

Minutes of the meeting of the EXECUTIVE SCRUTINY COMMITTEE held on WEDNESDAY 2 DECEMBER 2015 at 6.00 pm

Present: Councillor Alexander (Chair),
Councillors Bald (Substitute for Councillor Morris), Baume, Ferrans, A Geary, P Geary, R Gifford, Gowans, Hosking and White (substitute for Councillor P Williams).

Officers: D Sharkey (Corporate Director Place), S Gerrard (Interim Service Director [Legal and Democratic Services]), A Rose (Service Director [Planning and Transport]), B Wilson (Development Plans Manager), F Robinson (Senior Planning Officer) and S Muir (Committee Manager).

Apologies: Councillors Morris and P Williams

Also Present: Councillors Green, D Hopkins, Legg (Cabinet member for Public Realm) and McDonald and circa 21 members of the public.

ES06 MINUTES OF PREVIOUS MEETING

RESOLVED -

That the Minutes of the meeting of the Executive Scrutiny Committee held on 4 November 2015 and be agreed and signed as a correct record, subject to the words "and agree the recommendation" being deleted from the Resolution.

ES07 DISCLOSURES OF INTEREST

Councillors A Geary and Hosking indicated for transparency that they were Ward members in the areas where some of the Parish Councils and residents who had called-in the item, were located.

Councillor P Geary indicated that he was a member of Olney Town Council who had called-in the item and was also a Ward member in the area where some of the Parish Councils and residents who had called-in the item, were located.

Councillors Bald and White indicated for transparency that they were Board members of the Milton Keynes Development Partnership.

ES08 CALL-IN OF CABINET 9 NOVEMBER 2015: DRAFT STRATEGIC DEVELOPMENT OPTIONS CONSULTATION DOCUMENT

The Committee considered the decision made by the Cabinet at its meeting on the 9 November relating to the Draft Strategic Development Options Consultation Document.

It was noted that on 9 November 2015 that the Cabinet had decided that:

'The draft Strategic Development Options Consultation Document be approved for a 12 week period of public consultation and engagement'.

It was reported that the decision had been called-in by Olney Ward Councillor McClean, Olney Town Council and Castlethorpe, Clifton Reynes and Newton Blossomville, Emberton, Hanslope, Haversham cum Little Linford, Lavendon, Moulsoe, North Crawley, Stoke Goldington, and Weston Underwood Parish Councils and a number of groups of residents for the following reasons:

- "1. The document is flawed in that there has been no check of feasibility or deliverability of the Options before this is proposed to go for public consultation. A feasibility check is an essential part of a consultation process.
2. The process to produce the document was flawed; the advertisement was unclear as to content resulting in many local councils or residents not attending, the workshops were poorly run; over half the attendees did not find them useful, did not feel they were able to contribute and did not feel it was properly facilitated and the views of attending developers / land agents were over-represented in the results and skewed the Options.
3. The Local Plan, Plan:MK, follows a rigorous process of evidence-based housing demand over a 10-15 year period. The MK Futures 2050 Commission population forecast are not rigorous or evidence based, have no place in a Local Plan, will over-ride Neighbourhood Plans both existing and in preparation and its incorporation into the Local Plan has and will continue to do damage to the MKC – Parishes relationship. Combining Plan:MK and the MK Futures Commission is flawed and an incorrect use of the Local Plan process."

It was also reported that the decision had also been called-in by Central Milton Keynes Town Council for the following reasons:

- "1. The consultation document does not provide sufficient information to enable consultees to make an informed judgement about the options. A fundamental consideration, for example, is what additional housing supply is required over the plan period and how much each option could potentially deliver. Yet there is no detailed data or comparative analyses, feasibility, costing or other examination of deliverability of any of the options.
2. Transport infrastructure is an essential consideration for each option, but only superficial information is provided with no cross-option analyses.



3. The consultation questions are not consistent. There should be a common set of questions across all options.
4. All options need to be evaluated using a consistent set of criteria."

The Committee heard from Parish and Town Councillors Ayles, Rawlings and Thomas who presented the call-ins, together with a response from Councillor Legg (the responsible Cabinet Member). The Committee also heard from witnesses called by the Parish and Town Councillors and by the responsible Cabinet Member.

The Committee challenged and questioned the responsible Cabinet member and his witnesses over the process and the feasibility of the options suggested.

The Committee received the following responses and clarifications in respect to the issues and questions raised, that:

- (a) This was the latest in a series of pieces of work towards replacing the current Core Strategy. Although this consultation was not a statutory stage in the plan-making process, the intention of it was to test concepts and ideas rather than the fully worked up proposals which would be submitted at the Preferred Options stage. Carrying out a consultation at this stage would ensure the final plan was sound and robust and would meet the requirements of the regulations when it reached the Public Examination stage;
- (b) If options and alternatives were not addressed now there was a risk that Plan:MK would be delayed at a future stage. For example, if the most sustainable option was to expand the city, it could eventually lead to development in neighbouring authorities. Those neighbouring authorities would be unlikely to accept this development unless all of the possible options within Milton Keynes administrative area had been explored, considered and ruled out;
- (c) The Planning Advisory Service Legal Compliance Checklist identified five stages as part of the plan-making process. These stages were not necessarily discrete, particularly earlier on in the preparation process, as some elements of the work carried out might be relevant to more than one stage;
- (d) The Planning Advisory Service Legal Compliance Checklist also clarified that the stage for detailed consideration and appraisal of the credibility of the different options was at Stage Three of the process and would take into account the various inputs to the process that included consultation responses, Sustainability Appraisal, Feasibility Appraisal, Housing and Transport Assessments and other background evidence;

- (e) Consultation with Councillors on the draft Strategic Development Options Consultation Document had been carried out at the Cabinet Advisory Group;
- (f) The suggested options had been collated from the various Visions workshops to which all parish councils and stakeholders had been invited. Further discussions with parish councils, neighbouring authorities and the South East Midlands Local Enterprise Partnership (SEMLEP) would be undertaken as it was well understood that the workshops were only one tool in the consultation process;
- (g) The consultation questions in the paper were written to reflect the differences in the options, and were included to encourage feedback on respondent's comparisons between the options;
- (h) If Plan:MK was delayed there was the risk that the Government would step in as outlined in their Productivity Plan. If Councils did not have a Plan by 2017 it was possible that the plan making function would be carried out by the Government;
- (i) The Plan:MK process was separate from the MK2050 work, although there were links between the two projects, they had not been combined. The MK Futures 2050 Commissioners would be invited to think through the implications of what had emerged from the work done so far on Plan:MK;
- (j) If elements of Plan:MK and a Neighbourhood Plan were in conflict, the most recent document would take precedence. In developing Plan:MK, made or emerging Neighbourhood Plans would be part of the evidence base;
- (k) It was recognised that more in depth consultation was needed with neighbouring local authorities for any proposals that would have cross-boundary implications and the Council was committed to doing so as part of the Duty to Cooperate. However, a further revision of the consultation document would be provided at the start of the consultation period to provide greater transparency and explanation of the process,
- (l) The revised consultation document would include amended maps that did not include settlement names and detailed indications of the locations of proposed settlements; and
- (m) The lessons learned from this stage of the process had been noted.

Councillor White moved following motion which was seconded by Councillor R Gifford:

'That the Executive Scrutiny Committee resolves not to refer the matter back to the Cabinet and agrees to the consultation proceeding, but asks the Cabinet to:

- (a) urgently engage with rural Parish Councils on their strategic direction for the Vision for Milton Keynes in parallel with the consultation; and
- (b) increase the communication with neighbouring local authority members.'

On being put to the vote, a recorded vote was requested. The voting was as follows:

FOR: Councillors Alexander, Baume, Ferrans, R Gifford, Gowans and White (6)

AGAINST: Councillors Bald, A Geary, P Geary, and Hosking (4)

ABSTENTIONS: (0)

The motion was declared carried.

The Committee also indicated that a number of findings and points of process had come to light that should be referred to the Cabinet and Councillor P Geary moved a further motion which was seconded by Councillor White:

"That a number of findings and points of process have come to light that should be referred to the Cabinet:

- (a) that the Topic paper process and first stage worked well;
- (b) that the second stage was poorly communicated;
- (c) that attendance at the Vision Workshop was not as representative of Milton Keynes as it could have been; and
- (d) that this process had upset a large number of Parish Councils, one neighbouring Local Authority and residents and would ask that the Cabinet consider reviewing the way planning and stakeholder engagement happens in the future."

On being put to the vote the motion was declared carried with 7 councillors voting in favour, 0 councillors voting against and 3 councillors abstaining from voting.

The Committee heard from five members of the public during consideration of the item.

RESOLVED -

1. That the Executive Scrutiny Committee resolves not to refer the matter back to Cabinet and agrees to the consultation proceeding but asks the Cabinet to:
 - (a) urgently engage with rural Parish Councils on their strategic direction for the Vision for Milton Keynes in parallel with the consultation; and
 - (b) increase communication with neighbouring local authority members.

2. That a number of findings and points of process have which have come to light that should be referred to the Cabinet:
- (a) that the Topic paper process and first stage worked well;
 - (b) that the second stage was poorly communicated;
 - (c) that attendance at the Vision Workshop was not as representative of Milton Keynes as it could have been; and
 - (d) that this process had upset a large number of Parish Councils, one neighbouring Local Authority and residents and would ask that the Cabinet consider reviewing the way planning and stakeholder engagement happens in the future.

THE CHAIR CLOSED THE MEETING AT 10.00 PM