



Minutes of the meeting of the MILTON KEYNES COUNCIL held on TUESDAY 8 DECEMBER 2009 at 7.30 pm

Present: Councillor E Henderson (Mayor)
Councillors Barry, Bint, Box, Brock, Burke, Butler-Ellis, Campbell, Carstens, S Clark, U Clarke, Coventry, Crooks, Dransfield, Drewett, Exon, Ferrans, Fraser, Galloway, A Geary, P Geary, Gerrella, I Henderson, Hopkins, Hoyle, Irons, Jury, Klein, Mallyon, I McCall, McPake, Miles, A Morris, C Morris, O'Neill, Potts, Small, Tallack, Tamagnini-Barbosa, Turnbull, Wharton, White, Williams and Wright.

Aldermen Howell and Saunders were also present

Apologies: Councillors Bristow, Edwards, Latham, Lloyd, D McCall, Richards and Tunney and Alderman Ellis

Also Present: 14 members of the public

CL70 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 10 November 2009 be approved and signed as a correct record.

CL71 DISCLOSURES OF INTEREST

Councillors A Geary and Jury declared a predetermined position on Item 4 [Gambling Act 2005 –Statement of Gambling Licensing Policy (2010-2013)].

Councillor White declared personal interests in Item 5(b)(i) as secretary of North Bucks Federation of Small Businesses, as Chair of the National Energy Foundation and as Chair of United Sustainable Energy Agency.

CL72 ANNOUNCEMENTS

1. Rifleman Andrew Fentiman

The Mayor announced that he would be sending condolences on behalf of the Council to the family of Rifleman Andrew Fentiman, a soldier from 7th Battalion The Rifles TA Unit based at Blakelands, who had been killed in Afghanistan during the weekend of 14 and 15 November.

2. Fred Foster

The Mayor announced that he had sent condolences on behalf of the Council to the family of Fred Foster, who had been a Member of Weston Underwood Parish Council for 53 years, 31 as Chairman, and had died on 1 December 2009.

3. Jeff Punter

The Mayor announced that former Councillor Jeff Punter had died recently. Former Councillor Punter had served as a councillor from 1994 – 1998, representing Linford South Ward.

Other Members spoke in memory of Mr Punter.

4. Alderman Bert Tapp

The Mayor announced that Alderman Bert Tapp, who had served on Milton Keynes Council from 1973 to 1976 and again from 1981 to 2002, being elected Mayor of Milton Keynes during 1986/87, had died suddenly that morning. Alderman Tapp had also served for 10 or more years on Newport Pagnell Rural District Council as well as serving many years on Castlethorpe Parish Council. He became an Alderman in 2002.

Other Members, and the Chair of Castlethorpe Parish council, spoke in memory of Alderman Tapp.

The Council stood in silence as a mark of respect to those who had died.

5. Young People of the Year Awards for Buckinghamshire

The Mayor congratulated Chelsie Brown of Oakgrove School who had won the Junior Young Person of the Year Award for Buckinghamshire. The Mayor announced that Chelsie had been caring for her mother for a number of years, Chelsie was also a Student Leader at school, and a member of the England Korfbal squad.

6. "I'm a Councillor Get Me Out of Here"

The Mayor welcomed Yasmin Purcell from Shenley Brook End School who had been adjudged by the organisers of the "I'm a Councillor Get Me Out of Here" event as the student to have been the most active and enthusiastic participant in the event.

In recognition of Yasmin's enthusiastic participation the Mayor presented Yasmin with a £20 gift voucher and a certificate.

The Mayor also presented Councillor Potts with his winner's certificate.

CL73

REPORTS FROM CABINET AND COMMITTEES

Licensing Committee – 11 November 2009

Gambling Act 2005 –Statement of Gambling Licensing Policy (2010-2013)

Councillor Tallack moved the following recommendation from the meeting of Licensing Committee on 11 November 2009, which was seconded by Councillor Butler-Ellis:

“That the Statement of Gambling Licensing Policy 2010-2013, as set out in the Annex to the report, be approved.”

On being put to the vote the recommendation was declared carried with 33 Members voting in favour, 0 Members voting against and 9 Members abstaining from voting.

RESOLVED –

That the Statement of Gambling Licensing Policy 2010-2013, as set out in the Annex to the report, be approved.

(Councillors A Geary and Jury declared a predetermined position on this item and withdrew from the meeting during its consideration and took no part in the voting thereon.)

CL74

MEMBERS' QUESTIONS

- (a) Question from Councillor Dransfield to Councillor Crooks (Leader of the Council)

Councillor Dransfield asked Councillor Crooks if, following his outburst in answer to the question at the last meeting about the examination performance of the secondary school children in Milton Keynes, he was now able to provide a more measured, conciliatory response.

Councillor Crooks emphasised that Milton Keynes had great children and it was important to give them a great future. Councillor Crooks expressed the need to put the children first and work with partners to address any barriers to improving examination results.

Councillor Dransfield asked a supplementary question which was answered by Councillor Crooks.

- (b) Question from Councillor White to Councillor Ferrans (Cabinet Member for Community Strategy and Regeneration)

Councillor White asked Councillor Ferrans, in light of the announcement of Silverstone signing a 17 year deal to stage the British Grand Prix, what strategy was there to maintain an engineering base and encourage engineering innovation in the area.

Councillor Ferrans indicated that a strategy was being developed in conjunction with the Milton Keynes Economy

and Learning Partnership and would be subject to consultation. Councillor Ferrans reported that the need to strengthen industry in the area had been recognised and accepted by SEERA.

Councillor White asked a supplementary question which was answered by Councillor Ferrans.

- (c) Question from Councillor P Geary to Councillor Mallyon (Cabinet Member for Member for Transport and Highways)

Councillor Geary asked Councillor Mallyon to confirm that the additional Council Tax raised to fund the repair of potholes had been allocated for that use.

Councillor Mallyon indicated that all that had been allocated for pothole repairs had been used, together with an additional sum from Reserves. However, potholes in the roads was an ongoing problem.

Councillor Geary asked a supplementary question which was answered by Councillor Mallyon.

- (d) Question from Councillor Hopkins to Councillor Galloway (Cabinet Member for Environment, Planning and Growth)

Councillor Hopkins suggested to Councillor Galloway that the process to approve the Core Strategy had stalled because of the unavailability of the minutes of the meetings of the Local Development Framework Advisory Group and asked when the minutes would be available.

Councillor Galloway indicated that the minutes would be available for the meeting of the Local Development Framework Advisory Group on 15 December 2009.

- (e) Question from Councillor Miles to Councillor Crooks (Leader of the Council)

Councillor Miles asked Councillor Crooks, if consideration had been given to bringing back contracts in house?

Councillor Crooks indicated that the Council should look at all options for the provision of the services when the contracts were next up for renewal.

- (f) Question from Councillor Klein to Councillor Mallyon (Cabinet Member for Member for Transport and Highways)

Councillor Klein asked Councillor Mallyon if it was possible for him to report on his negotiations with the developers and owners of the former Bletchley Leisure Centre Car Park for it to be open for public use over the Christmas period, following the assurance given at the last meeting of Cabinet.

Councillor Mallyon indicated that it had been agreed with the developers that the car park would be opened up for December. Councillor Mallyon undertook to investigate why the car park was not yet open and reply in writing.

Councillor Klein asked a supplementary question which was answered by Councillor Mallyon.

- (g) Question from Councillor A Geary to Councillor Crooks (Leader of the Council).

Councillor Geary asked Councillor Crooks why, despite the extensive cross party working which was now taking place, had the proposed extension of the Grid Road system into the Western Expansion Area been leaked to the press, before discussion with the other political groups on the Council.

Councillor Crooks indicated that a formal press statement was being prepared, and was currently being checked by the developers.

Councillor Geary asked a supplementary question which was answered by Councillor Crooks.

- (h) Question from Councillor Coventry to Councillor Mallyon (Cabinet Member for Member for Transport and Highways)

Councillor Coventry asked Councillor Mallyon if adequate measures were in place to cope with any snow falls.

Councillor Mallyon indicated that the Council should have sufficient road salt for the winter and agreed to make available the gritting schedule. Councillor Mallyon also agreed to provide a written response on the measures in place for clearing Redways.

Councillor Coventry asked a supplementary question which was answered by Councillor Coventry.

- (i) Question from Councillor Bint to Councillor Galloway (Cabinet Member for Environment, Planning and Growth)

Councillor Bint drew attention to the view that there were a number of flaws and weaknesses in the Local Plan and asked Councillor Galloway when the Council would be considering taking measures to overcome them.

Councillor Galloway indicated that the current priority was to finalise the Core Strategy, after which he hoped to address issues arising from the Local Plan.

- (j) Question from Councillor Wright to Councillor McPake (Cabinet Member for Communities)

Councillor Wright, asked Councillor McPake if she could provide information on the current position with regard to the transfer of the former Bradville Housing Office to Stantonbury Parish Council and Thames Valley Police.

Councillor McPake agreed to look into this issue and report back as soon as possible.

- (k) Question from Councillor P Geary to Councillor S Clark (Cabinet Member for Children)

Councillor Geary drew the attention of Councillor Clark to the high level of vacancies being experienced in the Youth Service and particularly the effect this was having on the service provision in the rural areas and asked if action could be taken to rectify the position.

Councillor Clark indicated that she would provide a written answer.

- (I) Question from Councillor Dransfield to Councillor McPake (Cabinet Member for Communities)

Councillor Dransfield asked Councillor McPake to confirm that she would be doing everything she could to ensure that budgets for sports were increased and not cut.

Councillor McPake, in recognising the wish to continue the excellent levels of achievement in sport, indicated that the Cabinet would be discussing the Council's budget over the next few weeks.

Councillor Dransfield asked a supplementary question which was answered by Councillor McPake.

CL75

POLICE AUTHORITY QUESTIONS

Councillor C Morris asked the following question of the Councillor Crooks, the representative of the Thames Valley Police Authority appointed to answer questions under Section 20 of the Police Act 1996:

"On the 16 October I was witness to a very serious assault, at lunchtime, in Central Milton Keynes. As the assault was taking place I rang 999, this was at 12.37. As requested by the 999 operator I, the other witnesses and the victim remained at the scene. At 1.20 I rang the control room at Milton Keynes Police to find out what was happening. I was told they were busy but would send someone imminently and if no-one was available, I would be called straight away. At 1.50, having received no phone call and no officers having arrived we all left the scene, having given the victim everyone's details.

Does the Police Authority think the Thames Valley Police failing to respond within 1 hour and 10 minutes to a serious assault, some 500 yards away from Central Milton Keynes Police Station is acceptable for the people of Milton Keynes?

What assurances can be given that this failure on behalf of Thames Valley Police will be investigated thoroughly, an acceptable explanation received and steps put in place to ensure this does not occur again?"

Response from Councillor Crooks:

"As Members know the Thames Valley Police Authority does not carry responsibility for operational matters concerning the Thames Valley Police Force – these fall strictly within the remit of the Chief

Constable with the exception of those for which the Home Secretary is responsible.

For this reason a new procedure concerning operational issues was introduced into Milton Keynes earlier this year following a question about seat belt checks in Olney. Essentially – where their concerns are operational - Members are invited to address their questions directly to Chief Superintendent Baldwin who will reply on behalf of the Force. If Members wish to place their question and the reply in the public domain that is fully acceptable. I think my suggestion at the time was that we could circulate it with Weekly News.

The Police Authority's powers are as follows:

- to secure the maintenance of an efficient and effective police service - in part through regular performance monitoring
- in consultation with the Chief Constable, to produce a three year rolling strategy and delivery plan
- to approve an annual budget
- to set the police element of the Council Tax and to levy a precept upon billing authorities in the Force area
- to approve the annual accounts
- to monitor and review budget performance
- to appoint and dismiss the Chief Constable, Deputy Chief Constable and Assistant Chief Constables
- to ensure that arrangements are in hand for consultation with local communities regarding the policing of their areas and to monitor its effectiveness
- to monitor the implementation of the Force and the Authority Equality and Diversity Schemes
- to monitor the police use of Stop and Search and Stop and Account powers and to help publicise an individual's rights to receive a written record if they are stopped
- to work co-operatively with partner bodies who are also working to reduce crime, disorder and deliver safer communities
- to oversee arrangements for independent custody visiting ensuring that detainees are treated properly
- to keep itself informed on Force investigations of complaints by the public about members of the Force - and to be responsible for determining the outcome of complaints against senior police officers
- to produce a policing summary and annual report

Questions about any of the powers above are dealt with, not by the Chief Superintendent, but by the Authority under the Section 20 (of

the Police Act 1996) procedure that appears on our agenda.

In respect of Councillor Morris' question I have two suggestions as to a way forward:

- 1 With her permission I will place a copy of Chief Superintendent Baldwin's reply to her original mail in this Friday's Weekly News.
- 2 I understand that the Chief Constable will be appearing before the Safer and Stronger Communities Select Committee on either 3 February or 30 March and the concerns that Councillor Morris expresses in the closing paragraph of her question would be an appropriate matter to take up with the Chief Constable at that meeting."

CL76

BROADBAND SERVICES

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

"That this Council:

1. warmly welcomes the recent decision of BT Openreach to launch a pilot project on higher speed broadband which will cover half the city;
2. confirms that the Council's longer term vision must be to make Milton Keynes a national digital leader harnessing broadband for uses such as:
 - (a) access to Council services;
 - (b) shared services with other organisations
 - (c) small businesses and other general business use on employment areas
 - (d) Telecare and Telehealth
 - (e) Community networking
 - (f) Individual access;
3. notes that, insofar as technically possible, the same provision must be available throughout the city and the rural parts of the Borough, and that individual and voluntary sector access must also be fully available through an extension of the work of ConnectMK;
4. requests the Cabinet to take forward this work as part of the citywide and internal ICT Strategies that are currently being prepared."

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

RESOLVED –

That this Council:

1. warmly welcomes the recent decision of BT Openreach to launch a pilot project on higher speed broadband which will cover half the city;
2. confirms that the Council's longer term vision must be to make Milton Keynes a national digital leader harnessing broadband for uses such as:
 - (a) access to Council services;
 - (b) shared services with other organisations
 - (c) small businesses and other general business use on employment areas
 - (d) Telecare and Telehealth
 - (e) Community networking
 - (f) Individual access;
3. notes that, insofar as technically possible, the same provision must be available throughout the city and the rural parts of the Borough, and that individual and voluntary sector access must also be fully available through an extension of the work of ConnectMK;
4. requests the Cabinet to take forward this work as part of the citywide and internal ICT Strategies that are currently being prepared.

CL77

RADCLIFFE SCHOOL

Councillor A Geary moved the following motion, which was seconded by Councillor C Morris.

"That this Council

1. commends and thanks the Chair and members of the IEB and the Headmaster and Staff of the Radcliffe School for all of the effort and hard work put in over the last 22 months to enable the School to reach the point of now being removed from Special Measures;
2. notes with concern the fact that the Department for Children, Schools and Families (DCSF) is still to make a decision with regard to the future governance and administrative arrangements for the future of the School;
3. expresses its concern and dismay that, at a time when the School is in a very sensitive position and in need of some security and reassurance, the DCSF is still failing to make the necessary decisions with due haste and timeliness. This despite backing this Council into a very tight timescale over decisions it had to make regarding the proposed academy status;
4. notwithstanding the efforts of officers and the Corporate Director Children and Young People's Services to get

answers to some of these questions, requests that the Chief Executive now intervenes and writes directly to the Minister in order to try and establish a firm future position; and

5. requests that the Chief Executive communicates in writing with all Members and stakeholders immediately upon receipt of any response from the Minister.”

Councillor Miles moved the following amendment, which was seconded by Councillor S Clark and accepted by the mover of the motion:

- “1. That all in paragraph (a), after ‘IEB’ be deleted and the following words added:

‘the headteacher, staff and pupils for all the hard work put in over the last 22 months to enable the Radcliffe School to reach the point of now being removed from special measures and the National Challenge. The Council recognises the invaluable support of parents and carers in achieving this process;’

2. That paragraphs 2 to 5 be deleted and the following paragraphs added to the motion:

- ‘2. welcomes the announcement from the Schools Minister that The Radcliffe School is no longer being considered for academy status;

3. expresses its concern that, despite this School being a major part of the improvement plan for Milton Keynes, it took 10 weeks from the announcement to remove the School from special measures for the announcement to be made of the decision that the School is no longer at risk of academy status;

4. pledges its continued support and assistance to The Radcliffe School in establishing suitable and sustainable governance arrangements in a timely manner in order that the School may build on the newly established foundations which are now firmly in place; and

5. requests that the Chief Executive write to the Chair of the Children and Young People’s Improvement Board to express the messages contained within this motion.”

The Mayor ruled that, as a result of the amendment from Councillor Miles being accepted, the amendment submitted by Councillor Dransfield fell.

The Council heard from a member of the public on this item.

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

RESOLVED –

That this Council:

1. commends and thanks the Chair and members of the IEB, the headteacher, staff and pupils for all the hard work put in over the last 22 months to enable the Radcliffe School to reach the point of now being removed from special measures and the National Challenge. The Council recognises the invaluable support of parents and carers in achieving this process.
2. welcomes the announcement from the Schools Minister that The Radcliffe School is no longer being considered for academy status.
3. expresses its concern that, despite this School being a major part of the improvement plan for Milton Keynes, it took 10 weeks from the announcement to remove the School from special measures for the announcement to be made of the decision that the School is no longer at risk of academy status.
4. pledges its continued support and assistance to The Radcliffe School in establishing suitable and sustainable governance arrangements in a timely manner in order that the School may build on the newly established foundations which are now firmly in place.
5. requests that the Chief Executive write to the Chair of the Children and Young People's Improvement Board to express the messages contained within this motion.

THE MAYOR CLOSED THE MEETING AT 9.40 PM