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Minutes of the MEETING of the MILTON KEYNES COUNCIL held on
WEDNESDAY 24 November 2021 at 7.50 pm

Present: Councillor Khan (Mayor)
Councillors Alexander, Baines, Balazs, Baume, Bowyer, K Bradburn,
M Bradburn, R Bradburn, Brown, Carr, Clarke, Crooks,
Cryer-Whitehead, Darlington, De Villiers, Exon, Ferrans, Fuller,
A Geary, P Geary, Hall, Hearnshaw, D Hopkins, V Hopkins, Hume,
Hussain, Jenkins, Lancaster, Legg, Marland, Marlow, McLean,
McQuillan, Middleton, Minns, Montague, Z Nolan, Priestly Raja,
Rankine, Reilly, Rolfe, Taylor, Townsend, Trendall, Verma, Walker,
Wallis, Wardle and Wilson-Marklew.

Aldermen Bartlett, McKenzie and Miles and Alderwoman Saunders
and 10 members of the public.

Apologies: Councillors Gilbert, Hosking, Imran, McPake, Nazir and B Nolan and
Aldermen Beeley, Bristow, Coventry, Henderson, Howell and McCall
and Alderwomen Irons, Henderson and Lloyd

CL84 MINUTES

RESOLVED:

That the Minutes of the meeting of the Council held on 20 October
2021 be approved and signed by the Mayor as a correct record.

CL85 DISCLOSURE OF INTERESTS

None.

CL86 ANNOUNCEMENTS

The Mayor made announcements in respect of:

- (a) The death of Ben Affleck MBE;
- (b) Remembrance Day commemorations; and
- (c) Best wishes to Councillors A Geary and Reilly who had recently
suffered injuries.

CL87 PETITIONS

None

QUESTIONS FROM MEMBERS OF THE PUBLIC

- (a) Question from Alderman Bartlett to Councillor Townsend
(Cabinet member for Public Realm)

Alderman Bartlett, referring to the removal of the hard shoulder of motorways through the Borough and replacement with 'Smart Motorway' measures, asked Councillor Townsend, would she, along with Group Leaders', write to the Secretary of State, the Head of Highways England and the CEO's of the main contractors, urging this initiative to be halted immediately and that all completed sections of Smart Motorway be returned to their previous layout?

Councillor Townsend indicated that the Council holds no data on the safety or design of smart motorways or any operational responsibility for them. However, the Council Highways Team have agreed to pass on Alderman Bartlett's comments to the National Highways Team at their next liaison meeting. Councillor Townsend also encouraged Alderman Bartlett to write to his Member of Parliament with his concerns.

As a supplementary question, Alderman Bartlett, referring to the fact that the Council was prepared to write on other matters that were outside of its immediate control, asked Councillor Townsend would she provide reassurance that she would write to those he had outlined on this matter?

Councillor Townsend reiterated that she would ensure that his comments were passed to the national highways team.

- (b) Question from Ethan Wilkinson to Councillor Townsend
(Cabinet member for Public Realm)

Ethan Wilkinson, referring to the litter problem in Loughton particularly at the Watling Street underpass near the Talbot Inn, asked Councillor Townsend, would the Council designate this as a litter hotspot so that it benefits from extra cleaning, care and attention?

Councillor Townsend indicated that the site had been flagged as a hotspot and the waste team had agreed to send out a waste officer to assess whether the area would benefit from enhanced cleaning, increased frequency of bin emptying or different waste infrastructure. Litter wardens would be starting soon and could be sent to those areas that had been flagged as a litter hotspot.

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

Philip Gerralla, referring to the lack of response to several emails that the Residents of Renewal Estates had sent to members and officers, asked Councillor Marland, what was the expected response time to emails and what action would he recommend if responses were not supplied?

Councillor Marland indicated that the Council does have a standard response time for correspondence sent through formal channels. Informal correspondence such as emails sent direct to officers and members was not subject to this standard in quite the same way. Councillor Marland was not aware of any outstanding correspondence from the Residents of Renewal Estates, however if this was the case he asked Philip Gerralla to forward any outstanding queries to the Cabinet member for Adults, Housing and Healthy Communities who would ensure they were answered in good time.

As a supplementary question, Philip Gerralla, asked Councillor Marland, could he firm up the response times or at least bring something to the Council where there was a set of standards the public could expect and how they could respond when those times were not met by councillors or officers?

Councillor Marland reiterated that there was a standard customer service policy which could be found online. However, when members of the public interact with officers directly, this was not formal correspondence and needed to be logged properly through the formal channels.

- (d) Question from David Lee to Councillor Darlington (Cabinet member for Adults, Housing & Healthy Communities)

David Lee, referring to the Council considering investigating whether private owners could buy in to having the same work done on their properties as adjacent council houses in renewal estates, asked Councillor Darlington, could she provide an update on that investigation and say what was likely to be possible for non-council houses on the renewal estates?

Councillor Darlington indicated that the Council was aware of this issue and did want those owners of non-council houses in renewal estates to benefit as well, particularly from the green initiatives the Council was trying to take forward. The Council could not subsidise those who have brought their homes through the Right to Buy scheme and therefore it would depend on what external funding could be accessed as to what

help could be given and would therefore be different on every regeneration estate.

As a supplementary question, David Lee, referring to the Estate Renewal Forums which were due to start in the new year, asked Councillor Darlington, would the forums be given clarity and guidelines as to what they could promise their residents. There was concern at the number of houses in private ownership which did not meet the decent homes standard and what help they would be offered?

Councillor Darlington indicated that there were a number of issues that the Council was aware of for example with landlords who were renting properties that were not being maintained to a decent standard. There was also an issue that when people purchase their property via Rent to Buy that they needed to be aware that this also came with costs such as ongoing maintenance costs. Until the Council knows what the schemes would be it was not possible to say what the impact would be for landlords or owner occupiers if they wanted to participate.

- (e) Question from Adam Fidler to Councillor Walker (Conservative Group Leader)

Adam Fidler, referring to the recent Fire Safety and Support for Residents motion where Council resolved to support 'residents in their fight to achieve fairness on this issue and be protected from costs', asked Councillor Walker, what action had he led locally to ensure the voices of people trapped was heard by the Milton Keynes MP's, who have the voting power to resolve this issue and protect Milton Keynes residents' financial and mental health?

Councillor Walker indicated that the Conservative Group wholeheartedly supported the motion at the last Council meeting and as part of that agreed to engage with the local Members of Parliament and the Conservative Party more generally. Councillor Walker has spoken to Ben Everitt MP who provided an update on what was happening in parliament including the recent statement by Michael Gove who intended to pause the loans for lease holder scheme. Councillor Walker

indicated that he had been clear to the MP that a solution needed to be sorted as soon as possible.

As a supplementary question, Adam Fidler, asked Councillor Walker, would he take part in a roundtable with local leaseholders and Members of Parliament to discuss this issue.

Councillor Walker indicated that he was very happy to attend a roundtable discussion with leaseholders and would extend any invitation he received to the local Members of Parliament.

- (f) Question from Ahmed Butt to Councillor Middleton (Cabinet member for Resources) and Councillor R Bradburn (Cabinet member for Economy, Recovery & Renewal)

Ahmed Butt was unable to attend the meeting and Councillors R Bradburn and Middleton undertook to provide a written response which is included in Annex A to these minutes.

CL89 BUSINESS REMAINING FROM THE LAST MEETING

None.

CL90 REPORTS FROM CABINET AND COMMITTEES

None.

CL91 COUNCILLORS' QUESTIONS

- (a) Question from Councillor D Hopkins to Councillor Marland (Leader of the Council)

Councillor D Hopkins, referring to the Delegated Decision due to be taken on the 30 November on the South East Milton Keynes Supplementary Planning Document, asked Councillor Marland, would he agree to defer this decision on the 30 November as the Council was in no position to take this decision at this time.

Councillor Marland indicated that he would not be deferring the decision. As discussed previously it was an allocated site within Plan:MK and if the Council does not bring forward the SPD then we would be at the mercy of speculative developers. Councillor Marland indicated that he was well aware of the issues with the site which is why the Council had not wanted the site allocated in the first place.

As a supplementary question, Councillor D Hopkins asked Councillor Marland as he had stated previously that he wanted to take back control of planning the sensible approach was to postpone this decision and to sit down with the interested parties to get the plan right.

Councillor Marland indicated that he did not agree that it was sensible to defer the decision as if we did not have a Supplementary Planning Document in place there would be no overall structure for the site and owners of land could bring forward applications at will with no phasing or structure to the development.

(b) Question from Councillor Jenkins to Councillor Marland (Leader of the Council)

Councillor Jenkins, referring to the concern of residents in Woburn Sands and Walton that there will be no sensible exit from the 3,000 home development at South East Milton Keynes except through the centre of Woburn Sands or through the H10 west, likely causing gridlock in both directions, asked Councillor Marland, would he review the wording in the SPD so that the proposed bus link to Newport Road could be made into a general traffic link until the H10 link to Newport Road was delivered.

Councillor Marland indicated that the design and layout of the road and in particular connections to Newport Road were in response to Policy SD11 in SEMK and the requirement in Plan:MK to protect the distinctive character of the surrounding villages. The predominant view of the Planning Cabinet Advisory Group that Newport Road formed an obvious physical barrier to this phase of development and was also in response to submissions from residents in this area. Traffic modelling suggests the vast majority of movement into Milton Keynes will be via the H10. While the H10 connection falls outside the boundary of the development, Councillor Marland has made a commitment outside of the Supplementary Planning Document that this will be established. Councillor Marland further noted that the link to Newport Road would be a matter for the development application to planning committee and as the Council had committed to phased development if there was evidence of a need to alter the requirements of the SPD which would give flexibility to any future committee to make that judgement however this would require public consultation and clear planning reasons to do so such as the temporary use of that road.

Referring to this point that in passing the SPD you risk implementing a huge change into the makeup of this area of Milton Keynes and that Ward Councillors are extremely concerned about the masterplan for this area, Councillor Jenkins asked Councillor Marland, would he think very carefully prior to making the decision on the 30 November 2021?

Councillor Marland advised that the Supplementary Planning Document was a framework for the planning committee to base their decisions on. It would ensure that the Council could phase development properly and that the development delivered the infrastructure that was needed. Without the guidance the area was open to piecemeal development and as the site was allocated in Plan:MK, developers could bring forward applications at any time.

- (c) Question from Councillor Priestley (on behalf of Councillor B Nolan) to Councillor R Bradburn (Cabinet member for Economy, Recovery & Renewal)

Councillor Priestley, referring to the recent announcement by the Transport Secretary regarding the competition for a Head Quarters for Great British Railways, asked Councillor R Bradburn, did he share the concerns about the impact this may have on local jobs.

Councillor R Bradburn indicated that the Council Economy team had been engaging with British Rail, Network Rail and the Department of Transport to find out as much information as possible and were making preparations to make a submission to promote Milton Keynes to host any such headquarters.

As a supplementary question, Councillor Priestley asked Councillor R Bradburn, did he believe that Milton Keynes was at risk of missing out on the levelling up agenda if the government clearly did not think the area needed investment or jobs?

Councillor Bradburn advised that it was very good question as to whether Milton Keynes was located too far south to benefit from the levelling up agenda compared to places located north of Manchester.

- (d) Question from Councillor Rankine to Councillor Middleton (Cabinet member for Resources)

Councillor Rankine, referring to plans to regenerate Windmill Hill Golf Course, asked Councillor Middleton, had plans for the site been withdrawn or shelved?

Councillor Middleton indicated that the Council had been in communication with the Lawn Tennis Association and had advised them that the Council had taken the decision to delay the proposals. Once more information was available, Councillor Middleton would update the Parish Council and interested residents. Councillor Middleton further noted that what was clear was that to bring forward the regeneration of a site such as

this it needed to be done with the support of the local community which the Council did not have at this time.

As a supplementary question, Councillor Rankine asked Councillor Middleton there had previously been very positive engagement on proposals for the site which hadn't been the case in the last couple of months, would the Cabinet member keep ward councillors up to date on the matter?

Councillor Middleton advised that he agreed there had been positive engagement and he would ask officers to gather more information and arrange for a meeting of interested parties as soon as possible.

- (e) Question from Councillor Taylor to Councillor Wilson-Marklew (Cabinet member for Climate & Sustainability)

Councillor Taylor, referring to the recent announcement from central government that homeowners would be expected to update the insulation in their properties to achieve a minimum EPC rating of Level C to be able to get a mortgage or sell the property, asked Councillor Wilson-Marklew, what was the Council willing to do to ensure Milton Keynes was a nationwide leader in this and does the Council have plans to support residents to insulate their properties in addition to our own housing stock?

Councillor Wilson-Marklew indicated that the Council would look to how they could support residents with grants and to benefit from economies of scale but she would also be happy to discuss this matter with officers and provide Councillor Taylor with a more informed response.

As a supplementary question, Councillor Taylor asked Councillor Wilson-Marklew in the event that central government does provide funding could the Cabinet commit to disseminating this in a timely manner?

Councillor Wilson-Marklew advised that yes she agreed that any funding should be disseminated in a timely manner.

- (f) Question from Councillor Minns to Councillor Townsend (Cabinet member for Public Realm)

Councillor Minns, referring to the community skip amnesty initiative in Stantonbury which she had contributed some of her ward based budget towards, asked Councillor Townsend, could she confirm this scheme helped residents that cannot access the household waste centres due for example to a lack of transport

and would it be rolled out to other areas.

Councillor Townsend indicated that the scheme had been used in a couple of different areas now and the waste team had produced guidance which had gone to all parish clerks. The Cabinet member and officers were happy to engage with anyone who wanted to learn more about how to run a scheme in their area.

As a supplementary question, Councillor Minns asked Councillor Townsend, could the Cabinet member confirm that this scheme wasn't related to fly tipping and the tip booking system as a recent news article had suggested?

Councillor Townsend indicated that this was not about areas that were suffering from fly tipping this was a community led scheme and was more useful in areas where for example people didn't have vehicles or there was a large proportion of older residents who could not dispose of their bulky waste themselves.

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

Councillor Walker, referring to previous statements by Councillor Marland regarding the good job the planning department were doing and that the department had made considerable progress, asked Councillor Marland, do you still stand by your comments?

Councillor Marland indicated that he did still stand by those comments and that the department was making improvements.

As a supplementary question, Councillor Walker asked Councillor Marland that in the recently published papers for Development Control Committee it noted that twenty eight decision notices had been issued with errors including three that were missing conditions, were these minor mistakes, the equivalent of missing a comma?

Councillor Marland advised that those errors were caused by a contractor from an outside agency whose employment had been terminated and a formal complaint had been sent to the Royal Town Planning Institute. Councillor Marland further noted that if members wanted to see an improvement in the planning services then the Council needed to employ good planners which was difficult with the persistent lack of respect shown to the planning department by the Conservative group.

- (h) Question from K Bradburn to Councillor Wilson-Marklew (Cabinet member for Climate & Sustainability)

Councillor K Bradburn, referring to the increasing popularity of electric vehicles but that some residents do not have access to off street charging, asked Councillor Wilson-Marklew, what was the Council doing to combat this and encourage electric vehicle uptake.

Councillor Wilson-Marklew indicated that the Council was beginning to roll out on-street charging points that could be located for example on lampposts and had also established an electric car club with Enterprise.

- (i) Question from Councillor Rolfe to Councillor Z Nolan (Cabinet member for Children & Families)

Councillor Rolfe, referring to an email he had received from Youth Cabinet members advising that their elections were going to be removed, asked Councillor Z Nolan, could she looking into this matter.

Councillor Z Nolan indicated that her understanding was that the timing of elections and how they are held was being looked at but there was no intention to remove them.

As a supplementary question, Councillor Rolfe asked Councillor Z Nolan, could the Youth Cabinet be consulted on any changes to ensure their voices were heard.

Councillor Z Nolan indicated that these things were led by the Youth Cabinet and not the adults and that the Youth Cabinet would take the lead on this with the participation officers that support them.

CL92

WHITE RIBBON CAMPAIGN

Councillor Darlington moved the following motion which was seconded by Councillor Carr:

- “1. That this Council notes that:
- a) Milton Keynes has a higher recorded rate of domestic abuse compared to any other area covered by Thames Valley Police;
 - b) in Milton Keynes last year (2020/21), Thames Valley Police recorded 4,338 domestic abuse-related crime incidents, which is a 29% increase compared to 2018/19 (3,356);
 - c) for the year ending March 2020, the Crime Survey for England and Wales (CSEW) estimated that approximately 7 in 100 women and 4 in 100 men had experienced

domestic abuse in the last year while 82% of victims in criminal prosecutions of domestic abuse were women (ONS 2020);

- d) in 2019/20, 867 individuals were referred to MK ACT – an increase of 262 (43.3%) from previous years and more than a quarter (26%) were assessed as high risk;
 - e) the number of repeat victims of a domestic abuse crime reported to Thames Valley Police increased from 34.6% in 2018/19 to 40.3% in 2020/21 while 8.5% of individuals referred to MK Act in 2020/21 were repeat victims;
 - f) 92% of rape cases recorded in the Thames Valley in the year to March 2020 involved female victims; and
 - g) just 1.6% of rape allegations nationwide result in someone being charged.
2. That this Council recognises that the White Ribbon Campaign is the largest effort in the world of men working to end men's violence against women, by encouraging men to pledge never to commit, condone or remain silent about violence against women.
3. That this Council believes that:
- a) raising awareness plays a huge part in changing the cultural and social norms which are recognised as being highly influential in shaping individual behaviour, including the use of violence;
 - b) the Council, its Members and Staff, are influential in shaping social norms in our city and therefore have a leadership role in calling out unacceptable behaviour;
 - c) abuse and violence are a choice and there is no excuse for them; and
 - d) domestic abuse happens throughout every level of society, regardless of health, wealth and status.
4. That this Council resolves to:
- a) arrange awareness training for councillors on male violence against women;
 - b) encourage staff and members to become Ambassadors and Champions by taking the PROMISE never to commit, excuse or remain silent about male violence against women;

- c) make White Ribbon Day (25th November) part of the civic calendar with ambassador-led activities involving staff, members and the public;
- d) work towards becoming a White Ribbon Accredited Authority; and
- e) work closely with local agencies and organisations involved in tackling male violence against women to work towards making Milton Keynes a White Ribbon City.”

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

The Motion was carried by acclamation.

RESOLVED –

1. That this Council notes that:
 - a) Milton Keynes has a higher recorded rate of domestic abuse compared to any other area covered by Thames Valley Police;
 - b) in Milton Keynes last year (2020/21), Thames Valley Police recorded 4,338 domestic abuse-related crime incidents, which is a 29% increase compared to 2018/19 (3,356);
 - c) for the year ending March 2020, the Crime Survey for England and Wales (CSEW) estimated that approximately 7 in 100 women and 4 in 100 men had experienced domestic abuse in the last year while 82% of victims in criminal prosecutions of domestic abuse were women (ONS 2020);
 - d) in 2019/20, 867 individuals were referred to MK ACT – an increase of 262 (43.3%) from previous years and more than a quarter (26%) were assessed as high risk;
 - e) the number of repeat victims of a domestic abuse crime reported to Thames Valley Police increased from 34.6% in 2018/19 to 40.3% in 2020/21 while 8.5% of individuals referred to MK Act in 2020/21 were repeat victims;
 - f) 92% of rape cases recorded in the Thames Valley in the year to March 2020 involved female victims; and
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to commit, condone or remain silent about violence against women.

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 - a) raising awareness plays a huge part in changing the cultural and social norms which are recognised as being highly influential in shaping individual behaviour, including the use of violence;
 - b) the Council, its Members and Staff, are influential in shaping social norms in our city and therefore have a leadership role in calling out unacceptable behaviour;
 - c) abuse and violence are a choice and there is no excuse for them; and
 - d) domestic abuse happens throughout every level of society, regardless of health, wealth and status.
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 - b) encourage staff and members to become Ambassadors and Champions by taking the PROMISE never to commit, excuse or remain silent about male violence against women;
 - c) make White Ribbon Day (25th November) part of the civic calendar with ambassador-led activities involving staff, members and the public;
 - d) work towards becoming a White Ribbon Accredited Authority; and
 - e) work closely with local agencies and organisations involved in tackling male violence against women to work towards making Milton Keynes a White Ribbon City.

CL93

TIMELY ADOPTION AND PRE-ADOPTION MAINTENANCE OF NEW ROADS

Councillor Verma moved the following motion which was seconded by Councillor de Villiers:

- “1. That this Council notes that:
 - a) when a new area is built, the land including roads and footways still belong to the developer until they are adopted by MK Council;

- b) the Council will only adopt them if they have been constructed to an acceptable standard, these roads and streets are then classed as Highways Maintainable at Public Expense, which means that the Council pays for repairs, cleaning and gritting;
 - c) there are roads and streets that are unadopted and the Council does not have the responsibility to carry out maintenance works on these works such as gritting, repairing, cleaning and cutting back vegetation;
 - d) there are many roads in MK that have not yet been adopted, despite adjacent house-building having been finished years ago;
 - e) unadopted roads (and adjacent landscaping) can be poorly maintained by the developers with potholes, uncut vegetation obstructing safe views at junctions, poor drainage and no or inadequate street lighting which can affect residents' quality of life and safety;
 - f) often people who live on unadopted roads struggle to get the developers to do even basis maintenance to the roads and verges, year after year; and
 - g) there is a commitment to substantial housebuilding in and around MK for at least the next 15 years, during which time tens of thousands of new residents will experience the problems already facing similar numbers of existing residents, unless MKC does something to improve the situation.
2. That this Council asks the Cabinet member for Public Realm to:
- a) undertake an investigation into the numbers of unadopted roads and streets in Milton Keynes that have been unadopted for more than 5 years after the first homes on those roads were occupied, recognising that many communities find unadopted roads a problem;
 - b) adopt a policy of requiring all roads and accesses contained in planning proposals to be of an adopted standard if at all possible, and requiring all roads allocated for adoption (and the relevant highway verges especially vision splays) to be properly maintained, by the developers, until the roads have been adopted, including provisions for the work to be done by the Council as the developers' expense if the developers fail to maintain the area properly; and

- c) write to the Secretary of State for Levelling Up, Housing and Communities requesting that Councils be allowed to insert planning conditions about when roads should be adopted.”

Councillor Townsend moved the following amendment which was seconded by Councillor K Bradburn:

- “1. That the words ‘(and adjacent landscaping) and ‘uncut vegetation obstructing safe views at junctions’ be deleted from clause 1(e).
2. That the words ‘and other services such as landscaping often not being properly undertaken by developers or service charge companies,’ be added after the word ‘lighting’ in clause 1(e).
3. That the word ‘basis’ be deleted and replaced with ‘basic’ in clause 1(f).
4. That the words ‘MKC does something to improve the situation’ are deleted from clause 1(g) and replaced with ‘significant changes are made to how the development system works’.
5. That the words ‘member for Public Realm’ are deleted from Clause 2.
6. That a new clause 2(a) be inserted as follows:
‘take the lead in ensuring developers and service companies fulfil their obligations to their residents;’
And that existing clauses 2(a) – (c) be renumbered 2 (b) – (d)
7. That the words in renumbered clause 2(b) be deleted entirely and replaced with:
‘seek to understand the scale of the issue, understanding that build rates can often be slow, and investigate effective ways that road adoption times can be reduced using by current powers, and to ask an appropriate officer to produce suggestions of what new powers may be effective in tackling this issue so a request can be made to government;’
8. That the words ‘adopt’, ‘and requiring all roads allocated for adoption (and the relevant highway verges especially vision splays) to be properly maintained, by the developers, until the roads have been adopted, including’ and ‘as’ be deleted from the renumbered clause 2(c).

9. That the word 'current' be added after the words 'ensure that the' and the words 'is fulfilled, that where issues have arisen a review is undertaken to ensure any provisions within Section 138 agreements can be enacted, that where problems occur all possible avenues are explored by the council to ensure that vital works maintain unadopted highways in an area are carried out by a developer or service company, and investigate,' is added after the word 'standard' and the word 'at' is added after the word 'Council' in renumbered clause 2(c)."

The amendment to the motion was accepted.

The Motion was carried by acclamation.

RESOLVED –

1. That this Council notes that:
 - a) when a new area is built, the land including roads and footways still belong to the developer until they are adopted by MK Council;
 - b) the Council will only adopt them if they have been constructed to an acceptable standard, these roads and streets are then classed as Highways Maintainable at Public Expense, which means that the Council pays for repairs, cleaning and gritting;
 - c) there are roads and streets that are unadopted and the Council does not have the responsibility to carry out maintenance works on these works such as gritting, repairing, cleaning and cutting back vegetation;
 - d) there are many roads in MK that have not yet been adopted, despite adjacent house-building having been finished years ago;
 - e) unadopted roads can be poorly maintained by the developers with potholes, poor drainage and no or inadequate street lighting and other services such as landscaping often not being properly undertaken by developers or service charge companies, which can affect residents' quality of life and safety.
 - f) often people who live on unadopted roads struggle to get the developers or service companies to do even basic maintenance to the roads and verges, year after year; and

- g) there is a commitment to substantial housebuilding in and around MK for at least the next 15 years, during which time tens of thousands of new residents will experience the problems already facing similar numbers of existing residents, unless significant changes are made to how the development system works.
2. That this Council asks the Cabinet to:
- a) Take the lead in ensuring developers and service companies fulfil their obligations to their residents;
 - b) seek to understand the scale of the issue, understanding that build rates can often be slow, and investigate effective ways that road adoption times can be reduced using by current powers, and to ask an appropriate officer to produce suggestions of what new powers may be effective in tackling this issue so a request can be made to government;
 - c) ensure that the current policy of requiring all roads and accesses contained in planning proposals to be of an adopted standard is fulfilled, that where issues have arisen a review is undertaken to ensure any provisions within Section 138 agreements can be enacted, that where problems occur all possible avenues are explored by the council to ensure that vital works maintain unadopted highways in an area are carried out by a developer or service company, and investigate, if at all possible, provisions for the work to be done by the Council at the developers' expense if the developers fail to maintain the area properly; and
 - d) write to the Secretary of State for Levelling Up, Housing and Communities requesting that Councils be allowed to insert planning conditions about when roads should be adopted.

CL94

PLANNING ENFORCEMENT

Councillor Walker moved the following motion which was seconded by Councillor Jenkins:

- “1. That this Council notes that:
- a) planning enforcement is an essential function of development management within a local authority;
 - b) effective planning enforcement is critical for ensuring public confidence in the planning system;

- c) local planning authorities have responsibility for taking whatever enforcement action may be necessary, in the public interest, in their administrative areas;
 - d) there are an extensive range of statutory powers for local authorities to investigate and take action against unauthorised development;
 - e) unauthorised development can take a wide range of forms, of differing scales and it can occur over varying timeframes;
 - f) the effects of unauthorised development can be harmful and undesirable to the public and the wider environment and affect the amenity of a neighbourhood; and
 - g) unauthorised development can result in irreparable harm to our heritage assets.
2. That this Council welcomes the recent appointment of a new Senior Enforcement Officer and Team Leader as steps taken to improve the enforcement service.
3. That this Council recognises:
- a) the response of the Leader of the Council and Cabinet Member for Planning at the Full Council meeting of 16 September 2020 where he accepted that planning enforcement had not always performed adequately in the past;
 - b) the recent finding of maladministration by the Local Government Ombudsman over a failure to ensure adequate enforcement record-keeping;
 - c) the recent judgement of the First-tier Tribunal (General Regulatory Chamber) Information Rights which found that ‘the [Council’s] enforcement team failed to keep proper records of site visits between January 2018 and August 2019’; and
 - d) the concern expressed by members of the public and Members of the Development Control Committee at the meeting of 3 June 2021 over repeated failures to deal with unacceptable unauthorised development which was now immune from enforcement action due to the passage of time.

4. That this Council acknowledges that:
 - a) there remain serious concerns expressed by the public, Parish Councils and Ward Councillors over the effectiveness of planning enforcement in Milton Keynes;
 - b) it is not acceptable for harmful unauthorised development to become immune from enforcement action due a failure to take action within the statutory timeframes; and
 - c) enforcement failures can have a significant impact on peoples' lives and cause damage to the Council's reputation as the local planning authority.
5. That the Council resolves to request that the Cabinet Member for Planning:
 - a) bring forward a report at the next Cabinet meeting setting out the steps taken to improve the planning enforcement function in light of the recent Ombudsman decision and Tribunal findings; and
 - b) ensure the right resources are available for Development Management at the Council, to enable a more effective planning enforcement service whilst also providing sufficient resource to deliver an efficient and effective planning service."

Before moving the amendment Councillor Marland moved a procedural motion without notice under Council Procedure Rule 12 to suspend Council Procedure Rule 13.6(a) (amendment to motions). This was to correct a factual error to add the word 'supported' in point 4 of his amendment between the words 'complaint' and 'by'. The procedural motion was seconded by Councillor R Bradburn and was carried by acclamation.

Councillor Marland then moved the following amendment which was seconded by Councillor Trendall:

- "1. That the words 'however local planning enforcement action must be expedient and proportionate' be added at the end of clause 1(c).
2. That the word 'extensive' be removed from clause 1(d) and the words 'but that this action must be proportionate to any alleged breach' be added at the end of this clause.
3. That the words 'recent appointment of a new Senior Enforcement Officer and Team Leader as steps taken to improve the enforcement service' be removed from clause 2 and replaced with the words 'the work of the new Director of

Planning and Placemaking and Head of Planning are undertaking to secure additional resources to the enforcement team but notes that recruitment and retention of experienced officers in the current market is challenging’.

4. That a new clause 3(d) be added as follows:

‘a recent Local Government Ombudsman finding that they will not be investigating a complaint supported by a former councillor, which upholds the view of an officer that it was not expedient to take enforcement action in that case, and that:

- i) care should be taken not use individual examples as representative of the whole service;
- ii) that it is the role of the council is to ensure proper systems and processes are in place to expedite a good service; and
- iii) that there must be a distinction between the professional judgement of officers and the personal opinion of councillors;’

and that the original clause 3(d) be renumbered 3(e) accordingly.

5. That the words ‘members of the public and that’ be removed from renumbered clause 3(e) and that the word ‘some’ be added before the word ‘members’, the words ‘and two members of the public’ be added after the word ‘Committee’, the word ‘alleged’ be added before the word ‘repeated’ and the word ‘unacceptable’, and the word ‘possible’ be added before the word ‘enforcement’.
6. That the words ‘some members’ be added after the words ‘expressed by’ in clause 4(a), the word ‘some’ be added before the word ‘Parish’ and the word ‘Ward’, and that the words ‘noting that the scale of the issue and the actions taken to resolve them should be proportionate to the problems and that disingenuous and exaggerated politically driven attacks on the service undermine morale and are impacting the ability to recruit new officers’ be added at the end of clause 4(a)
7. That the words ‘when issues have been properly reported to the council for investigation;’ be added to the end of clause 4(b).

8. That a new clause 4(d) be added as follows:
‘that while there are a small number of cases where the council has not performed as we would expect, overall, officers in this area work in a challenging environment and resolve the vast majority of cases without issue and that concerns about performance should be seen in proportion to the number of cases and the improvements made to address them.’
9. That the words ‘resolves to request that the Cabinet Member for Planning’ be deleted from clause 5.
10. That clause 5(a) and 5(b) are deleted and replaced with the following new clauses:
 - a) ‘welcomes the work being under the direction of the Planning Improvement Board to address past concerns in relation to planning enforcement in Milton Keynes;
 - b) welcomes the adoption of the Local Enforcement Plan by Cabinet in January 2021 and the steps taken to strengthen the enforcement service;
 - c) notes a performance report that will be presented to the Development Control Committee in December 2021 and requests that any concerns with current performance of enforcement be referred to the Cabinet member as appropriate;
 - d) resolves that councillors and parishes are offered training to help increase understanding of the enforcement process; and
 - e) asks Cabinet to review the resources available to the enforcement service during the budget setting process to ensure they meet the needs of the Local Enforcement Plan.’”

On being put to the vote the amendment to the motion was won.

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

RESOLVED:

1. That this Council notes that:
 - a) planning enforcement is an essential function of development management within a local authority;
 - b) effective planning enforcement is critical for ensuring public confidence in the planning system;

- c) local planning authorities have responsibility for taking whatever enforcement action may be necessary, in the public interest, in their administrative areas however, local planning enforcement action must be expedient and proportionate;
 - d) there are a range of statutory powers for local authorities to investigate and take action against unauthorised development but that this action must be proportionate to any alleged breach;
 - e) unauthorised development can take a wide range of forms, of differing scales and it can occur over varying timeframes;
 - f) the effects of unauthorised development can be harmful and undesirable to the public and the wider environment and affect the amenity of a neighbourhood; and
 - g) unauthorised development can result in irreparable harm to our heritage assets.
2. That this Council welcomes the work of the new Director of Planning and Placemaking and Head of Planning are undertaking to secure additional resources to the enforcement team but notes that recruitment and retention of experienced officers in the current market is challenging.
3. That this Council recognises:
- a) the response of the Leader of the Council and Cabinet Member for Planning at the Full Council meeting of 16 September 2020 where he accepted that planning enforcement had not always performed adequately in the past;
 - b) the recent finding of maladministration by the Local Government Ombudsman over a failure to ensure adequate enforcement record keeping;
 - c) the recent judgement of the First-tier Tribunal (General Regulatory Chamber) Information Rights which found that ‘the [Council’s] enforcement team failed to keep proper records of site visits between January 2018 and August 2019’;

- d) a recent Local Government Ombudsman finding that they will not be investigating a complaint supported by a former councillor, which upholds the view of an officer that it was not expedient to take enforcement action in that case, and that:
 - i) care should be taken not use individual examples as representative of the whole service;
 - ii) that it is the role of the council is to ensure proper systems and processes are in place to expedite a good service; and
 - iii) that there must be a distinction between the professional judgement of officers and the personal opinion of councillors.
 - e) the concern expressed by some members of the Development Control Committee and two members of the public at the meeting of 3 June 2021 over alleged repeated failures to deal with alleged unacceptable unauthorised development which was now immune from possible enforcement action due to the passage of time.
4. That this Council acknowledges that:
- a) there remain serious concerns expressed by some members of the public, some Parish Councils and some Ward Councillors over the effectiveness of planning enforcement in Milton Keynes, noting that the scale of the issue and the actions taken to resolve them should be proportionate to the problems and that disingenuous and exaggerated politically driven attacks on the service undermine morale and are impacting the ability to recruit new officers;
 - b) it is not acceptable for harmful unauthorised development to become immune from enforcement action due a failure to take action within the statutory timeframes when issues have been properly reported to the council for investigation;
 - c) enforcement failures can have a significant impact on peoples' lives and cause damage to the Council's reputation as the local planning authority; and
 - d) that while there are a small number of cases where the council has not performed as we would expect, overall, officers in this area work in a challenging environment and

resolve the vast majority of cases without issue and that concerns about performance should be seen in proportion to the number of cases and the improvements made to address them.

5. That the Council therefore:
 - a) welcomes the work being under the direction of the Planning Improvement Board to address past concerns in relation to planning enforcement in Milton Keynes;
 - b) welcomes the adoption of the Local Enforcement Plan by Cabinet in January 2021 and the steps taken to strengthen the enforcement service;
 - c) notes a performance report that will be presented to the Development Control Committee in December 2021 and requests that any concerns with current performance of enforcement be referred to the Cabinet member as appropriate;
 - d) resolves that councillors and parishes are offered training to help increase understanding of the enforcement process; and
 - e) asks Cabinet to review the resources available to the enforcement service during the budget setting process to ensure they meet the needs of the Local Enforcement Plan.

CL95

ELECTRICITY BILLS

Councillor R Bradburn moved the following motion which was seconded by Councillor Wilson-Marklew:

- “1. That this Council acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy.
2. That this Council recognises that:
 - a) very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so;
 - b) making these financial costs proportionate to the scale of a renewable electricity supplier’s operation would create significant opportunities for local companies, community groups and councils to be providers of locally generated

renewable electricity directly to local people, businesses and organisations, if they wished; and

- c) revenues received by such local companies, community groups or councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions.
3. That this Council notes that the Parliamentary Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this.
 4. That this Council therefore resolves to support the Local Electricity Bill, currently supported by a cross-party group of 278 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company.
 5. That this Council further resolves to:
 - a) inform the local media of this decision; and
 - b) ask the Chief Executive to write to:
 - i) local MP Iain Stewart, who has not yet expressed support¹, asking him to support the Bill; and
 - ii) the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or info@powerforpeople.org.uk) expressing its support.”

The Motion was carried by acclamation.

RESOLVED:

1. That this Council acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy.
2. That this Council recognises that:
 - a) very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so;

¹ <https://powerforpeople.org.uk/the-local-electricity-bill/support>

- b) making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies, community groups and councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished; and
 - c) revenues received by such local companies, community groups or councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions.
5. That this Council notes that the Parliamentary Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this.
6. That this Council therefore resolves to support the Local Electricity Bill, currently supported by a cross-party group of 278 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company.
6. That this Council further resolves to:
- a) inform the local media of this decision; and
 - b) ask the Chief Executive to write to:
 - i) local MP Iain Stewart, who has not yet expressed support², asking him to support the Bill; and
 - ii) the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or info@powerforpeople.org.uk) expressing its support."

CL96

EDUCATION CATCH UP

RESOLVED:

With the consent of the Council the Motion was withdrawn.

² <https://powerforpeople.org.uk/the-local-electricity-bill/support>

CL97

COMMITTEE MEMBERSHIP

The Mayor moved the following recommendation which was seconded by the Deputy Mayor:

“That the Council confirm the replacement of Councillor Montague by Councillor R Bradburn on the Joint Negotiating Committee (Employers Side).”

The recommendation was declared carried by acclamation.

RESOLVED:

1. That Councillor R Bradburn replace Councillor Montague on the Joint Negotiating Committee (Employers Side)

CL98

DEVELOPMENT CONTROL COMMITTEE/PANEL CHANGE OF NAME

The Mayor moved the following recommendations which were seconded by the Deputy Mayor:

- “1. That the Development Control Committee and Development Control Sub Committee (Development Control Panel), be renamed Planning Committee and Planning Panel respectively, from the 2022/23 Council year.
2. That the Director of Law and Governance be delegated authority to make the required consequential amendments to the constitution to reflect these changes.”

The Mayor moved the following procedural motion which was seconded by the Deputy Mayor:

“In accordance with Council Procedure Rule 21, Council Procedure Rule 8, as far as it relates to the closure of the meeting, be suspended and the meeting extended in order to allow any Councillors who wish to speak on the remaining item.”

The procedural motion was carried by acclamation.

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

RESOLVED:

1. That the Development Control Committee and Development Control Sub Committee (Development Control Panel), be renamed Planning Committee and Planning Panel respectively, from the 2022/23 Council year.
2. That the Director of Law and Governance be delegated authority to make the required consequential amendments to the constitution to reflect these changes

THE MAYOR CLOSED THE MEETING AT 11:02 PM

[The recording of this meeting is available to view on the Council's YouTube Channel at: https://www.youtube.com/user/MiltonKeynesCouncil](https://www.youtube.com/user/MiltonKeynesCouncil)

1. Ahmed Butt to Councillor Middleton (22/11/21 – 18.58)

“What are the Council’s thoughts on business rates going forward. As MK council received 2.3 million grant from the government where is that money?”

Response from Councillor Middleton and Councillor R Bradburn

"The future of business rates as a form of taxation is solely in the hands of Rishi Sunak, the Chancellor of the Exchequer. Reform has been on the cards since 2010, but regrettably Central Government has repeatedly delayed plans for fundamental reform. It now looks like fundamental reform has been shelved by Central Government. Rishi Sunak said only a few weeks ago, and I quote "While the Government plans to bring forward several substantive changes to improve the system, we see little value in ripping the system up and starting afresh as has been suggested by a small minority." If you would like to see fundamental reform of the business rates system, I can only suggest you approach your local MP, Ian Stewart, to lobby for change in Parliament.

Otherwise I confirm in the next financial year you'll be eligible for a further relief on your rates bill as announced by Rishi Sunak as part of his recent Comprehensive Spending Review. From 1 April 2022 the Government’s intention is that Extended Rate Relief will be set at 50 % for 22/23 meaning you will be looking at a rates bill of around £ 5613 for 2022/23.

The £2.33 million pounds you mention is the extra Additional Restriction Grant monies from Central Government and the proposed allocation of the monies was set out in the Delegated Decision made by the Leader of the Council on the 14 September 2021.

In fact businesses like yours will benefit a further grant in the coming weeks.

You should also be thanked by your colleagues in the local post office business for assisting in getting the Government to recognise the need to supply grants to your sector.

Also on your point on Bletchley in particular

The Council is proactively shaping the future of Bletchley high street.

Our immediate help to Bletchley includes up to £40k worth of tidying and beautification of the high street in line with local priorities, providing £20k grant funding over Christmas and New Year period to the Town Council to help drive footfall back to the high street, and through our Economic Recovery plan, providing a further £20k to the high street for activity and promotion of the area during 2022.

This is on top of the direct grant programmes to businesses and the winter retail scheme we are shaping up with the support of the Town Council, which will directly benefit retailers on the high street (for which details on eligibility are shortly to be confirmed.)

Over the longer term, the £22.7m secured through the Bletchley Town Deal will help improve opportunity in the town, improving infrastructure and the skills and economic development agenda.”