

CABINET

12 OCTOBER 2015

ITEM 3

DRAFT MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2015

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Minutes of the meeting of the CABINET held on MONDAY 14 SEPTEMBER 2015 at 6.30 pm

Present: Councillor Marland (Chair),
Councillors Betteley, Clifton, E Gifford, Legg, Long, Middleton, Miles and O'Neill

Officers: C Mills (Chief Executive), T Hannam (Corporate Director - Resources), D Sharkey (Corporate Director -Place), S Joyner (Strategic Director [Adult Social Care and Health Partnerships]), S Gerrard (Interim Service Director [Legal and Democratic Services]), J Reed (Service Director [Housing and Community]), L Ellen (Head of Housing), R Peck (Head of Customer Service), F Robinson (Senior Planning Officer), P Gibson (Housing Policy and Development Officer), M Smith (Housing Finance Manager), S Heap (Committee Services and Scrutiny Manager) and T Milner (Committee Manager).

Also Present: Councillors Bald, Bint, Ganatra, D Hopkins, Morris, Morla, White and C Williams and 8 members of the public

C32 CABINET ANNOUNCEMENTS

Councillor O'Neill announced that significant progress that had been made by RegenerationMK in establishing the RegenerationMK Partnership since spring 2013, when the Cabinet had agreed that a strategic solution to better respond to the needs of both people and places with the most challenges across Milton Keynes.

The procurement process was started in June 2014 and officer colleagues have been working hard to ensure the Partnership would deliver the best result for tenants, communities and the Council.

Councillor O'Neill indicated that it was intended to report to Cabinet in December 2015 the appointment of a Partner, which would leave time to ensure the Partnership was up and running to deliver the Repairs and Maintenance service from next spring.

Officer colleagues would continue to work with residents, community stakeholders, Cabinet Advisory Group members and senior Council officers to ensure the Partnership delivers lasting improvement across our city.

C33 MINUTES

RESOLVED -

That the Minutes of the meeting of the Cabinet held on 13 July 2015, be approved and signed by the Chair as a correct record.

C34 DISCLOSURES OF INTEREST

Councillors Marland and Middleton, as members of the Cabinet and Councillor Bald who was also in attendance, declared personal interests in Item 9(a) (Milton Keynes Service Partnership Review) as members of Milton Keynes Service Partnership Board.

C35 QUESTION FROM MEMBERS OF THE PUBLIC

- (a) Question from Mr A Francis to Councillor Clifton (Cabinet Member for Growth and Inward Investment).

Mr A Francis, as a member of the Milton Keynes Transport Partnership referring to the Transport Plan to support the Rugby World Cup matches at Stadium:MK and the Fanzone at Campbell Park, asked Councillor Clifton when the Transport Plan would be published and why had it been so delayed.

Mr Francis also asked Councillor Clifton if the Council could give local residents an assurance that their travel arrangements would not be adversely affected as a consequence of the world cup matches at Stadium:MK, as a supplementary question.

Councillor Clifton indicated that a great deal of work had been undertaken on the Transport Plan and there was information on the Council's website and a wrap-around would be provided in a local newspaper. Councillor Clifton recognised that there would be some impact on residents on match days, but every effort would be made to ensure that it was minimised.

Councillor Clifton undertook to provide details of the Rugby World Cup Transport Plan to the Milton Keynes Transport Partnership.

- (b) Question from Ms Osborne to Councillor Middleton (Cabinet Member for Resources and Commercialism).

Ms Osborne, referring to the discussions Wolverton Community Energy had been having with officers in relation to renewable energy generation and the imminent changes to the Feed in Tariff proposed by Central Government, asked Councillor Middleton if he could provide assurances whether the requested legal opinion would be given in the next few days as speed was of the essence. Ms Osborne also asked for clarification of the mechanisms required for decision making, should legal opinion be favourable.

Councillor Middleton indicated that the legal opinion had now been supplied and suggested that a meeting be arranged with Wolverton Community Energy to discuss the location of Photovoltaic Solar Panels on Council property in Wolverton.

COUNCILLORS' QUESTIONS

- (a) Question from Councillor Bald to Councillor O'Neill (Cabinet Member for Housing and Regeneration).

Councillor Bald, referring to item 18 of the agenda in connection with a fund for temporary accommodation asked Councillor O'Neill if the Cabinet would be discussing the item, as in her opinion the report was flawed in many respects, and it was proposing a potential unlawful course of action. Councillor Bald also referred to what she believed was a total lack of consultation on the paper.

Councillor O'Neill indicated that the paper would not be taken this evening. However, Councillor O'Neill believed that the paper and policy was robust and confirmed that she had attempted to consult with councillors in the Conservative group. The key issue was that this initiation would provide 70 properties to families, who were currently residing in bed/breakfast accommodation.

As a supplementary question, Councillor Bald asked Councillor O'Neill how she thought this was going to deliver and make a significant impact on the homelessness problem, would not deliver 70 properties, and any properties provided would not be available for at least 18 months.

Councillor O'Neill responded that she believed this was a major initiative which would deliver and help address the bed and breakfast problems.

Councillor O'Neill welcomed any initiatives Councillor Bald might have to help address the homelessness and suggested that she brought them forward rather than you coming up with concerns at the last minute.

- (b) Question from Councillor Morris to Councillor Betteley (Cabinet Member for Community Safety and Public Access).

Councillor Morris referring to the report for Joint Negotiating Committee (Employer's Side) (JNC[E]) on 23 September 2015, asked Councillor Betteley how it was planned to reduce staff costs by 10% by March 2016.

Councillor Betteley indicated that the Council was experiencing some very challenging times and the JNC(E) was being asked to look at the potential impact on the workforce.

The Leader also pointed out that the Budget Scrutiny Committee also looked at the potential savings and the figures included were also in last year's budget papers and the Medium Term Financial Strategy.

As a supplementary question, Councillor Morris expressed the view that 6 months was too short a period to achieve such significant staff savings, particularly with the levels of information currently available.

Councillor Betteley responded that proposals had been put forward for discussion and it was important to have a cross party agreement. Councillor Betteley indicated that she was willing to meet outside of the meeting to go through proposals and discuss the potential impact on staff.

- (c) Question from Councillor C Williams to Councillor Marland (Leader).

Councillor Williams referred to the Liberal Democrats support for the initiative to provide temporary accommodation and added that the Cabinet proceed with the initiative.

Councillor Marland acknowledged the support.

C37

MILTON KEYNES SERVICE PARTNERSHIP - REFERRAL FROM DELEGATED DECISION: 14 APRIL 2015 AND SCRUTINY MANAGEMENT COMMITTEE: 28 JULY 2015

The Cabinet considered the outcome of the review of the Milton Keynes Service Partnership, which had been agreed by the Leader on 14 April 2015.

The Cabinet noted that the draft proposals had been considered by the Scrutiny Management Committee on 28 July 2015 and heard from Councillor D Hopkins (Chair of the Scrutiny Management Committee), who expressed his thanks to the Chief Executive for bringing forward the draft proposal to the Management Committee.

Councillor Middleton, the responsible Cabinet member for Resources and Commercialism, thanked Councillor D Hopkins and the Committee for its helpful comments and support shown through the process. Councillor Middleton referred to the amount of work which had been undertaken and the hundreds of staff that would be affected by the decision. Councillor Middleton particularly addressed the future commercial trade currently undertaken by the Service Partnership and the new role of Chief Information Officer who would be tasked with revolutionising IT for the Council.

The Cabinet also heard that the Council faced significant challenges, particularly as it went through a transition to become more streamlined and agile and the incorporation of Service Partnership services into the Council would help to provide both enhanced services with improved flexibility. The ability to generate an income from evolving commercial activity undertaken by the Service Partnership was key and a future report addressing this would be brought to Cabinet in due course.

The Leader commented that the Council needed to access commercial experiences, and while the appointment of a

Commercial Director was one way forward, it was important to look at other expertise and achieve commercial acumen could be accessed by the Council, bearing in mind the budgetary constraints faced by the Council.

RESOLVED -

1. That all activity currently undertaken by Milton Keynes Service Partnership (MKSP) and MKSP Direct Limited be transferred to Milton Keynes Council (MKC) no later than 31 March 2016.
2. That all staff currently employed by MKSP and MKSP Direct be transferred to MKC on current terms and conditions under the Transfer of Undertakings (Protection of Employment) Regulations 2006, no later than 31 March 2016.
3. That MKSP LLP and MKSP Direct be wound up by 31 March 2016.
4. That the post of Chief Information Officer be established and appointed to.
5. That a report be brought forward to a future Cabinet meeting outlining options and proposals for optimising commercial / traded activity, building on that already being undertaken by MKSP and MKC.
6. That the principles of the Co-operative Council should be fully embraced during the process of redesigning services, and especially in delivering a more outward-looking and engaging organisation.
7. That the Cabinet welcomes the recommendations and wider comments of the Scrutiny Management Committee, and believes these should be fully embraced during the process of integrating MKSP with MKC and redesigning services, specifically that:
 - (a) there should be sensitive handling of changes to employees' terms and conditions;
 - (b) communications to employees about change should be managed with care;
 - (c) the commerciality, skills and business pipeline developed through trading with schools and other public sector organisations should be safeguarded during this process;
 - (d) those service areas within MKSP which were identified as having exemplar performance should be sensitively managed to ensure their performance and capacity is safeguarded during this process;

- (e) during this restructure, improvements in the quality of the managerial capacity across all service areas should be delivered;
- (f) at the conclusion of the planned rationalisation process, net management costs should be reduced overall;
- (g) the harmonisation of terms and conditions should be undertaken as soon as is considered reasonably practicable;
- (h) given the complexities and challenges of this process, the risk register should be retained, and there should be monitoring of all identified risks at regular intervals throughout this process;
- (i) the importance of transforming the IT infrastructure of this council should be recognised, especially in delivering improved services to our residents at less cost; and
- (j) the emerging devolution agenda should be fully embraced during the process of redesigning services.

C38

TAXI LICENSING POLICY 2014/2018 - REFERRAL FROM REGULATORY COMMITTEE: 8 JULY 2015

The Cabinet considered revisions to the Taxi Licensing Policy recommended by the Regulatory Committee at its meeting on 8 July 2015.

The Cabinet heard from Councillor Morris (Chair of the Regulatory Committee), who thanked Councillor C Williams for his assistance in reviewing the Policy which had been looked at in some detail. Councillor Morris indicated that, the Regulatory Committee would be proposing further changes to the Policy in due course as the Policy was evolving.

Councillor Legg, responsible Cabinet member for Public Realm, indicated his acceptance of the recommendations and expressed his thanks to the Regulatory Committee.

The Leader, on behalf of the Cabinet also expressed thanks to Councillor Morris and to the Regulatory Committee for all its hard work on the Policy, and requested that the received Policy showing the changes be shared with all councillors.

RESOLVED –

1. That the amended Taxi Licensing Policy 2014/2018 be adopted.
2. That the Regulatory Committee be thanked for its work on developing the Taxi Licensing Policy.

C39

AFFORDABLE HOUSING - REFERRAL FROM DEVELOPMENT CONTROL COMMITTEE: 9 JULY 2015

The Cabinet considered a referral from the Development Control Committee held on 9 July 2015 in connection with the Council's policy on the provision of affordable housing.

The Cabinet heard from Councillor White (Vice-Chair of the Development Control Committee), who explained the reasons behind the Committee's request and levels of affordable housing were a considerable issue for the Development Control Committee.

Councillor Legg, responsible Cabinet member for Public Realm, recognising that this was a Council rather than Cabinet function, referred to the written guidance note which had been circulated and referred to the importance of negotiating with developers to maximise levels of affordable housing.

Councillor C Williams requested that the information be circulated to all councillors.

RESOLVED -

The Cabinet member for Public Realm presented guidance on the Council's Affordable Housing Policy in respect of the mix of affordable housing.

C40

HOUSING ALLOCATIONS SCHEME TASK AND FINISH GROUP

The Cabinet received the report on the Housing Allocations Scheme Task and Finish Group which was presented by its Chair, Councillor C Williams.

The Cabinet heard from Councillor C Williams who outlined the role of the Task and Finish Group and the key recommendations, particularly the recommendation to adopt a Choice Based Lettings Scheme. Councillor Williams expressed the view that the Task and Finish Group's recommendations, which were agreed unanimously by the Group, were in the best interests of the people of Milton Keynes. Councillor Williams particularly expressed his thanks to Councillor Morris for her time and efforts as a member of the Group.

Councillor O'Neill, the responsible Cabinet member for Housing and Regeneration, in expressing her thanks to the Review Group for its hard work, supported the move to a system of Choice Based Lettings and suggested that the Group's recommendations should be accepted.

Councillor Long, responsible Cabinet member for Health and Wellbeing suggested that Choice Based Lettings should be adopted by all social landlords in Milton Keynes, not just the Council.

The Leader expressed his thanks to the Task and Finish Group for all the work and effort put into the report.

RESOLVED -

1. That the decisions of the Cabinet made on 12 January 2015 (Minute C127 refers) in respect of 'Changes to the Council's Housing Options and Allocations Scheme' be set aside.
2. That, with the exception of recommendation 25 which is rendered unnecessary by resolution 1 above, the recommendations of the Housing Allocations Scheme Task and Finish Group be accepted.
3. That a report be brought forward to the October meeting of the Cabinet setting out the necessary steps to the introduction of 'Choice Based Lettings'.
4. That the Housing Allocations Scheme Task and Finish Group be thanked for its work.

C41

CUSTOMER SERVICE STRATEGY

The Cabinet considered the draft Customer Service Strategy, which outlined how the Council was transferring its services for the people of Milton Keynes to give them the best possible experience when using the Customer Services.

Councillor Betteley, responsible Cabinet member for Community Safety and Public Access, indicated that the Strategy was aimed at transforming the Council's services to improve the experience for the customer, whilst making savings and freeing officer time to deal with those customers in the greater need.

The Cabinet heard from Councillor Bint, who whilst supporting the Strategy had concerns about some of the terminology used and therefore suggested perhaps a review of some of the terminology should be undertaken. Councillor Bint also suggested that ward councillors should be briefed on the Strategy.

Councillor Betteley noted the concerns which were mainly connected to the on-line platform, and undertook that they would be looked at. Councillor Betteley also referred to the feedback section on each individual page and indicated there would be constant monitoring of the service, with the feedback being used to further improve and enhance the Council's customer service.

The Leader recognised the importance of feedback and the importance of maintaining the Council's reputation. The Leader also commented that he believed that this was a good Strategy and undertook that the Head of Customer Service would look at the issues to further improve the system.

RESOLVED -

That the Customer Service Strategy be approved.

C42

THE USER LED RENT REVIEW

The Cabinet considered the outcome of a User Led Rent Review to inform a rent policy to cover Milton Keynes.

Further to the meeting of the former Housing and Communities Select Committee held in November 2014, Councillor O'Neill, the responsible Cabinet member for Housing and Regeneration, indicated that preliminary work had already been communicated with Housing Associations on delivery of a rent policy, which in the longer term was hoped would help develop a Strategic Rent Policy for the Borough, and Councillor O'Neill requested that her thanks be passed on to officer colleagues who had worked on the report.

The Leader referred to the 1% rent reduction which was being brought in by legislation which would realise the Council's power to set rents.

RESOLVED -

1. That the findings of the Review be approved.
2. That the recommendations of the Review be referenced as part of the rent setting process for 2016/17.
3. That the development of a draft strategic rent policy for public consultation, shaped by the findings and recommendations of the Review and tested by the members of the Review Group, be agreed.
4. That the Strategic Rent Policy be submitted to Cabinet for approval following consultation.

C43

LOCAL GOVERNMENT OMBUDSMAN HOUSING COMPLAINTS

The Cabinet received an update on the improvement plan following a comprehensive review of current practice of the housing options scheme. Following complaints to the Local Government Ombudsman, particularly with regard to receiving and monitoring of received requests and the time taken to respond to applicants.

Councillor O'Neill, the responsible Cabinet member for Housing and Regeneration, indicated that as a result of the Ombudsman's report significant improvements to the service had been made and many of the recommendations actioned.

The Leader extended his apologies to residents affected by the lateness of reports and also extended his praise to the team bringing the report forward to Cabinet and addressing the Ombudsman's recommendations.

RESOLVED -

1. That the Local Government Ombudsman's findings be noted and the steps already taken by officers to resolve the issues identified be endorsed.
2. That it be noted that a copy of the report had been circulated to all Councillors.

C44**WOLVERTON TOWN CENTRE NEIGHBOURHOOD PLAN**

The Cabinet considered recommending to the Council that the Wolverton Town Centre Neighbourhood Plan be “made” following the referendum held on 30 June 2015.

It was noted that the referendum had returned a majority ‘Yes’ vote in favour of the Neighbourhood Plan and once the Plan was made by the Council, would form part of the Council’s Development Plan and would be used when deciding development proposals for the area covered by the Plan.

Councillor Legg, referring to the 90% vote in favour of selecting the Plan, thanked all involved for their work in producing the Wolverton Town Centre Neighbourhood Plan.

RESOLVED -

1. That the Council be recommended to ‘make’ the Wolverton Town Centre Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.
2. That, subject to the Council’s agreement to the making of the Neighbourhood Plan:
 - (a) the decision document (attached at Annex A to the report) and the Wolverton Town Centre Neighbourhood Plan (attached at Annex B to the report) be published on the Council’s website and in other manners, to bring them to the attention of people who live, work or carry out business in the neighbourhood area; and
 - (b) the decision document and details on how to view the Plan be sent to the qualifying body (Wolverton and Greenleys Town Council) and any person who asks to be notified of the decision.
3. That Wolverton and Greenleys Town Council and Future Wolverton be congratulated on the successful outcome of the Referendum.

C45**REVENUE AND CAPITAL BUDGET MONITORING REPORT - TO END OF AUGUST 2015**

It was reported that the forecast outturn position was an estimated overspend of £1.950m, which was an increase in the overspend of £1.002m since Period 3 (end of June 2015). The Dedicated Schools Grant was reporting a forecast underspend of £0.222m.

It was also reported that the Housing Revenue Account was reporting a £nil forecast position at the end of Period 5.

The Cabinet noted that the Capital Programme was forecasting an outturn of £137.115m projection net overspend of £1.058m.

Councillor Middleton, responsible Cabinet member for Resources and Commercialism, reported that the overspend was larger than expected, with the majority of overspends in areas such as Children's Services and Placements and temporary accommodation for the homeless.

Councillor Bald expressed concerns regarding the proposals to invest £5m in a property fund to provide temporary accommodation, which she believed would not help the homelessness situation.

Councillor O'Neill, the responsible Cabinet member for Housing and Regeneration, referred to national policies impacting on the homelessness situation and her willingness to talk to other political groups on possible initiatives to help address the homelessness situation.

Councillor Marland also emphasised the Administration's willingness to talk to other Groups on the homelessness situation and commented that attempts had been made for opposition spokespersons to be briefed.

Councillor Miles indicated that any problems experienced with home to school transport should be reported to officers, also it was important that planners and school providers worked together to ensure joined up provision.

Councillor Long referred to the potential redesign on Adult Social Care Services to help address the budget pressures and also to improve services.

RESOLVED -

1. That the forecast outturn position of £1,950m and the management actions currently underway to mitigate this position be noted.
2. That the forecast outturn for the Capital Programme 2015/16 and the management actions underway to address the overspend on the A421 scheme, be noted.

C46 REVISIONS TO CAPITAL PROGRAMME AND SPEND APPROVALS REPORT

The Cabinet considered the Capital Programme and Spend Approvals.

It was reported that the changes outlined resulted in a revised Capital Programme for 2015/16 of £164.89m. Against this programme, £145.18m of spend approval had been given to enable individual projects to commence or continue.

It was also reported that the Council was responsible for the management of the Milton Keynes Tariff, which totalled £40.71m, against which spend approvals of £25.2m had been granted.

Councillor Middleton, the responsible Cabinet member for Resources and Commercialism, highlighted a number of new schemes where further spend approvals were sought, which included the Redway Transition Department, Housing Revenue Account and Solar Photovoltaic Solar Panels to the Council's Civic Offices.

Councillor Bint commented on the expenditure on the Future Working Programme and that it was important that it delivered both efficiencies and savings. Councillor Bint also questioned funding for the Brooklands Sports Pavilion and Community Centre and works to the A421.

Councillor Middleton responded that the A421 was grant funded by the Government.

The Leader indicated that a 'Gateway' review on the Future Working Programme had been undertaken, and as part of that review, a member of the Conservative Group should have been invited to attend.

Councillor Long, the responsible Cabinet member for Health and Wellbeing, commented about the work on the various schemes that was ongoing, which would benefit the people of Milton Keynes, and thanked Councillor O'Neill for her work on the Council Housing projects and particularly bungalows being built.

RESOLVED -

1. That the additions to resource allocation and spend approvals for the Capital Programme 2015/16 be approved.
2. That the amended resource allocation and spend approvals for the Capital Programme 2015/16 be approved.
3. That the amended resource allocation and spend approvals for the Capital Programme 2015/16, approved by Delegated Decisions on 18 August 2015, be noted.
4. That the funding position for the Capital Programme 2015/16 be noted.
5. That the amended resource allocation and spend approvals for the Tariff Programme 2015/16 be approved.
6. That the current position of the Tariff Programme 2015/16 be noted.

C47

PROCUREMENT AND COMMISSIONING

RESOLVED -

That the Minutes of the meetings of Procurement and Commissioning held on 16 June 2015, 7 July 2015 and 21 July 2015 be received.

C48

INVESTMENT PROPERTY FUND FOR TEMPORARY ACCOMMODATION

The Cabinet received an announcement from Councillor O'Neill in respect of the item being deferred.

RESOLVED -

That consideration of the Investment Property Fund for Temporary Accommodation be deferred to the meeting of the Cabinet scheduled for 12 October 2015.

THE CHAIR CLOSED THE MEETING AT 8.16 PM

DRAFT