



Minutes of the meeting of the MILTON KEYNES COUNCIL held on TUESDAY 9 FEBRUARY 2010 at 7.30 pm

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

Apologies: Councillors Hoyle, D McCall, Small and Turnbull and Aldermen Ellis and Howell

Also Present: 12 members of the public

CL86 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 12 January 2010 be approved and signed as a correct record.

CL87 ANNOUNCEMENTS

1. Sir John Dankworth

The Mayor announced the death of Sir John Dankworth and informed the Council that he would be sending condolences to Sir John's family on behalf of the Council.

The Council also heard from Councillor Hopkins.

2. Anna Turney - British Paralympic Ski Team

The Mayor, on behalf of the Council, congratulated Anna Turney from Olney who was to join the British Paralympic ski team and wished her luck at the forthcoming Winter Paralympics.

CL88 QUESTION FROM MEMBER OF THE PUBLIC

Mr K Baker, on behalf of Central Milton Keynes Town Council, asked Councillor Crooks (Leader of the Council) as to the Council's current policy with regard to the listing of the shopping building in Central Milton Keynes.

Councillor Crooks undertook to provide Mr Baker with a written answer.

Mr Baker asked a supplementary question which was answered by Councillor Crooks.

CL89

REPORTS FROM CABINET AND COMMITTEES

(a) Licensing Committee – 13 January 2010

Regulation of Lap Dancing and Other Sexual Entertainment Venues

Councillor Tallack moved the following recommendation from the meeting of the Licensing Committee held on 13 January 2010, which was seconded by Councillor Butler-Ellis:

“That the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, provided by Section 27 of the Policing and Crime Act 2009, be adopted.”

Councillor Ferrans moved the following amendment, which was seconded by Councillor Williams:

“That the adoption of the provisions arising from the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, by Section 27 of the Policing and Crime Act 2009, be referred back to the appropriate committee for further consideration alongside the a review of the Licensing Policy.”

On being put to the vote the amendment was declared carried, with 29 Members voting in favour, 0 Members voting against and 15 Members abstaining from voting.

On being put to the vote the substantive motion was declared carried, with 29 Members voting in favour, 0 Members voting against and 15 Members abstaining from voting.

RESOLVED –

That the adoption of the provisions arising from the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, by Section 27 of the Policing and Crime Act 2009, be referred back to the appropriate committee for further consideration alongside a review of the Licensing Policy.

(b) Cabinet – 26 January 2010

Housing Revenue Account Budget Report - 2010/11 to 2013/14

Councillor Williams moved the following recommendation from the meeting of Cabinet on 26 January 2010, which was seconded by Councillor Crooks and on which a recorded vote was requested:

“1. That the Housing Revenue Account budget for 2010/11 and its implications for future years within the framework of the Council’s existing corporate priorities, be approved.

2. That an increase in average rents of 0.73% for 2010/11 be approved as the Council moves towards Government formula rent by 2012/13 and that tenants be informed in line with statutory responsibilities under the Housing Act 1985.
3. That an increase in Shared Ownership rents of 2.75% for 2010/11 be approved in line with the contractual obligations of the lease.”

The voting was as follows:

FOR: Councillors Barry, Bint, Box, Brock, Burke, Butler-Ellis, Carstens, S Clark, U Clarke, Crooks, Dransfield, Drewett, Exon, Ferrans, Fraser, Galloway, A Geary, P Geary, Gerrella, E Henderson, I Henderson, Hopkins, Irons, Jury, Klein, Latham, Mallyon, I McCall, McPake, A Morris, C Morris, Potts, Richards, Tallack, Tamagnini-Barbosa, Tunney, Wharton, Williams and Wright (39)

AGAINST: Councillors Bristow, Campbell, Edwards and White (4)

ABSTENTIONS: Councillors Coventry, Lloyd, Miles and O'Neill (4)

The recommendation was declared carried.

RESOLVED –

1. That the Housing Revenue Account budget for 2010/11 and its implications for future years within the framework of the Council's existing corporate priorities, be approved.
2. That an increase in average rents of 0.73% for 2010/11 be approved as the Council moves towards Government formula rent by 2012/13 and that tenants be informed in line with statutory responsibilities under the Housing Act 1985.
3. That an increase in Shared Ownership rents of 2.75% for 2010/11 be approved in line with the contractual obligations of the lease.

CL90

MEMBERS' QUESTIONS

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

Councillor Wright asked Councillor Crooks to explain why it was that the Council Tax precept for Parish Councils was based on the number of households that were on the Electoral Register, rather than from all households.

Councillor Crooks explained that the precept was spread across the properties on the Valuation List and had no relationship with the Electoral Register.

Councillor Crooks went on to explain that Council Tax was a tax based on domestic properties. All domestic properties had been assigned to a valuation band by the Valuation Office Agency of the Inland Revenue. The Valuation Office sends the Council a Valuation List which sets out which valuation band each property was in.

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

(b) Question from Councillor Tunney to Councillor Crooks (Leader of the Council)

Councillor Tunney asked Councillor Crooks to confirm when he would be able to supply the information he had promised at the 12 January Council Meeting, to be available by 17 January, so enabling all Members to fairly consider staff costs in the forthcoming Budget proposal.

Councillor Tunney also asked Councillor Crooks to explain the discrepancy in Full Time Equivalent Staff numbers which he had highlighted in a question at Cabinet on 26 January

Councillor Crooks advised that the analysis showed a net increase in the establishment of 89 (representing 69.87 full time equivalents) during the period November 2008 to November 2009. This net figure resulted from the introduction onto the Human Resources system of 259 new posts and the removal of 170 posts. The great majority of these changes were the result of alterations in individual posts e.g., through restructurings and modifications to existing jobs, possibly also as a consequence of changing working patterns such as job-share or part-time working. Despite best efforts Human Resources could not give more precise figures on the number of posts which were affected in this way because that required the ability to interrogate and analyse historical changes in a way that SAP does not allow.

Councillor Crooks also advised that in cost terms, much of the change was supported by external grants. However, the current configuration of Human Resources SAP did not easily support retrospective forensic analysis and so all of this work had been manual, and was the best representation of change that could be reported. With that caveat, the large variances arose across the months of January, February, April, June and November. The manual analysis of those variances was as follows:

Community Wellbeing - 20

- Community Access Workers funded by the NHS
- Intermediate Care - grant funded - Adult Social Care Reform
- Fit for Life role – partial Adult Social Care Reform Grant; partial Sport England funded
- Customer Service roles – core funding

Children and Young Peoples Services - 27

- Family Support Workers – grant funded – Surestart Grant
- Inclusive Education Co-ordinators - grant funded – Dedicated Schools Grant

Environment - 36

- Landscape Operatives – a mix of TUPE posts and long term temporary staff to permanent staff conversions (both categories with associated budgets)
- Play Area Operatives - TUPE posts with associated budgets
- School Crossing Patrollers - costs met within existing budgets

Strategy and Partnership - 4

- Additional Legal Services roles- internal recharges to directorates.

Councillor Crooks reported that the balance of the 89 posts covered 2 posts in Community Wellbeing which was a change as a consequence of restructuring that the system had not been able to capture accurately.

Councillor Crooks stated that to complete the task in any greater detail would require analysis by service managers as the Human Resources SAP system did not hold the qualitative interpretation that would allow for any further explanation of the basis of movement.

Councillor Crooks advised that an immediate priority was to strengthen the SAP processes and also build the capability of the staff using it so that more accurate management information could be drawn down at designated points across each year and used to inform management decisions around workforce costs.

Regarding the discrepancy in full time equivalent staff numbers in the new Workforce Strategy which was highlighted in the question asked by Councillor Tunney at Cabinet on 26 January, Councillor Crooks apologised for what was a typing error as the report was intended to state current headcount rather than full time equivalent. Both headcount and full time equivalent figures reported would vary, even from day to day, depending upon the information the system was asked to report and this inconsistency of approach was being addressed.

Finally, Councillor Crooks offered Councillor Tunney a fuller explanation from Human Resources Staff and to share the technical challenges of arriving at the information requested and provide also the opportunity for a briefing on the development of a robust monthly establishment reporting process for both Members and managers.

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

- (c) Question from Councillor White to Councillor Dransfield (Chair of the Parish Review Working Group)

Councillor White asked Councillor Dransfield when he expected to be able to submit the Group's final report to Council.

Councillor Dransfield indicated that the Group was giving thorough consideration to the objections to its proposals and listening carefully to counter proposals so as to avoid any legal challenge. There were currently two outstanding issues relating to Woughton and Shenley Church End which the Group hoped to address before the end of the current Council year with the final submission being made to Council in the new Council year.

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

- (d) Question from Councillor Butler-Ellis to Councillor Mallyon (Cabinet Member for Transport and Highways)

Councillor Butler-Ellis asked Councillor Mallyon whether consideration had been given as to how the damage caused to the roads and footpaths as a result of the heavy gritting taking place this winter and the resulting additional expenditure was going to be mitigated.

Councillor Mallyon indicated that while it was intended to change the treatments used in future years, with a move to the use of a saline solution as one possibility, he would ask officers to respond to the issues raised by Councillor Butler-Ellis.

- (e) Question from Councillor Campbell to Councillor Williams (Cabinet Member for Housing and Adult Social Care)

Councillor Campbell asked Councillor Williams if he found it acceptable that children from Bletchley were being referred to the Broughton Gate Surgery, which was not easily accessible by public transport from Bletchley, for their Swine Flu inoculations as the Bletchley surgeries did not have the capacity to cope.

Councillor Williams indicated that he did not and undertook to investigate the situation.

Councillor Campbell asked a supplementary question which was answered by Councillor Williams.

- (f) Question from Councillor P Geary to Councillor Galloway (Cabinet Member for Environment, Planning and Growth)

Councillor Geary asked Councillor Galloway, in light of a particularly controversial planning application in his Ward, if copies of the leaflet 'How to Comment on a Planning Application' could be made available in hard copy as it appeared to be only available electronically.

Councillor Galloway indicated that he would liaise with Councillor C Morris (Chair of the Development Control Committee) and officers with a view to ensuring that hard copies of the leaflet 'How to Comment on a Planning Application' were available.

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

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

Councillor Klein asked Councillor Mallyon whether the Council was able to reconsider its decision to sell the car park opposite the Bletchley Leisure Centre, which he considered to be vital to the regeneration of Bletchley as was proven by the high levels of use, when it was opened over the Christmas period and beyond on a temporary basis.

Councillor Mallyon indicated that he was aware as to how well the car park was being used and would request officers to investigate the possibility of its use being retained on a permanent basis.

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

Councillor Irons asked Councillor Mallyon if he could explain as to what standard was to be used in future to repair potholes in roads as she was aware that some were only being repaired in a temporary way.

Councillor Mallyon indicated that some potholes were being repaired in a temporary way, which cost approximately £35 as opposed to £65 for a more permanent repair. Councillor Mallyon asked Councillor Irons to supply details of the particular pothole she was referring to as being repaired on a temporary basis so that he could investigate which method was being used and why.

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

- (i) Question from Councillor Tamagnini-Barbosa to Councillor A Geary (Leader of the Conservative Group).

Councillor Tamagnini-Barbosa asked Councillor Geary if he believed in democracy.

Councillor Geary indicated that he did.

Councillor Tamagnini-Barbosa asked a supplementary question which was answered by Councillor Geary.

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

Councillor Coventry asked Councillor Mallyon who had authorised the cancellation of the Transport Partnership meeting and why it had been done at such a late date.

Councillor Mallyon indicated that that he was not aware and undertook for Councillor Coventry to be advised, if possible, of any potential changes to bus services by Arriva, with a view to allowing Councillor Coventry, and any other Members, to comment on the proposed changes in advance of their implementation.

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

- (k) Question from Councillor A Morris to Councillor Mallyon (Cabinet Member for Transport and Highways)

Councillor A Morris asked Councillor Mallyon what was the current level of the Council's road salt reserves, bearing in mind the predicted bad weather in the next couple of days.

Councillor Mallyon indicated that the reserves stood at 500 tonnes, which would provide for treatments for up to ten days.

Councillor A Morris asked a supplementary question which was answered by Councillor Mallyon.

- (l) Question from Councillor Miles to Councillor Mallyon (Cabinet Member for Member for Transport and Highways)

Councillor Miles asked Councillor Mallyon if he could explain what was the point of the Transport Partnership, particularly if it did not allow the opportunity to discuss such issues as major changes to bus services, and why this Council had been treated in such a cavalier fashion by the Partnership.

Councillor Mallyon indicated that there were currently 14 different bodies relating to transport which met each month which needed to be rationalised to allow more focussed discussions

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

- (m) Question from Councillor Potts to Councillor McPake (Cabinet Member for Communities)

Councillor Potts asked Councillor McPake as to what reassurance she could give to the people of Milton Keynes with regard to the questionable figures recently published by the MP for North East Milton Keynes relating to crime figures.

Councillor McPake indicated that the figures used by the MP were comparing 2003 with figures after that date, which she believed was dishonest and painted a totally untrue picture of crime increasing massively in Milton Keynes, particularly as it was made clear on the Home Office Web-Site that 2003 figures should not be used for comparative purposes with years beyond 2003, as the basis on which they had been collected had significantly changed.

Councillor McPake stated that the Council and its partners were making every effort to reduce crime, reduce the fear of crime and increase the public's confidence in reporting crime, as had been shown by the increase in the reporting of incidents of domestic violence.

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

- (n) Question from Councillor Bint to Councillor Mallyon (Cabinet Member for Transport and Highways)

Councillor Bint asked Councillor Mallyon as to the level of subsidy per passenger, the total subsidy cost and the total passenger numbers for the 300 Series Bus.

Councillor Mallyon indicated that he would provide Councillor Bint with a written response, but indicated that he believed the service to have been successful having carried over 75,000 passengers since the service was introduced.

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

CITY STATUS

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

“That this Council:

1. notes Lord Mandelson’s recent statement to the House of Lords that he intended to launch a competition in the spring for the award of a further city charter or charters to towns in England on the sixtieth anniversary of the Queen’s accession to the throne;
2. believes that it is inconceivable that Milton Keynes should not be recognised as a City; and
3. requests the Cabinet to make the necessary arrangements for entering and winning this competition on an all -party basis.”

Councillor White moved the following amendment which was seconded by Councillor Lloyd and accepted by the mover of the motion:

“That the following words be added to the end of Clause 2:

‘and notes that Milton Keynes is already unofficially recognised as a City and will continue to be so, in the interest of our citizens and businesses”

On being put to the vote the motion, as amended, was declared carried, with 42 Members voting in favour, 0 Members voting against and 2 Members abstaining from voting.

RESOLVED –

That this Council:

1. notes Lord Mandelson’s recent statement to the House of Lords that he intended to launch a competition in the spring for the award of a further city charter or charters to towns in England on the sixtieth anniversary of the Queen’s accession to the throne;
2. believes that it is inconceivable that Milton Keynes should not be recognised as a City and notes that Milton Keynes is already unofficially recognised as a City and will continue to be so, in the interest of our citizens and businesses; and
3. requests the Cabinet to make the necessary arrangements for entering and winning this competition on an all -party basis.

MINERAL EXTRACTION

Councillor P Geary moved the following motion, which was seconded by Councillor A Geary:

“That this Council:

1. notes with regret the recommendations of the Examination in Public of the review of Policy M3 Primary land won aggregates and sub-regional apportionment that 0.28 million tonnes per annum should be extracted from the Milton Keynes area;
2. confirms its view that the original level of allocation would have an unacceptable impact on the Ouse Valley AAL and the lives of local people on the basis that the original figure of 0.16 million tonnes per annum allocation was too high as confirmed at Cabinet (June 2009) and therefore the higher recommended figure will have a greater impact and is not sustainable; and
3. instructs officers to undertake whatever testing and investigation is required to assess the deliverability and impact of the apportionment recommended by the Examination in Public and report back to Cabinet in due time.”

Councillor White moved the following amendment which was seconded by Councillor Bristow:

“That the following words be added to the end of Clause 2:

‘and also notes with regret the actions of the Conservative led Buckinghamshire County Council which had a negative impact on this Authority’s need to extract minerals”

On being put to the vote the amendment was declared carried, with 27 Members voting in favour, 18 Members voting against and 1 Member abstaining from voting.

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

RESOLVED –

That this Council:

1. notes with regret the recommendations of the Examination in Public of the review of Policy M3 Primary land won aggregates and sub-regional apportionment that 0.28 million tonnes per annum should be extracted from the Milton Keynes area;

2. confirms its view that the original level of allocation would have an unacceptable impact on the Ouse Valley AAL and the lives of local people on the basis that the original figure of 0.16 million tonnes per annum allocation was too high as confirmed at Cabinet (June 2009) and therefore the higher recommended figure will have a greater impact and is not sustainable and also notes with regret the actions of the Conservative led Buckinghamshire County Council which had a negative impact on this Authority's need to extract minerals; and
3. instructs officers to undertake whatever testing and investigation is required to assess the deliverability and impact of the apportionment recommended by the Examination in Public and report back to Cabinet in due time.

CL93

WINTER GRITTING

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

"That this Council:

1. recognises the good work done by the team at Bleak Hall in keeping the roads of Milton Keynes open in the recent bad weather;
2. invites the Cabinet to consider increasing the number of salt bins from 210 to 400, working with parish councils to identify locations; and
3. requests officers to give priority attention to gritting all school approaches and to work closely with all schools this summer to reduce the number of closures by having an agreed plan in the event of snow."

Councillor Crooks moved the following amendment which was seconded by Councillor Galloway and accepted by the mover of the motion:

"That the following Clause be added after Clause (b) and the existing Clause (c) be re-lettered (d):

'further invites the Cabinet to support the Local Government Association's request to Government to clarify whether current laws permit a person to be sued successfully for an accident to others after clearing snow from the pavement outside their house; and'"

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

RESOLVED –

That this Council:

1. recognises the good work done by the team at Bleak Hall in keeping the roads of Milton Keynes open in the recent bad weather;

2. invites the Cabinet to consider increasing the number of salt bins from 210 to 400, working with parish councils to identify locations;
3. further invites the Cabinet to support the Local Government Association's request to Government to clarify whether current laws permit a person to be sued successfully for an accident to others after clearing snow from the pavement outside their house; and
4. requests officers to give priority attention to gritting all school approaches and to work closely with all schools this summer to reduce the number of closures by having an agreed plan in the event of snow.

CL94

SCHEME OF MEMBERS' ALLOWANCES 2010/11

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

- "1. That the Panel be thanked for its work in compiling the report and the recommendations contained therein.
2. That the Council accept in full the findings, conclusions and recommendations of the Independent Remuneration Panel as the basis for its scheme of allowances for the year 2010/11."

Councillor Miles moved the following amendment which was seconded by Councillor Coventry:

"That the Council agrees to defer decision on the recommendations in the Independent Panel's report to allow a position to be sought which finds support with all Members of the Council."

On being put to the vote the amendment was declared lost, with 9 Members voting in favour, 31 Members voting against and 4 Members abstaining from voting.

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

The voting was as follows:

FOR: Councillors Barry, Box, Brock, Butler-Ellis, U Clarke, Dransfield, A Geary, P Geary, Gerrella, E Henderson, I Henderson, Hopkins, Irons, Jury, Klein, Lloyd, A Morris, C Morris, Tunney, Wharton, and White (21)

AGAINST: Councillors Bint, Bristow, Burke, Coventry, Crooks, Drewett, Ferrans, Fraser, Galloway, I McCall, McPake, Miles Potts, Richards, Tallack, Tamagnini-Barbosa and Williams (17)

ABSTENTIONS: Councillors Carstens, S Clark, Exon, Mallyon, O'Neill and Wright (6)

The original motion was declared carried.

RESOLVED –

1. That the Panel be thanked for its work in compiling the report and the recommendations contained therein.
2. That the Council accept in full the findings, conclusions and recommendations of the Independent Remuneration Panel as the basis for its scheme of allowances for the year 2010/11.

THE MAYOR CLOSED THE MEETING AT 11.20 PM

DRAFT