

# MEETING of MILTON KEYNES COUNCIL

TUESDAY 13 OCTOBER 2009  
7.30 PM

COUNCIL CHAMBER, CIVIC OFFICES  
CENTRAL MILTON KEYNES

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



## AGENDA

Item No:

### 1. Procedure

(a) Apologies

(b) Minutes

To approve, and the Mayor to sign as a correct record, the Minutes of the meeting of the Council held on 8 September 2009 (Item 1) (**Pages 10 to 23**)

(c) Disclosure of Interests

Members to disclose any personal or prejudicial interests they may have in the business to be transacted and officers to disclose any interest in contracts to be considered by the Council.

(d) Announcements

To receive announcements, if any.

### 2. Public Involvement

(a) Deputations and Petitions

No deputations have been submitted for consideration at this meeting.

Any petitions received will be reported at the meeting.

(b) Questions from Members of the Public

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

### 3. Business Remaining from Last Meeting

None

### 4. Reports from Cabinet and Committees

(a) Children's Services Scrutiny Commission

In accordance with Minute CL33(1) of the Council's meeting held on 14 July 2009, to receive a copy of the Commission's final report (Item 4[a]) (**to follow**).

(b) Cabinet – 22 September 2009

Treasury Management Outturn Report 2008/09

RECOMMENDED –

That the Council's Treasury Management Performance in 2008/09 be noted.

A copy of the report considered by the Cabinet is attached at Item 4(b) (**Pages 24 to 44**).

- (c) Standards Committee – 23 September 2009

Article 9 of the Constitution

RECOMMENDED –

That the revision to Article 9 of the Constitution, as set out at Item 4(c)(i) (**Pages 45 to 49**) be adopted.

A copy of the report considered by the Committee is attached at Item 4(c)(ii) (**Pages 50 to 58**).

- (d) Audit Committee – 29 September 2009

Statement of Accounts 2008/09

RECOMMENDED –

That the Council be advised of the conclusions set out in the Independent Auditor's report and notes that Cabinet has been requested to report back to the Audit Committee on the progress made against these comments in 6 months time.

A copy of the conclusions set out in the Independent Auditor's report are set out at Item 4(d) (**Page 59**).

## 5. Members' Matters

- (a) Members' Questions

- (i) Members to ask questions of the Leader, a Cabinet Member, the Chair of any Committee, or the Leader of a Political Group on the Council.
- (ii) Members to ask questions of the representative of the Police Authority appointed to answer questions, in accordance with Section 20 of the Police Act 1996 (in accordance with Council Procedure Rule 10.5, 7 clear days notice is required for Police Authority questions).

No questions have been submitted for this meeting.

- (b) Notices of Motions

- (i) Local Development Framework

Councillor Bristow – 14 September 2009

"1. That this Council:

- (a) whilst recognising there is still much work yet to be completed, this Council is pleased to note the improved approach to all party Member involvement in the production of the Local Development Framework document under the new Administration of the Council;
- (b) expresses its deep concern and dismay at the attitude taken by the previous Liberal Democrat

Administration of the Council from the notes of the meeting of 'The Cross Boundary Members' Reference Group' held on 16 March 2009 in room 304/5, at the Housing and Communities Agency's offices, CBX Building, Central Milton Keynes;

- (c) is further dismayed that the Liberal Democrat representatives of that Administration opposed the majority of Members of this Council from knowing what was being done and said in its name, by way of deliberately obstructing a wider , and possibly, an all-party representation on that body;
  - (d) notes with deep concern, that those representatives have done a grave disservice to the people of this Borough, this Council and to future generations of this city, by their actions on that body;
  - (e) notes that those representatives have also failed to recognise that their views did not represent, or may not have represented, the majority view of this Council on that body;
  - (f) notes that those representatives probably did not wish other Members of this Council to find out what was being done, or agreed in the name of Milton Keynes Council, by trying to block the release of the notes of that and future meetings;
  - (g) confirms its gratitude to those Members who did speak and vote in favour of the Council Members being afforded a copy of the notes of this and future meetings; and
  - (h) recognises that it is important to Council Members to have all the facts made known to them on such important issues, in order that they may make rational, considered and sound judgements on possibly the most important decision facing this Authority and its future generations.
2. That as this Council does not know what has been said and/or done in the past in its name, the Council resolves:
- (a) that it is not its intention to be obstructive, or counter productive, but asks Members of the 'The Cross Boundary Members' Reference Group' to recognise that this Council has a duty of care to the people it represents, and to the future;
  - (b) that for the avoidance of doubt, it makes clear to all other Members of the 'The Cross Boundary Member's Reference Group' that as of this date, all statements, undertakings, understandings or guarantees,

howsoever given by the previous Administration are hereby set aside and cannot, or will not, be honoured until the minutes of all such meetings are agreed and endorsed by the full body of this Council;

- (c) that any future meetings of the 'The Cross Boundary Members' Reference Group' will not be considered as a valid meeting unless and until this Council is represented by an all-party group from this Council; and
- (d) that it is the desire of this Council to work to the common good of all people of the area in and around Milton Keynes."

(ii) Enforcement Action at the Pain Artisan Site, 15 Tanners Drive, Blakelands

Councillor Tunney – 28 September 2009

"1. That this Council rescinds the decision made by Development Control Committee on 24 September 2009, under reference 06/00189/UNAWKS, to authorise Enforcement Action at the Pain Artisan Site, 15 Tanners Drive, Blakelands on the following grounds, that:

- (a) paragraph 3.2 of the Officer Report is in fact incorrect. The last application for permission for residential development was 07/00045/FUL which was refused by delegated decision on 13 April 2007;
- (b) paragraph 7.4 repeats that same error of fact;
- (c) the same erroneous statement is repeated on Pages 101 and 105 as further grounds for the recommendation;
- (d) the attempt by the Ward Councillor to explain this point to Committee Members, it having been referred to orally after the Ward Councillor had used his one address to Committee, was disallowed on procedural grounds so preventing Members being made aware of the error;
- (e) the error must have been a significant influence upon the decision made when it ought not to have been;
- (f) in consequence, a decision was made which would not have been made had Members known the true position; and
- (g) the weight given to the above matters is likely to have prevented Members from allowing fuller consideration to the general duty to promote the

economic well being of people in Milton Keynes as called for by Article 2.3 (a) of the Council's Constitution, such consideration being a permissible discretionary factor in reaching a decision not to authorise Enforcement Action.

2. That the Council does not permit any further rescinding motion in respect of this matter."

Under Council procedure Rule 15.6 this Motion has been signed by Councillors Gerrella, Richards, Tunney, White and Wright

A copy of the report considered by the Development Control Committee is attached at Item 5 (**Pages 60 to 85**)

(iii) A Plan for Bletchley and Fenny Stratford

Councillor Edwards – 30 September 2009

- "1. That this Council recognises that in and around Bletchley and Fenny Stratford there has been a massive new build initiative of housing and large commercial buildings over recent years and the development of thousands of properties is on-going, but unfortunately it appears that very little thought has been given to the highways, parking provision and drainage infrastructure that is desperately needed to cope with the magnitude of further development.
2. That this Council notes that as a result of thousands of additional properties in and around Bletchley and Fenny Stratford the representatives of in Leon, Water Eaton, Lakes Estate, Fenny Stratford and The Mill Residents Associations wish this Council to adopt 'A Plan for Bletchley and Fenny Stratford' with the following issues being included in the plan:
  - (a) Southern Bletchley Bypass;
  - (b) B&Q Roundabout;
  - (c) Tavistock Street;
  - (d) One way traffic systems where necessary;
  - (e) 20 MPH Traffic restrictions in areas where necessary;
  - (f) Possibility to purchase land to create more car parking areas e.g. George Street, Bletchley Central Co-operative and the land where St Martin's Hall is situated? ; and
  - (g) Traffic congestion:
    - (i) Fenny Stratford – Watling Street;
    - (ii) Little Chef roundabout - Fenny Stratford;
    - (iii) H8 Standing Way – Watling Street; and
    - (iv) Buckingham Road."

(iv) Low Carbon Strategy

Councillor Crooks – 30 September 2009

- “1. That the Council notes that Milton Keynes must accommodate a significant expansion in its population, whilst reducing its carbon footprint and without damaging the appeal of its original concept. At the same time the borough must further its reputation as an economically successful and progressive community.
2. That the Council further notes that Milton Keynes was designed to be a sustainable community and has in the past enjoyed a reputation as a national leader for innovation in environmental policy and practice, including the country’s first door-to-door recycling scheme. This spirit of innovation has continued but the time is now ripe to take us further as a global and international leader in low carbon living.
3. That the Council therefore proposes that a Low Carbon Living Strategy be developed under the leadership of the Council, which should:
  - (a) be **ambitious** and place Milton Keynes at the forefront of low carbon living nationally and internationally;
  - (b) be **broad based**, covering sustainability objectives for housing, energy, water and transport;
  - (c) **build on existing and emerging initiatives** such as the electrification of transport, low carbon housing development, retrofitting insulation in older properties, “smart” power grids, local green power generation and new waste reduction and treatment facilities;
  - (d) **engage local communities** and be a partnership project that draws on local expertise and capacity, including the local centres of academic excellence and the Zero Carbon Hub;
  - (e) **achieve economic advantage** for the borough through its high profile and support the development of the “green” economy and jobs; and
  - (f) ensure **an integrated approach** to the borough’s rural and urban areas.
4. That the Council charges the Cabinet to develop such a Strategy including its resource implications in consultation with the relevant Select Committees, its partners and other appropriate bodies.”



## **6. Membership of Committees**

To note the membership of the Council's Overview and Scrutiny Committees and a revised membership of the Development Control Committee, Councillor Edwards having replaced Councillor Miles (Item 6) (**Pages 86 to 87**)

## **7. Parish Review Working Group**

At its meeting on 14 April 2009 (Minute CL138[c] refers), the Council resolved 'that the Working Group report back to the Council at its October meeting with its final recommendations'.

Due to the quantity and complexity of the responses to the consultation exercise, the Working Group has been unable to conclude its work in time to report to this meeting of the Council. It is likely that when the Working group is ready to report, the Council will need to receive a significant number of comments from the public and Parish Councils and Ward Members.

The Council is accordingly requested to consider agreeing to receive the final recommendations at a special meeting to be convened as soon as the Working Group is able to report.

Contact Officer: John Moffoot (Head of Democratic Services) - MK252314

Background Papers: None

## **8. Ward Based Budgets – October 2009**

To receive details of Grants awarded from the Members' Ward Initiatives Budget (Item 8) (**Pages 88 to 90**)

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

In accordance with Access to Information Procedure Rule 17.3, to note that the Provisions for Special Urgency, as set out in Access to Information Procedure Rule 16, were not used during the period July 2009 to September 2009.

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

Contact Officer: John Moffoot (Head of Democratic Services) - MK252314

Background Papers: None