Milton Keynes had been awarded a Silver Gilt Certificate and Best Large City in the Thames and Chiltern Britain in Bloom Competition.

In addition Milton Keynes had received the National Bio-Diversity Award which covered Willen Lake, the Grid Road Initiative and the Hanson Centre.

Also Milton Keynes had received two of the five Neighbourhood Awards for St Giles and St Mary's in Stony Stratford and the Wolverton Secret Garden.

(c) External Scrutiny Panel

The Mayor reminded Members that the Acting Chief Constable would be attending the meeting of the External Scrutiny Panel on Thursday 14 September 2006, which would give Members the opportunity to question the Acting Chief Constable on policing issues concerning Milton Keynes.

CL43

PROCEDURE

The Mayor brought forward Items 5(iv) – Community Transport and 4(d) - Recommendations from Standards Committee - 3 August 2006, to this point in the meeting.

CL44

COMMUNITY TRANSPORT

Councillor Legg moved the following motion, which was seconded by Councillor Wilson:

“That this Council is very concerned at the problems of the Community Transport Service and asks Cabinet to fund an independent review of the Service.”

Councillor Tamagnini-Barbosa moved the following amendment which was seconded by Councillor Eastman and accepted by the mover and seconder of the motion:

“That the words after ‘Community Transport Service and’ be deleted and replaced with ‘requests the Environment Policy Development Committee to conduct a review of the Service.’”

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

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

RESOLVED –

That this Council is very concerned at the problems of the Community Transport Service and requests the Environment Policy Development Committee to conduct a review of the Service.

CL45

REPORTS FROM CABINET AND COMMITTEES

(a) Standards Committee – 3 August 2006

(i) Report from Standards Committee on Recent Activities

The Council received a report, presented by the Chair of the Standards Committee, on the work of the Committee for the period January to August 2006.

(ii) Providing Indemnities to Members and Relevant Authority Officers - Terms of Insurance

Councillor Miles moved the following recommendation from the meeting of the Standards Committee held on 3 August 2006, which was seconded by Councillor Barry:

- “1. That the provisions of The Local Authorities (Indemnities for Members and Officers) Order 2004 be adopted in respect of the cost to a Member of legal representation in proceedings brought against him or her under Part 3 of the Local Government Act 2000.
2. That the indemnity be provided by effecting appropriate insurance, subject to the satisfaction of the Monitoring Officer regarding the terms of insurance offered.”

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

Councillor Miles moved the following recommendation from the meeting of the Standards Committee held on 3 August 2006, which was seconded by Councillor Barry:

“That consideration of the principle of making provision of an indemnity directly, in whole or in part, in response to a retrospective application for those costs that may have arisen between the Regulations coming into force and the secured insurance coming into effect be approved.”

A procedural amendment was moved by Councillor Bristow and seconded by Councillor Barry to add the words ‘consideration of’ between ‘That’ and ‘the’ in the first line; to add the words ‘(including any likely financial implications for the Council)’ after ‘principle’ and to substitute the words ‘be deferred to a future

meeting of the Council' for the words 'be approved' at the end of the recommendation.

The amendment was accepted by the Mover and Secunder of the recommendation.

The amended recommendation was declared carried unanimously.

RESOLVED -

1. That the provisions of The Local Authorities (Indemnities for Members and Officers) Order 2004 be adopted in respect of the cost to a Member of legal representation in proceedings brought against him or her under Part 3 of the Local Government Act 2000.
2. That the indemnity be provided by effecting appropriate insurance, subject to the satisfaction of the Monitoring Officer regarding the terms of insurance offered.
3. That consideration of the principle (including any likely financial implications for the Council) of making provision of an indemnity directly, in whole or in part, in response to a retrospective application for those costs that may have arisen between the Regulations coming into force and the secured insurance coming into effect be deferred to a future meeting of the Council.

Councillors Burke, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, D McCall, I McCall, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa and Williams declared a prejudicial interest in this item so far as Resolution 3 is concerned and left the meeting, taking no part in the discussions, or the voting thereon.

(b) Standards Committee - 13 March 2006

Proposed Monitoring Officer Protocol

Councillor Barry moved the following recommendation from the meeting of the Standards Committee held on 13 March 2006, which was seconded by Councillor Long:

"That the Monitoring Officer Protocol be adopted and incorporated into Part 5 of the Constitution."

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

RESOLVED -

That the Monitoring Officer Protocol be adopted and incorporated into Part 5 of the Constitution.

(c) Executive Scrutiny Panel - 19 July 2006

Proposed Monitoring Officer Protocol

Councillor Jury moved the following recommendation from the meeting of the Executive Scrutiny Panel held on 19 July 2006, which was seconded by Councillor Pendry:

“That the Council is of the view that the Cabinet decision to adopt the Liberal Democrat Manifesto as the basis of the Cabinet’s strategies and priorities for 2006/07 is no longer required, in view of the decision of the Council at its meeting on 11 July 2006, to adopt the Council Plan 2006/09.”

On being put to the vote the recommendation was declared carried with 24 Members voting in favour and 22 abstaining from voting.

RESOLVED -

That the Council is of the view that the Cabinet decision to adopt the Liberal Democrat Manifesto as the basis of the Cabinet’s strategies and priorities for 2006/07 is no longer required, in view of the decision of the Council at its meeting on 11 July 2006, to adopt the Council Plan 2006/09.

(d) Performance Review Panel - 19 July 2006

Performance Review Panel - Terms of Reference

Councillor Wilson moved the following recommendation from the meeting of the Performance Review Panel held on 19 July 2006, which was seconded by Councillor Morris:

“That the following Terms of Reference for the Performance Review Panel be adopted:

- (i) To monitor performance information which will include Corporate Plan indicators, Partnership key performance indicators, budget reports and complaints.
- (ii) To investigate areas of poor or uncertain performance and make recommendations to the Executive (Cabinet or officers), as appropriate.
- (iii) To refer performance issues to Policy Development Committees where the Panel feels policy needs reviewing.
- (iv) To represent public concerns over the Council’s performance.”

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

RESOLVED -

That the following Terms of Reference for the Performance Review Panel be adopted:

- (i) To monitor performance information which will include Corporate Plan indicators, Partnership key performance indicators, budget reports and complaints.
 - (ii) To investigate areas of poor or uncertain performance and make recommendations to the Executive (Cabinet or officers), as appropriate.
 - (iii) To refer performance issues to Policy Development Committees where the Panel feels policy needs reviewing.
 - (iv) To represent public concerns over the Council's performance.
- (e) Development Control Committee - 23 August 2006

Proposed Committee Arrangements to Coordinate the Council's Response to Consultations by the Milton Keynes Partnership

Councillor Stephen Clark moved the following recommendation from the meeting of the Development Control Committee held on 23 August 2006, which was seconded by Councillor Hopkins and on which a recorded vote was requested:

"That the Development Control Committee's functions under Part 3 of the Constitution (Responsibility for Functions) be amended to include approval of the Council's formal response to consultations by Milton Keynes Partnership."

A recorded vote on the recommendation was requested. The voting was as follows:

FOR: Councillors Barry, Brock, Burke, Butler-Ellis, Carruthers, Carstens, Sandra Clark, Stephen Clark, Crooks, Dransfield, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, Hopkins, Hoyle, Jury, Latham, D McCall, I McCall, Morris, Pugh, Seymour, Tallack, Tamagnini-Barbosa, Tunney, Wharton and Williams (33)

AGAINST: Councillors Campbell, Edwards, Irons, Legg, Lloyd, Long, Mabbott, McKenzie, Miles, Morsley, Pendry and Wilson (12).

The recommendation was declared carried.

RESOLVED -

That the Development Control Committee's functions under Part 3 of the Constitution (Responsibility for Functions) be amended to include approval of the Council's formal response to consultations by Milton Keynes Partnership.

(Councillor Bristow declared a personal interest in this Item and took no part in the discussion, or voting thereon.)

(f) Cabinet - 5 September 2006

Treasury Outturn 2005/06

Councillor Crooks moved the following recommendation from the meeting of the Cabinet held on 5 September 2006, which was seconded by Councillor Tallack, and, in doing so paid tribute to the work of the staff involved:

"That the Council's Treasury Management Performance in 2005/06 be noted."

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

RESOLVED -

That the Council's Treasury Management Performance in 2005/06 be noted.

CL46

MEMBERS' QUESTIONS

(a) Question from Councillor Dransfield to Councillor Jury:

"Are you going to remove Councillor Hopkins from the Partnership Committee for the audacity of objecting to the proposals of the Partnership Committee to do with expansion?"

Answer from Councillor Jury:

"Absolutely not. As Councillor Hopkins is the only voice of reason on the Partnership Committee, I hope he stays there."

Councillor Dransfield asked a supplementary question, which was answered by Councillor Jury.

(b) Question from Councillor Sandra Clark to Councillor Long:

"In a recent press report, you criticised education attainment in Milton Keynes and the failure of schools to reach Government targets. Without exception, all of the secondary schools within Milton Keynes facing challenging circumstances, are currently in Labour controlled Wards. Will you reassure Members that you will personally undertake to visit these schools, and explain to the hard working headteachers and staff why you feel that the Government's 'Every Child Matters' agenda clearly doesn't apply to the very children that you are elected to serve, and that you clearly

believe reaching Government targets is far more important than understanding the needs of the local electorate?"

Answer from Councillor Long:

"The reality is that this Authority, led by the Liberal Democrats, is not performing as well as other councils around the country. The recent results show that schools are falling in their performance, whilst nationally there is an increase in performance. I believe that schools in Labour areas face a whole series of challenges. What some of those areas need are greater resources."

Councillor Sandra Clark asked a supplementary question, which was answered by Councillor Long.

(c) Question from Councillor Campbell to Councillor Sandra Clark:

"Following the publication of the far-reaching and controversial West Bletchley Schools Review, will you please give the residents of West Bletchley a guarantee that the Council will provide an opportunity for all residents of West Bletchley to take part in a ballot on this issue, so that they can make their views known before the Council begins any damaging programme of school closures?"

Answer from Councillor Sandra Clark:

"Local authorities have a key strategic responsibility to ensure good schools of the right size and type, and in the right place, to meet parental and community need and to maximise resources. This is a crucial role for authorities, since not only does it mean that places need to be provided when required, but also that the infrastructure in place is designed in such a way that outcomes for all children and young people in the authority are maximised.

Despite its large population, as one of the most mature areas of the Borough, West Bletchley has been suffering the national problem of a combination of falling birth rates and the migration of younger families to newer areas of the Borough. Pupil numbers have therefore dropped considerably in the area for some time. Between 2003 and 2005, even before the change in the ages of transfer between schools, the number of spare primary school places in the area overall had increased from 291 to 500, and 4 of the 8 primary schools had at least 25% surplus places.

Following the change to the ages of transfer, and allowing for growth within the area, there are still 494 projected surplus primary school places by 2008. The Council's School Organisation Plan (2005-2010) outlined West Bletchley as an area with high surplus places where a review of provision would be necessary. This, coupled with ongoing requests

from a number of schools to review provision due to planning pressures associated with declining rolls, has led to the commencement of an area-wide review of primary provision. The OFSTED inspection of 2002 of the Council's education functions also recommended that once a decision had been taken about changing the ages of transfer, swift action should be taken to remove surplus places.

A Review Group of officers and two headteachers representing primary schools across Milton Keynes was set up in January 2006 and has concluded the first stage of a multi-stage process. This involved individual discussions with all headteachers and chairs of governors and led to the production of five options for consideration by the eight primary schools. Schools have been asked to give feedback on these options by the end of July. Options ranged from the retention of the status quo to various school amalgamations, with one option for a new primary school for the area following the potential amalgamation of four primary schools. All options included more early years provision within the area through the inclusion of a Children's Centre and Day Nursery. These options were also presented to a small number of members of the Parish Council before being presented to the full Parish Council.

Following comments from schools on the options and further consideration by the Working Group, it is the intention of officers to report to the Learning and Development Policy Development Committee in September on progress with the Review and then to report to Cabinet in early October with the Committee's comments. Should Cabinet decide to proceed, there would then be a three month public consultation on the options.

This would involve officer-led meetings being held in each school, giving ample opportunity for parents and local residents to become involved and express their views. There will also be a consultation document which will be made widely available on which members of the public can express their views."

Councillor Campbell asked a supplementary question, which was answered by Councillor Sandra Clark.

(d) Question from Councillor Bristow to Councillor Long:

"Do you not consider the question that was raised by Councillor Dransfield about Councillor Hopkins being the only Member on the Partnership Committee to object to the expansion plan was correct or incorrect?"

Answer from Councillor Long:

“Having sat through the last two Partnership Committees, I think that all three Councillors on that body are actually working quite hard. Where I would disagree with Councillor Dransfield is what I saw Councillor Hopkins object to the development of a lot of new houses.”

(e) Question from Councillor Tunney to Councillor Crooks:

"In respect of my question (CL21 on 13 June 2006) can you now say:

- (a) what further developments there have been in respect of the two objections; and
- (b) whether, as they have received consideration, there have been any changes of view in respect of the funds at issue and what the new views are?"

Answer from Councillor Crooks:

“The two objections relate to first of all, Section 136, by Olney Town Council, and secondly, the special parking area account is, as we know it, ‘the Stabler objection’. In respect of Olney, there has been two responses regarding that connection. The first is from the Ombudsman and states clearly that the Council considered the ending of the S136 arrangements properly and has reached a decision that it is entitled to reach. In other words, the Ombudsman gave the Council a clean bill of health.

The Council has also received a letter from the Audit Commission, that summarises the Commission’s provisional findings to date. Essentially, these were that the Council provided insufficient information to the Town Council as part of the consultation process, and served inadequate notice of termination. The Commission also said that it thought that the Cabinet had received insufficient information before it took the decision that it did. However, the Commission went on to say that it didn’t feel that any recompense should be made to the Town Council.

What has happened since then is that the Council sent a response to the provisional findings of the Audit Commission, and we also provided supportive documentation, including all the relevant letters and Minutes that went into the decision that we took. I will be sending a copy of this letter to Councillors Hopkins, Stephen Clark and Brock.

We have also sent the Commission a copy of the Ombudsman report, which, very surprisingly, they were unaware of. A meeting is now scheduled for 13 September 2006 at which the Audit Commission and officers will be taking the discussion further.

With regard to Mr Stabler's objection, those concerns relate to Section 55(4)(d) of the Road Traffic Regulation Act 1984. The Audit Commission has asked for yet more information on this objection, and the Council's lawyers have provided that. The Commission is looking at that to see what the impact is, if any, on the accounts. Whatever they decide, it doesn't look like there will be any resolution before the special Council on 28 September 2006, which is to consider the annual accounts. Having said that, however, it is not anticipated that the accounts will either be late or that they will be qualified. What will happen, if there is no resolution by 28 September 2006, is that the Commission and the Council are discussing attaching the following notes to the accounts:

"A conclusion has not yet been reached in respect of an objection to the special parking area account on the 2004/05 accounts. There are consequently uncertainties on the Council's accounts, both for 2004/05 and 2005/06. The Audit Commission is reviewing the Council's legal response to the objection and adherence to Section 55(4)(d) of the Road Traffic Regulation Act 1984. This part of the Act requires that, in order for the local authority to apply the surplus from the accounts, it must appear that further off-street parking is unnecessary or undesirable. It is the Council's opinion that the requirements of the Act had been met. However, the Commission is requiring the Council to quantify the uncertainty, which may be up to £11m for 2004/05 and 2005/06 taken together."

In the event of a ruling against the Council, balances can be applied retrospectively to cover that sum for the two years involved. There would, however, be a knock-on effect to the accounts this year and to the budget that is currently being prepared. We are obviously looking at ways in which that could be handled.

What I do want to make clear, however, is that this is a matter of technical accounting and doesn't actually affect the Council's bottom line.

Councillor Tunney asked if there had been any changes in the Council's view as a result of the announcements by the Audit Commission. In respect of Section 136, the answer is no. We believe that the material we subsequently supplied the Audit Commission refute satisfactorily their concerns about the information we had at our disposal when we took the decision, and the consultation and notice period to the Town Council.

On the special parking account, there isn't a change either. The present arrangements enjoy all Party support. They were introduced by the Conservative Buckinghamshire County Council, it was the highway authority, and maintained by the Labour Party in 1997 when Milton Keynes became a

unitary authority. A number of Councils elsewhere in the country employ the same arrangements as we do and we are unaware that any have had the legal queries raised that the Audit Commission has with us.”

Councillor Tunney asked a supplementary question, which was answered by Councillor Crooks.

(f) Question from Councillor Mabbott to Councillor I McCall:

“Could you please tell the Council the exact level of financial commitment the Council has made for the last two years and has committed for future years towards regeneration bodies such as the Bletchley Development Board and Spotlight on Bletchley? In doing so, could you please break down the levels of financial commitment across organisations and also itemise the level of both direct and indirect commitment (such as officer support and other staff time)? Could you also please include the amounts (including an itemised breakdown) of charged support (i.e. work contracted to the Council by these partner organisations)?”

Answer from Councillor I McCall:

“Can I suggest that I write to you in due course once I have compiled the answers.”

Councillor Mabbott asked a supplementary question, which Councillor I McCall undertook to answer in writing.

(g) Question from Councillor Irons to Councillor E Henderson:

“I understand that there is an underspend of £8m on the capital budget. I would like to spare the Cabinet any embarrassment by offering a home to some of the surplus. There are various projects in the Wolverton Ward which would be a good home, but can I recommend the Council to consider the replacement of the Bradwell Monk Pavilion to include a hall facility. This will give a much better meeting place for Hodge Lea residents, and would enable the Residents’ Association to dispose of an uneconomic asset and use the spare land for much needed housing?”

Answer from Councillor E Henderson:

“I refer to Councillor Crooks in terms of monitoring of the Capital Programme, because I believe I am right in saying that that money has neither been spent, nor it is looking for a home, but rather that, as inevitably occurs, budgets don’t always fall neatly into the months, and even years, at which they are scheduled. If Councillor Crooks would like to add to that later on, I’m sure I would welcome that.

On the specific issue relating to homes for projects. I hope you will make colleagues in the Community and Leisure Department aware of your request, and maybe you will have

as much as success as you had in this last year, when you so eagerly argued for another community centre, which then went in to the Capital Programme.”

Councillor Irons asked a supplementary question, which was answered by Councillor E Henderson.

(h) Question from Councillor I Henderson to Councillor Wilson:

“I am quite certain that most Members around this room will actually remember that, at the beginning of this Council year, you announced that you were a backbencher and asked the Mayor if he could keep control of you and your tongue, and you would do your utmost not to speak. However, tonight you have spoken on each and every individual item at least once, and sometimes twice and thrice. When does your life as a backbencher begin, so I can start celebrating?”

Answer from Councillor Wilson:

“I would like to thank you for giving me yet another opportunity to talk.”

(i) Question from Councillor Williams to Councillor Jury:

“I have here a letter from Mr Jim Harker, who is the Conservative Leader of Northamptonshire County Council, in which he remonstrates with the Leader of this Council for not supporting his bid to have congestion charges. I might add that his bid was supported by Bedfordshire County Council and Buckinghamshire County Council. All three of these Councils are Conservative led. All three of these Councils have tried to pressurise us in to having congestion charges. At what level do you support your fellow Conservative Council leaders in other areas?”

Answer from Councillor Jury:

“It is a great shame that I haven’t seen the letter, therefore, you have more knowledge than I do. Milton Keynes was built for the car, it was built around a grid road system and, therefore, if it was expanded and used properly there is no need for congestion charges. We don’t really believe in congestion charges, as we have said in this Chamber previously.

Councillor Williams asked a supplementary question, which was answered by Councillor Jury.

(j) Question from Councillor Miles to Councillor Williams:

“We are nearly half way through the Financial Year and I saw a lovely old lady waiting for a bus outside Hodge Lea. When is the bus shelter coming and when is the bus stop coming?”

Answer from Councillor Williams:

“I am happy to tell you that I have secured funding that will provide two bus stops on the Quality Bus route that you have been requesting, and not only that, we are at the moment at the design stage. I will be hoping to discuss with you and your fellow Councillors for the Wolverton Ward a timeframe that you can input into and comment upon.

Secondly I am happy to tell you that I have received information, but please take this with a certain amount of caution, that leads me to believe that we will be providing a bus service into the Estate itself to replace the one which I believe was lost last year. The reason for my hesitancy in absolutely confirming that is that I have still to work out the final and technical details. It may be that we will reroute an existing service into the Estate. However, it is my determination that in some manner you will receive a bus service into the Estate. I am in discussions with one of the residents' associations about where they would like it to go to within the Estate.”

CL47

HEALTHY EATING

Councillor I Henderson moved the following motion, which was seconded by Councillor Sandra Clark:

- “1. That this Council:
 - (a) recognises the important role that a healthy, balanced diet makes to health and well being; and
 - (b) welcomes the opportunity to work in Partnership with the Primary Care trust through Eat Healthy:MK.
2. That this Council therefore calls upon the Cabinet to:
 - (a) commit to increase the opportunities for all residents in MK to access a healthy affordable diet by, for example, ensuring that fresh food and vegetables is accessible to people in areas of deprivation;
 - (b) ensure that all council buildings and facilities are breast-feeding friendly;
 - (c) require all Council canteens and catering outlets to offer healthy options;
 - (d) support the Healthy Schools initiative by ensuring that both school meal uptake and content are monitored, aiming to reach and sustain 100% free school meal uptake and that the content of school meals meets nutritional standards; and
 - (e) use every opportunity to promote and advertise healthy eating messages, for example in Live MK.”

Councillor Edwards moved 'That the vote be put'. On being put to the vote the motion that the vote be put was declared carried with 23 members voting in favour, 14 members voting against and 5 members abstaining from voting.

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

RESOLVED -

1. That this Council:
 - (a) recognises the important role that a healthy, balanced diet makes to health and well being; and
 - (b) welcomes the opportunity to work in Partnership with the Primary Care trust through Eat Healthy:MK.
2. That this Council therefore calls upon the Cabinet to:
 - (a) commit to increase the opportunities for all residents in MK to access a healthy affordable diet by, for example, ensuring that fresh food and vegetables is accessible to people in areas of deprivation;
 - (b) ensure that all council buildings and facilities are breast-feeding friendly;
 - (c) require all Council canteens and catering outlets to offer healthy options;
 - (d) support the Healthy Schools initiative by ensuring that both school meal uptake and content are monitored, aiming to reach and sustain 100% free school meal uptake and that the content of school meals meets nutritional standards; and
 - (e) use every opportunity to promote and advertise healthy eating messages, for example in Live MK.

CL48

NATIONAL NON-DOMESTIC RATES

Councillor Crooks moved the following motion, which was seconded by Councillor Pugh:

"That this Council:

1. mindful of the huge growth, inclusion and waste disposal pressures faced;
2. aware of the business community's need for a stable workforce that is happy to live in, and strongly committed to, the city;
3. concerned about the erosion of non-statutory services in sport, culture and the arts that contribute to the community's quality of life;

4. deplores the fact that Milton Keynes businesses pay £122.9 million in National Non-Domestic Rates (NNDR) annually to the Government but only receives back £59.2 million, a loss of £ 63.7 million that could be spent on better services; and
5. calls on the local MPs to press the Government to review the special case of Milton Keynes and allow it to retain the full amount of NNDR to which Milton Keynes is entitled."

On being put to the vote the motion was declared carried with 22 Members voting in favour, 12 Members voting against and 11 Members abstaining from voting.

RESOLVED -

That this Council:

1. mindful of the huge growth, inclusion and waste disposal pressures faced;
2. aware of the business community's need for a stable workforce that is happy to live in, and strongly committed to, the city;
3. concerned about the erosion of non-statutory services in sport, culture and the arts that contribute to the community's quality of life;
4. deplores the fact that Milton Keynes businesses pay £122.9 million in National Non-Domestic Rates (NNDR) annually to the Government but only receives back £59.2 million, a loss of £ 63.7 million that could be spent on better services; and
5. calls on the local MPs to press the Government to review the special case of Milton Keynes and allow it to retain the full amount of NNDR to which Milton Keynes is entitled.

CL49

CHILD TRUST FUNDS

Councillor Campbell moved the following motion, which was seconded by Councillor Long:

"That this Council supports the Government's Child Trust Fund and agrees to help promote take up by advertising the benefits in MK Live, on the Council website and in promotional materials for parents."

On being put to the vote the motion was declared carried with 29 Members voting in favour, 11 Members voting against and 6 Members abstaining from voting.

RESOLVED -

That this Council supports the Government's Child Trust Fund and agrees to help promote take up by advertising the benefits in MK Live, on the Council website and in promotional materials for parents

CL50**AUDIT COMMITTEE**

Councillor Dransfield moved the following motion, which was seconded by Councillor Wilson:

“That following the recent ill-advised involvement of Councillor Crooks with officers in the drafting of the Terms of Reference for the Audit Committee, and Councillors Crooks and Tallack in discussions with the Audit Commission about the ‘contribution of the Audit Committee and Internal Audit to corporate governance’, this Council censures Councillors Crooks and Tallack for undermining the independence of the Audit Committee as a committee of the Council and will seek advice from the Audit Commission about whether members of the Executive (Cabinet) should be members of the Audit Committee”.

On being put to the vote the motion was declared carried with 23 Members voting in favour, 22 Members voting against and 0 Members abstaining from voting.

RESOLVED -

That following the recent ill-advised involvement of Councillor Crooks with officers in the drafting of the Terms of Reference for the Audit Committee, and Councillors Crooks and Tallack in discussions with the Audit Commission about the ‘contribution of the Audit Committee and Internal Audit to corporate governance’, this Council censures Councillors Crooks and Tallack for undermining the independence of the Audit Committee as a committee of the Council and will seek advice from the Audit Commission about whether members of the Executive (Cabinet) should be members of the Audit Committee.

CL51**APPOINTMENT OF ALDERMAN**

The Council considered requesting the Mayor to call a special meeting of the Council to consider granting the position of Honorary Alderman to former Councillor Bartlett in recognition of eminent service to the Council, which had exceeded 15 years.

RESOLVED -

That the Mayor be requested to call a special meeting of the Council, as required by Section 249 of the Local Government Act 1972, to enable the Council to consider granting the position of Honorary Alderman to former Councillor Bartlett in recognition of eminent service to the Council.

CL52**DRAFT BYELAWS - PREVENTION OF SWIMMING FROM TYRINGHAM BRIDGE**

The Council considered adopting byelaws to tackle nuisance behaviour associated with swimming and diving from Tyringham Bridge.

RESOLVED -

1. That the Council adopt the byelaws related to the prevention of swimming and diving from Tyringham Bridge.
2. That the common seal of the Council be affixed to the byelaws.
3. That the Head of Legal Services be authorised to carry out the necessary procedure and apply to the Secretary of State for confirmation.

CL53

COUNCILLOR MABBOTT

The Council noted that, in accordance with Regulation 10 of the Local Government (Committee and Political Groups) Regulations 1989, Councillor Mabbott was no longer a Member of the Labour Group.

CL54

QUARTERLY REPORTS ON SPECIAL URGENCY DECISIONS

The Council noted that the special urgency provisions under Access to Information Procedure Rule 17.3 had not been used in the period June 2006 to August 2006

THE MAYOR CLOSED THE MEETING AT 10.47 PM