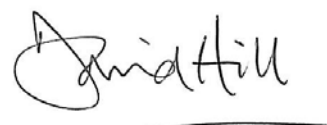


SUMMONS TO THE MEETING of the MILTON KEYNES COUNCIL

WEDNESDAY 12 JUNE 2013
7.30 PM

COUNCIL CHAMBER, CIVIC OFFICES
CENTRAL MILTON KEYNES



David Hill
Chief Executive

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

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Please use the slip below by detaching it and passing it to the Committee Manager. Alternatively the slip can be returned by post to Democratic Services, Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ, or you can e-mail your comments to meetings@milton-keynes.gov.uk

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Meeting Attended: Council

Date of Meeting: 12 June 2013

Comments:.....
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Contact details:.....

AGENDA

Item No:

1. Procedure

(a) Apologies

(b) Minutes

To approve, and the Mayor to sign as correct records, the Minutes of the meeting of the Council held on 15 May 2013 (Item 1[a]) (**Pages 10 to 13**) and 22 May 2013 (Item 1[b]) (**Pages 14 to 23**).

(c) Disclosure of Interests

Members to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

(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) Constitution Commission – 24 April 2013

Assessment of Complaints – Localism Act Section 28 Arrangements and Working Group (Standards Committee - 28 February 2013)

“1. That the Council be recommended to agree that the ‘Nolan Principles’ contained within the Guidance to the Code of Conduct be updated to reflect the 14th report of the Committee for Standards in Public Life.

2. That the Council be recommended to agree that the Guidance to the Code of Conduct be removed from the Constitution, to aid its expeditious updating.

3. That the Council be recommended to agree that the Standards Committee's Terms of Reference be amended to provide for the delegation of the initial determination of a complaint to the Monitoring Officer, in consultation with an Independent Person."

A copy of the Guidance to the Code of Conduct, including the changes is attached at Item 4(a) (**Pages 24 to 28**) and the revised Terms of Reference are attached at Item 4(b) (**Pages 29 to 31**).

- (b) Constitution Commission – 13 May 2013

Acquisition and Disposal of Land and Buildings Procedure Rules

"That the revised Acquisition and Disposal of Land and Buildings Procedure Rules be recommended to the Council for approval and inclusion in the Constitution."

A copy of the revised Acquisition and Disposal of Land and Buildings Procedure Rules is attached at Item 4(c) (**Pages 32 to 34**).

5. **Members' Matters**

- (a) Members' Questions

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.

- (b) Notices of Motions:

- (i) MK Charter on Landmines, Cluster Munitions and Improvised Explosive Devices

Councillor White – 23 May 2013 (to me moved by Councillor A Geary)

- "1. That the Council, on behalf of its residents, recognises the human tragedy in terms of loss of lives and injury, particularly to children, that the legacy of landmines and clusters munitions is continuing to cause on a daily basis.
2. That the Council welcomes the international treaties that have been signed and calls upon those countries that have not signed, or ratified the international treaties yet to do so. The Council also ask those Governments that have signed to restate to the UN their resolve to support the aims of the treaties and the need to clear already affected areas.
3. That the Council salutes the courage of those people both civilian and military who are engaged in demining and who daily risk their own lives.
4. That the Council believes that the demining of an area allows towns and villages to develop economically and thereby is a catalyst which helps ensure that development aid can transform lives and will give future trading opportunities between those areas cleared and ourselves.

5. That the Council, in welcoming progress made in recent years, believes that there is an urgent need to raise awareness of the ongoing problem and to speed up demining and therefore commits our city to raising awareness of this issue, especially through our schools.“

(ii) Homelessness, Housing and New Build

Councillor Marland – 23 May 2013

- “1. That this Council notes the recent BBC investigation which revealed that last year the Council spent £1.4million on placing homeless families into temporary accommodation and that this is the worst local authority performance in England outside of London.
2. That this Council also notes that many of these temporary placements were in accommodation outside of Milton Keynes and that this may have a detrimental impact on families who are separated, and on children’s education.
3. That this Council further notes that this situation is as a result of not having enough social housing places available in the City, that Milton Keynes is one of few authorities to house more qualifying tenants in the private rented sector than the social housing sector, and that as a result of the ‘Bedroom Tax’ and other changes to benefits, demand for Council and social housing is likely to rise in the future.
4. That this Council therefore resolves:
 - (a) to request the Cabinet to take immediate action on the recommendations made by the Homelessness Review Group when the Group reports to them in the near future;
 - (b) to request the Cabinet to adopt a policy which ensures people adversely affected by the changes to benefits will not lose their homes and add to the burden on current waiting lists for property;
 - (c) to request the Cabinet to seek to find ways to use Milton Keynes Development Partnership assets to implement new Council and Council-led social and affordable housing project that balances traditional models with innovative models such as Community Land Trusts;
 - (d) to request the Chief Executive to write to the Secretary of State for Communities and Local Government to request removal of the Housing Revenue Account borrowing cap for local authorities, like Milton Keynes, who wish to build new properties by using any surplus not taken up by other authorities, and thus not adding to public borrowing overall; and

- (e) to welcome the steps taken by the Administration to recommence building of new Council properties, but notes that it is a small number of properties, designated for a specific need rather than for general housing stock; that funding for this scheme was reallocated from funds granted for another project; and that this approach is not a sustainable model for the new build requirements of the City.”

(iii) Meal on Wheels and Social Care Costs

Councillor Marland – 23 May 2013 (to be moved by Councillor Long)

- “1. That this Council notes that in 2012/13 the charge for the Meals on Wheels service was £5.19 per meal; one of highest charges in the country and second only to Richmond Council, one of the most affluent districts in England.
- 2. That this Council further notes that the Conservative Administration will increase this charge to £5.33 in the 2013/14 year, which compares to the average cost for a Meals on Wheels Service in England of £3.66, and that the Milton Keynes Council service is £3.06 more expensive than the same service provided by Warrington Council.
- 3. That this Council also notes that charges for the laundry service and home care service are amongst the highest in the England and have risen again this year.
- 4. That this Council therefore resolves:
 - (a) that a full review of adult social care charges, with comparisons to other comparable authorities, is undertaken by Assistant Director (Adult Social Care) and made available to the Budget Review Group and Health and Adult Social Care Select Committee;
 - (b) that a value for money assessment is undertaken by the Assistant Director (Joint Commissioning) on contract costs to ascertain why Milton Keynes Council charges are amongst the highest in England and if this is linked to service procurement; and
 - (c) that if value for money savings can be identified, then the Council seek to negotiate with current contractor with a view to reducing any excessive cost and passing savings to service users.”

(iv) Closure of Willen Village Surgery

Councillor Brackenbury – 28 May 2013

“That following the sudden closure of Willen Village Surgery on 12 April 2013, this Council:

- 1. recognises the anxiety and inconvenience this has caused to patients;

2. is concerned at the re-allocation of patients by surname, with many patients with limited mobility registered at an alternative surgery inaccessible by public transport;
3. is further concerned that the letters sent out suggested alternative surgeries as far away as Bletchley;
4. is also concerned about the piles of uncollected post inside the surgery building, including urgent medical information;
5. calls for the owner and leaseholder of the surgery to give firm public assurances that medical information posted to the surgery will be processed appropriately;
6. recognises and appreciates the work carried out by Healthwatch:MK in handling patient enquiries, yet believes NHS England should have taken responsibility for answering these concerns;
7. criticises NHS England for being so unwilling to answer questions from media, members of the public and officials which only served to heighten inevitable concerns;
8. asks the Overview and Scrutiny Management Committee to review whether there are any lessons for the Council to be learned from the closure, with or without input from NHS England;
9. is further concerned that there is apparently no ongoing liaison over the needs of the city as it changes;
10. calls on NHS England to present to the residents of Milton Keynes a long-term plan for GP facilities in the area, including the likelihood of Willen Village Surgery re-opening in time, and a mechanism for discussing changes due to the growth of the city in future, and asks the Chief Executive to put this request in writing.”

(v) Closure of Willen Surgery

Councillor Morris – 30 May 2013

“That the Council

- (a) notes with regret the closure in April of the popular GP Surgery at Willen and the lack of prior notice given to patients registered there;
- (b) commends the public for the way they have coped with the disruption and distress caused by these events;
- (c) acknowledges the rapid response of the Primary Care authorities to the situation, including the efforts made to get all patients registered with other GPs as speedily as possible;

- (d) believes that in such circumstances, it would have been better to allocate patients to other practices on a geographic basis rather than a surname basis (for the travel convenience of patients and to ensure all members of a household get allocated to the same practice) and requests that the Cabinet Member provides feedback to the relevant authorities on this point; and
- (e) notes the scarcity of available places at alternative practices in the immediately surrounding area, and urges the Cabinet Member to press the Primary Care authorities to review the projected demand and the planned availability of GP capacity across Milton Keynes.”

6. Armed Forces Covenant

To receive the following report from Councillor Richards, the Council’s Armed Forces Member Champion:

“Last year Milton Keynes Council stepped up its support for the Armed Forces by signing a Community Covenant (Minute CL94 of the Council’s meeting held on 13 March 2012 refers) and appointed Councillor Alan Richards to be the Council’s Member Champion.

The Covenant sets out to share information about the issues facing serving and retired Armed Forces personnel and to build an understanding of how agencies can provide continued support as well as helping the transition from Service to civilian life and then in the longer term.

The Council is asked to note that the Covenant led to the setting up of a Milton Keynes Armed Forces Liaison Group that meets three times a year, which has created an armed forces web page at www.milton-keynes.gov.uk/armedforcessupport to assist the Armed Forces Community with a full range of subjects, including how to access advice and Council services. The Armed Forces Liaison Group also provides support at Combat Stress support group meetings in Milton Keynes organised by the local Combat Stress team.

The Council is working with Buckinghamshire County Council to host Armed Forces Day, a family fun event on 29 June 2013; which provides an opportunity to show the Council’s support for the Armed Forces Community.”

Contact Officer: Tina Butterwick (Partnerships Officer) - MK 252693

Background Papers: None

7. Returning Officer’s Fees

To consider Item 7 (**Pages 35 to 40**)

8. Ward Based Budgets

To consider the outturn position of the Ward Based Budgets (Item 8) (**Page 41**)

9. Quarterly Report on Special Urgency Decisions

In accordance with Access to Information Procedure Rule 17.3, the Council is asked to note that the Provisions for Special Urgency, as set out in Access to Information Procedure Rule 16, were used once during the period 1 March 2013 to 31 May 2013, as follows:

Management Arrangements of Older Peoples Day Services with Milton Keynes Council

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

In accordance with Overview and Scrutiny Procedure Rule 16.1, the Council is asked to note that the Cabinet member, when making the decision on 14 May 2013, on the settlement of the Management Arrangements of Older Peoples Day Services with Milton Keynes Council decided, with the consent of the Chair of the Overview and Scrutiny Management Committee, to waive the call-in process as failure to make the decision would have seriously prejudiced the Council's interests by jeopardising the negotiated settlement.

Contact Officer: Simon Heap (Democratic Services Manager) - MK252567

Background Papers: None



Minutes of the ANNUAL CEREMONIAL MEETING of the MILTON KEYNES COUNCIL held on WEDNESDAY 15 MAY 2013 at 7.30 pm

Present: Councillor Morris (Mayor)
Councillors Alexander, Bald, Barney, Bint, Brackenbury, Bramall, Brock, Brunning, M Burke, S Burke, Coventry, Dransfield, Eastman, Edwards, Exon, Ferrans, A Geary, P Geary Jury, Klein, Hawthorn, Hopkins, Hoyle, Maric, Marland, D McCall, I McCall, McDonald, McKenzie, McLean, Middleton, Miles, O'Neill, Richards, Shafiq, Small, Tallack, Wales, Wallis, Webb, Wharton, White, C Williams, P Williams and Zealley

Alderspersons Bristow, Connor, Howell, Lloyd, Pugh and Saunders

Apologies: Councillors Bradburn, Kennedy, Legg and Long and Alderspersons Ellis, Hardwick, E Henderson, I Henderson and Irons

Also Present: 90 members of the public

CL01 ELECTION OF MAYOR

It was moved by Councillor Marland and seconded by Councillor A Geary that Councillor Brian Arthur Robert White be elected Mayor of Milton Keynes for the Council Year 2013/14.

Other Members spoke in support of the nomination.

RESOLVED -

That Councillor Brian Arthur Robert White be elected Mayor of Milton Keynes for the Council Year 2013/14.

The retiring Mayor (Councillor Morris) presented Councillor White with the Mayor's Chain of Office and Councillor White signed the Declaration of Acceptance of Office.

The Mayor (Councillor White) thanked the Council for the honour of being elected Mayor of Milton Keynes, and stated that he would be following a dynasty of respected mayors.

The Mayor took the opportunity to thank local employers who had supported councillors by being understanding and allowing them to undertake their duties over the years.

The Mayor praised the attitude of mind of the residents and businesses of Milton Keynes which meant that it was an innovative and 'can do' city, which was exemplified by companies like NiftyLift,

a Milton Keynes based company which had recently been awarded the Queen's Award for Innovation and the Queen's Award for International Trade, recognising the Company's focus on innovation and its success in building international markets.

The Mayor also took the opportunity to congratulate Francesca Skelton who was soon to become the High Sheriff.

The Mayor announced that:

- (a) Mrs Lindholm-White would be the Mayoress
- (b) the Civic Service would be held at the Church of Christ the Cornerstone, Central Milton Keynes on Sunday 7 July 2013; and
- (c) his charities would be Ted's Gang, a local charity supporting children with Shwachman Diamond Syndrome and the International Campaign to Ban Landmines and he hoped that the Council would be considering a motion at its meeting in June seeking support for a Charter on Landmines and inviting other cities to also endorse the Charter.

CL02

VOTE OF THANKS

Councillor A Geary moved a vote of thanks to the retiring Mayor (Councillor Morris), which was seconded by Councillor Miles, and approved unanimously.

The Mayor presented Councillor Morris with a Past Mayor's badge.

The Council was read a poem by the Mark Neil, Poet Laureate for Milton Keynes, commemorating Councillor Morris's year in office. Councillor Morris also received a presentation from the Mayor's Charity 2012/13, Milton Keynes Dons Sports and Education Trust.

Councillor Morris related experiences from her year of office and thanked the many people who she had met and who had supported her through the year, which included family, friends, fellow councillors, past mayors and officers.

Councillor Morris specifically referred to many of the 500 plus events she had attended, which included the International Festival, many armature and school theatre productions, performances by the City Orchestra, sporting events, food fares, various openings of buildings, events in the older towns and many citizenship ceremonies.

Councillor Morris particularly remembered the Queen's Jubilee Garden Party and the Thames Diamond Jubilee Pageant.

Councillor Morris hoped that certain events such as the Mayor's Carol Service; the Variety Show, which showcased many of the local acts she had seen over the year; and the cricket tournament would be continued.

Councillor Morris thanked her Charity, Milton Keynes Dons Sports and Education Trust, particularly John Cove and Judith Hildreth, for their support and reported that over £50,000 had been raised from the many events organised.

Councillor Morris hoped that she had further raised the profile of the Mayor for the good of the office and the good of Milton Keynes.

CL03

ANNOUNCEMENTS

The Mayor:

- (a) thanked the Bradwell Silver Band for playing as persons attending the meeting entered the Civic Offices;
- (b) announced with regret the recent death of Mr Christopher Rose, who was best known to Members as a former Independent Member of the Council's Standards Committee and was also well known amongst Magistrates, serving for a period as the Bench Chairman; and
- (c) also announced the recent death of Councillor Rita Venn, who had been the Member for the Bletchley and Fenny Stratford Ward since her election in May 2012. Councillor Venn's Funeral would be held on 21 May 2013 at 10:45am in the Oak Chapel at Crownhill Crematorium.

Members spoke in memory of Mr Rose and Councillor Venn.

The Council stood to mark the memory of Mr Rose and Councillor Venn.

CL04

APPOINTMENT OF DEPUTY MAYOR

The Council noted that, in accordance with the selection procedure agreed by the Council, the nomination for Deputy Mayor fell to the Conservative Group, as the Conservative Group had 15 points, the Liberal Democrat Group 14 points, the Labour Group 5 points and the Independent Member 1 point.

Councillor A Geary, the Leader of the Conservative Group, reported that the Conservative Group had agreed to pass its nomination for the position of Deputy Mayor to the Liberal Democrat Group, which currently has the second highest points score, due to the Conservative Group's candidate being unable to accept the nomination at this time for health reasons.

Councillor D McCall moved and Councillor A Geary seconded a motion to defer the appointment of the Deputy Mayor until the Annual Business Meeting of the Council on 22 May 2013.

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

RESOLVED -

That the appointment of the Deputy Mayor be deferred until the Annual Business Meeting of the Council on 22 May 2013.

THE MAYOR CLOSED THE MEETING AT 9.10 PM



Minutes of the ANNUAL BUSINESS MEETING of the MILTON KEYNES COUNCIL held on WEDNESDAY 22 MAY 2013 at 7.30 pm

Present: Councillor White (Mayor)
Councillors Alexander, Bald, Barney, Bint, Brackenbury, Bradburn, Bramall, Brock, M Burke, S Burke, Coventry, Dransfield, Eastman, Edwards, Exon, Ferrans, A Geary, P Geary Jury, Hawthorn, Hopkins, Hoyle, Legg, Long, Maric, Marland, D McCall, I McCall, McDonald, McKenzie, McLean, Middleton, Miles, Morris, O'Neill, Richards, Shafiq, Small, Tallack, Wales, Wallis, Webb, Wharton, C Williams, P Williams and Zealley

Alderpersons Connor and Howell

Apologies: Councillors, Brunning, Kennedy and Klein and Alderpersons Bristow, Ellis, Hardwick, E Henderson, I Henderson and Lloyd

Also Present: 40 members of the public

CL05 MINUTES

RESOLVED -

That the Minute of the meeting of the Council held on 20 March 2013, be approved and signed by the Mayor as a correct record.

CL06 ANNOUNCEMENT

The Mayor introduced Stephen Gerrard to the Council, who would be the Council's interim Head of Legal Services.

CL07 SCHEME FOR THE APPOINTMENT OF DEPUTY MAYOR

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Mayor ruled that the Council should consider this item as an urgent item in order to facilitate the appointment of the Deputy Mayor.

The Council accordingly considered amending the Scheme for the Appointment of the Deputy Mayor, on a one off basis to recognise the exceptional circumstances which have resulted in the Conservative Group not being able to accept the nomination.

Councillor D McCall moved and Councillor A Geary seconded the following motion:

“That, recognising the exceptional circumstances this year, and as an exception for this year only:

- (a) the requirement that the Group declining the nomination to be deducted 51 points be waived; and
- (b) the Liberal Democrat Group as the Group nominating the Deputy Mayor be deducted 51 points.”

On being put to the vote the motion was declared carried by acclamation.

RESOLVED -

That, recognising the exceptional circumstances this year, and as an exception for this year only:

- (a) the requirement that the Group declining the nomination to be deducted 51 points be waived; and
- (b) the Liberal Democrat Group as the Group nominating the Deputy Mayor be deducted 51 points.

CL08

APPOINTMENT OF DEPUTY MAYOR

Further to Minute CL04 of the meeting of the Council held on 15 May 2013, and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the Mayor ruled that the Council should consider this item as an urgent item in order to appoint the Deputy Mayor.

It was moved by Councillor D McCall and seconded by Councillor A Geary, that Councillor Subhan Shafiq be appointed Deputy Mayor of Milton Keynes for the Council Year 2013/14.

The nomination was agreed by acclamation.

RESOLVED -

That Councillor Subhan Shafiq be appointed Deputy Mayor of Milton Keynes for the Council Year 2013/14.

The Mayor presented Councillor Shafiq with the Deputy Mayor's Chain of Office and Councillor Shafiq signed the Declaration of Acceptance of Office.

The Mayor presented Mrs Shafiq with the Deputy Mayoress' Chain of Office and a bouquet.

CL09

LOCAL GOVERNMENT AND HOUSING ACT 1989 AND LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990.

The Mayor moved and the Deputy Mayor seconded the following motion:

“That, in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups)

Regulations 1990, the Council note that the Conservative Group was entitled to 37.26% of the seats on the Council's Committees, the Labour Group was entitled to 29.41% of the seats and the Liberal Democrat Group was entitled to 29.41% of the seats."

The Council also noted that the Council had one Independent Member and there was one vacancy.

RESOLVED -

That, in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the Council note that the Conservative Group was entitled to 37.26% of the seats on the Council's Committees, the Labour Group was entitled to 29.41% of the seats and the Liberal Democrat Group was entitled to 29.41% of the seats.

CL10 APPOINTMENT OF DEPUTY LEADER AND CABINET

Councillor A Geary, the Leader of the Council, informed the Council that the Deputy Leader would be Councillor Hopkins and that, in addition to himself and Councillor Hopkins, the Cabinet would comprise Councillors Bald, Bint, Brock, Dransfield, P Geary and McLean.

CL11 APPOINTMENT TO COMMITTEES/GROUPS

The Council considered the number of Members to sit on the Council's Committees and Groups, and also considered appointing Members to those Committees and Groups in accordance with the political balance on the Council.

The Mayor moved and the Deputy Mayor seconded the following motion:

"That the following Committees and Panels be appointed for the Council Year 2013/14, with the number of members as detailed in brackets, in accordance with the political proportionalities on the Council, where applicable:

- (a) Appeals Commission (8)
- (b) Audit Committee (6)
- (c) Children and Young People Select Committee (10)
- (d) Community Safety, Crime and Policing Select Committee (10)
- (e) Constitution Commission (3)
- (f) Corporate Affairs and Performance Select Committee (10)
- (g) Corporate Parenting Panel (6)
- (h) Development Control Committee (10)
- (i) Economy, Growth and Regeneration Select Committee (10)

- (j) Environment and Transport Select Committee (10)
- (k) Executive Scrutiny Panel (9)
- (l) Health and Adult Social Care Select Committee (10)
- (m) Health and Wellbeing Board (6)
- (n) Housing and Communities Select Committee (11)
- (o) Joint Negotiating Committee (Employer's Side) (7)
- (p) Licensing Committee (13)
- (q) Overview and Scrutiny Management Committee (7)
- (r) Regulatory Committee (13)
- (s) Standards Committee (11)"

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

The Mayor moved and the Deputy Mayor seconded:

"That the Committees and Panels comprise the Members reported to the Council".

RESOLVED -

1. That the following Committees and Panels be appointed for the Council Year 2013/14, with the number of members as detailed in brackets, in accordance with the political proportionalities on the Council, where applicable:
 - (a) Appeals Commission (8)
 - (b) Audit Committee (6)
 - (c) Children and Young People Select Committee (10)
 - (d) Community Safety, Crime and Policing Select Committee (10)
 - (e) Constitution Commission (3)
 - (f) Corporate Affairs and Performance Select Committee (10)
 - (g) Corporate Parenting Panel (6)
 - (h) Development Control Committee (10)
 - (i) Economy, Growth and Regeneration Select Committee (10)
 - (j) Environment and Transport Select Committee (10)
 - (k) Executive Scrutiny Panel (9)
 - (l) Health and Adult Social Care Select Committee (10)
 - (m) Health and Wellbeing Board (6)

- (n) Housing and Communities Select Committee (11)
 - (o) Joint Negotiating Committee (Employer's Side) (7)
 - (p) Licensing Committee (13)
 - (q) Overview and Scrutiny Management Committee (7)
 - (r) Regulatory Committee (13)
 - (s) Standards Committee (11)
2. That the Committees and Panels comprise the Members as set out in the **Annex** to these Minutes.

CL12

APPOINTMENT OF CO-OPTED PERSONS

The Council considered the appointment of voting co-opted persons to the Children and Young People Select Committee and the Health and Community Wellbeing Select Committee for the Council Year 2013/14.

The Council noted that Mr S Pritchard had resigned as a parent governor representative of the Children and Young People Select Committee.

The Mayor moved and the Deputy Mayor seconded:

"That the co-optees as set out in the agenda be appointed".

RESOLVED -

1. That the following be co-opted to the Children and Young People Select Committee for the Council Year 2013/14, with the Committee being authorised to fill any current vacancies or vacancies which occur during the year:
 - (a) 1 representative of the Oxford Diocesan Board of Education - Vacant
 - (b) 1 representative of the Northampton Diocesan School Commission - Vacant
 - (c) 1 representative of parent governors in primary schools - Vacant
 - (d) 1 representative of parent governors in secondary schools - Vacant
 - (e) 1 representative of parent governors in special schools - Dr S Chakrabarti.
2. That Mr A Hastings (HealthWatch) be appointed as a co-opted member of the Health and Adult Social Care Select Committee and that the Committee be authorised to fill any vacancy which might occur during the year.

CL13 APPOINTMENTS TO BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY

The Mayor moved and the Deputy Mayor seconded the following motion:

“That Councillors Dransfield, Edwards, Exon, Morris and Webb be appointed to the Buckinghamshire and Milton Keynes Combined Fire Authority.”

RESOLVED -

That Councillors Dransfield, Edwards, Exon, Morris and Webb be appointed to the Buckinghamshire and Milton Keynes Combined Fire Authority.

CL14 APPOINTMENT TO THAMES VALLEY POLICE AND CRIME PANEL

The Council noted the resignation of Councillor P Geary as the Council’s representative on the Thames Valley Police and Crime Panel and considered a replacement.

Councillors Dransfield and Tallack were nominated for the position and on being put to the vote Councillor Tallack was declared appointed as receiving a clear majority of the votes cast.

RESOLVED -

That Councillor Tallack be nominated as the Council’s representative on the Thames Valley Police and Crime Panel.

CL15 APPOINTMENTS TO OUTSIDE ORGANISATIONS

The Mayor moved and the Deputy Mayor seconded the following motion:

“That the Director of Strategy, in consultation with Group Leaders, be authorised to agree the appointment of Members to Outside Organisations, with the exception of those appointed by the Cabinet.”

RESOLVED -

That the Director of Strategy, in consultation with Group Leaders, be authorised to agree the appointment of Members to Outside Organisations, with the exception of those appointed by the Cabinet.

CL16 LEADER’S SCHEME OF DELEGATION

The Council received the Leader’s Scheme of Delegation, which included the portfolios for individual Cabinet Members and in so doing noted that ‘Public Realm’ should be included in the portfolio for Councillor P Geary, rather than Councillor Bint.

THE MAYOR CLOSED THE MEETING AT 7:50 PM

APPOINTMENTS TO COMMITTEES 2013/14

Scrutiny Function Committees

(a). Children and Young People Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Small	1. Bradburn	1. Miles
2. Hoyle	2. Ferrans	2. Wales
3. Morris	3. Zealley	3. Webb
4.		

(b). Community Safety, Crime and Policing Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Brunning	1. Alexander	1. O'Neill
2. Hoyle	2. Eastman	2. Webb
3. Kennedy	3. C Williams	3. Wallis
4.		

(c). Corporate Affairs and Performance Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Hawthorn	1. Brackenbury	1. Middleton
2. Bramall	2. Maric	2. Long
3. McDonald	3. Tallack	3. P Williams
4.		

(d). Economy, Growth and Regeneration Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Jury	1. Ferrans	1. Middleton
2. Bramall	2. I McCall	2. Marland
3. Hawthorn	3. Shafiq	3. Vacant
4. Small		

(e). Environment and Transport Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Wharton	1. D McCall	1. Legg
2. Hawthorn	2. I McCall	2. Wallis
3. Klein	3. Tallack	3. McKenzie
4.		

(f). Health and Adult Social Care Select Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Bramall	1. Alexander	1. Long
2. Brunning	2. Richards	2. Wales
3. Wharton	3. Zealley	3. P Williams
4.		

(g). Housing and Communities Select Committee (11)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. Hoyle	1. Bradburn	1. Coventry
2. Kennedy	2. Exon	2. O'Neill
3. Klein	3. C Williams	3. M Burke
4.		

(h). Overview and Scrutiny Management Committee (7)

Conservative (3)	Liberal Democrat (2)	Labour (2)
1. Morris	1. Maric	1. Miles
2. Jury	2. D McCall	2. M Burke
3. Wharton		

(i). Executive Scrutiny Committee (9)

Conservative (3)	Liberal Democrat (3)	Labour (3)
1. Morris	1. Eastman	1. Wales
2. Bramall	2. Maric	2. M Burke
3. Jury	3. Shafiq	3. P Williams

Statutory and Quasi-Judicial Committees and Panels

(j). Appeals Commission (8)

Conservative (2)	Liberal Democrat (2)	Labour (2)	Independent (1)
1. Morris	1. Eastman	1. Miles	1. Barney
2.	2. Shafiq	2. Edwards	
	Sub: C Williams		

(k). Audit Committee (6)

Conservative (2)	Liberal Democrat (2)	Labour (2)
1. McDonald	1. Brackenbury	1. Long
2. Jury	2. S Burke	2. Marland

(l). Constitution Commission (3)

Conservative (1)	Liberal Democrat (1)	Labour (1)
1. Morris	1. Ferrans	1. Miles

(m). Corporate Parenting Panel (6)

Conservative (2)	Liberal Democrat (2)	Labour (2)
1. Brock	1. Bradburn	1. Miles
2. Small	2. Zealley	2. O'Neill

(n). Development Control Committee (10)

Conservative (4)	Liberal Democrat (3)	Labour (3)
1. McLean	1. Exon	1. Legg
2. Hawthorn	2. Ferrans	2. Middleton
3. Hopkins	3. C Williams	3. M. Burke
4. Kennedy		

Substitutes

Conservative	Liberal Democrat	Labour
Bint	Alexander	P Williams
Bramall	Bradburn	
A Geary	Eastman	
P Geary		

(o). Health and Wellbeing Board (6)

Conservative (2)	Liberal Democrat (2)	Labour (2)
1. Brock	1. Bradburn	1. Long
2. Dransfield	2. Zealley	2. Miles

(p). Licensing Committee (13)

Conservative (5)	Liberal Democrat (3)	Labour (3)
1. Bald	1. Alexander	1. McKenzie
2. Brunning	2. S Burke	2. Miles
3. McDonald	3. Exon	3. P Williams
4. Morris	Subs:	Subs:
5.	Bradburn	Legg
	Tallack	
	C Williams	

(q). Regulatory Committee (13)

Conservative (5)	Liberal Democrat (3)	Labour (3)
1. Bald	1. Alexander	1. McKenzie
2. Brunning	2. S Burke	2. Miles
3. McDonald	3. Exon	3. P Williams
4. Morris	Subs:	Subs:
5.	Bradburn	Legg
	Tallack	
	C Williams	

(r). Standards Committee (11)

Conservative (4)	Liberal Democrat (3)	Labour (3)	Independent (1)
1. Jury	1. Brackenbury	1. McKenzie	1. Barney
2. Bramall	2. Eastman	2. Wallis	
3. Hopkins	3. Zealley	3. Coventry	
4. Morris			

(s). Joint Negotiating Committee (Employers Side) (7)

Conservative (3)	Liberal Democrat (2)	Labour (2)
1. Dransfield	1. Eastman	1. Edwards
2. A Geary	2. Richards	2. Wallis
3.		

Guide to the Code of Conduct for Members of Milton Keynes Council

I. Purpose of the Code

1. The purpose of this Code of Conduct is to assist Members (including co-opted Members) in the discharge of their obligations to the Authority, their local communities and the public at large by:
 - a) setting out the standards of conduct that are expected of Members and co-opted Members of the Authority when they are acting in that capacity, and in so doing
 - b) providing the openness and accountability necessary to reinforce public confidence in the way in which Members perform those activities.

II. Scope of the Code

2. The Code applies to Members in all aspects of their activities as a Member, including when acting on Authority business, ward business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.
3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the Authority and the rulings of the Mayor or meeting Chair.
4. The obligations set out in this Code are also complementary to, and include, those obligations which apply to Members falling within the scope of related Codes and Protocols of the Authority, specifically
 - the Protocol on Member and Officer Relations;
 - the Protocol on use of IT and equipment;
 - the Members' Planning Code; and
 - the Guidance for Members' on Licensing.

III. Public Duties of Members

5. Members have a duty to uphold the law, including the general law against discrimination and the requirements of the Localism Act, and to act on all occasions in accordance with the public trust placed in them.
6. Members have an overriding duty to act in the interests of the Milton Keynes County and Borough as a whole, but also have a special duty to represent the views of the residents and communities of their ward.

IV. Principles of Conduct

7. The Localism Act 2011 required that the Authority must adopt a Code of Conduct to apply to its Members and co-opted Members, which is
 - (a) consistent with a set of prescribed principles described and
 - (b) includes provisions in respect of the registration and disclosure of
 - (i) pecuniary interests, both
 - (1) 'disclosable pecuniary interests' required as a minimum under the Localism Act and
 - (2) other pecuniary interests; and
 - (ii) interests other than pecuniary interests
8. In carrying out their duties in exercising the functions of their Authority or otherwise acting as a councillor or co-opted member, Members will be expected to observe the provisions of the Code and appreciate that the Code is based on the following general principles of conduct identified by the Committee on Standards in Public Life in its First Report as applying to holders of public office, which will be taken into consideration when any allegation is received of breaches of the provisions of the Code.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

V. General Expectations of Conduct

9. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
10. Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the Authority on the use of such expenses, allowances, facilities and services.
11. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, or its Members or officers generally, into disrepute.

VI. Registration and Declaration of Interests

14. Members shall fulfil conscientiously the requirements of the Authority in respect of the registration of interests in the Register(s) of Members' Interests and, where it is required or appropriate to do so, shall always draw attention to any relevant interest in any proceeding of the Authority or its Committees, or in any communications with the Authority, its Members or officers as required in
 - (a) Part 2 of the Code of Conduct; and
 - (b) the Council's standing orders as set out in the Council procedure Rules and Cabinet Procedure Rules.

VII. Duties in respect of the Authority's Standards Committee and the Monitoring Officer

15. The application and guidance on the application of this Code shall be a matter for the Authority and for the Authority's Standards Committee and, as appropriate, the Monitoring Officer, acting in accordance with their terms of reference or duties as set out in Chapter 7 of the Localism Act 2011.

16. Members shall co-operate, at all stages, with any investigation into their conduct by or under the authority of those persons and shall not seek to intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness or involved in the administration of any investigation or proceedings in relation to an allegation that a member has failed to comply with his or her authority's code of conduct.
17. No Member shall lobby a member of the Authority's Standards Committee in a manner calculated or intended to influence their consideration of a complaint of a breach of this Code otherwise than in accordance with the arrangements laid down by the Authority.

VIII. Criminal offences in relation to Conduct

18. The Code and associated arrangements are prepared pursuant to the Council's and Members' duties under Chapter 7 of the Localism Act 2011.
19. The following are criminal offences relating to the registration and disclosure of interests created under the Localism Act 2011.

- (a) Where the Member fails, without reasonable excuse to
 - (i) notify the authority's monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given, which is required to be given before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority; or
 - (ii) notify the authority's monitoring officer of an interest before the end of 28 days of an event where a Member is present at a meeting of the authority, or is discharging an executive (Cabinet) function, and is aware that he or she has a disclosable pecuniary interest in any matter to be considered, or being considered, and that interest is not entered in the authority's register or is not the subject of a pending notification.
- (b) Where a Member notifies the authority's monitoring officer of such an interest but the person provides information that is false or misleading and the person—
 - (i) knows that the information is false or misleading; or
 - (ii) is reckless as to whether the information is true and not misleading.
- (c) Where a Member is present at a meeting of the authority, is aware that they have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting, and either

- (i) participates, or participates further, in any discussion of the matter at the meeting; or
 - (ii) participates in any vote, or further vote, taken on the matter at the meeting.
 - (d) Where an executive (Cabinet) Member is aware that they have a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, by them in the course of discharging an executive function and yet not takes steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).
20. Offences also exist under the Bribery Act 2010, which includes the situation where a Member requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, any function of a public nature, any activity connected with the Authority or any activity to be performed by or on behalf of the Authority or others should be performed improperly.

THE STANDARDS COMMITTEE

TERMS OF REFERENCE

1. To promote and maintain high standards of conduct by Members and co-opted Members of Milton Keynes Council.
2. To assist parish councils within Milton Keynes to promote and maintain high standards of conduct by their Members and co-opted Members.
3. To grant dispensations in respect of requests made under s33 Localism Act 2011.
4. To establish and maintain arrangements under which allegations against all such Members can be investigated and decided upon in accordance with the requirements of Chapter 7 (Standards) of the Localism Act 2011 within the following framework:

- (a) That the Monitoring Officer be delegated the authority to determine, after consultation with the Independent Person, whether or not a complaint merits a formal investigation, in line with any policy set by the Standards Committee.**

Explanatory Note (Procedure Agreed by the Standards Committee):

The Monitoring Officer will consult with the Independent Person on the matter and may:

- (i) Reject the complaint, with reasons;*
- (ii) Explore informal resolution of the matter;*
- (iii) Investigate the matter (or appoint an investigator to investigate the matter); or*
- (iv) Refer the matter to an Assessment Sub Committee where the complaint is:*
 - 1. very serious;*
 - 2. a conflict of interest has arisen;*
 - 3. the matter is particularly complex;*
 - 4. the matter is potentially going to attract a high level of public interest*
 - 5. the matter is politically sensitive; or*
 - 6. Any other substantial reason.*

- (b) That Assessment Sub-Committees be established and be delegated power, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member, to determine whether or not a complaint merits referral to the monitoring officer to undertake a formal investigation or other action.**

- (c) That Hearing Sub-Committees be established and, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member:
- (i) be delegated power to undertake a hearing to determine whether or not a Member has failed to comply with the Code of Conduct; and
 - (ii) be delegated such of the Council's powers as can be delegated to take decisions in respect of a Member who is found on hearing to have failed to comply with the Code of Conduct.
- (d) That Appeals Sub-Committees be established and be delegated power, after consultation with the Independent Person and, if a Parish matter, in consultation with a co-opted Parish Member, to adjudicate on appeals against the findings of Hearing Sub-Committee on the grounds that;
- The procedure has been wrongly applied;
 - New evidence has come to light since the hearing which, if disclosed to the panel, may result in a different outcome; or
 - The Committee has misdirected itself in law
- (e) That the Monitoring Officer be appointed as the Proper Officer to receive and administer complaints of failure to comply with the Code of Conduct.

Membership

- (a) **Appointment.** The Standards Committee will consist of 10 Members appointed by the Council, at or as soon as reasonably practicable after the Annual Council meeting, in accordance with the proportionality rules of the Local Government and Housing Act 1989.

There shall be the power to co-opt between two and four Members who shall be parish councillors within Milton Keynes but who may not otherwise be members of Milton Keynes Council.

- (b) **Chair.** The Chair and Vice-Chair of the Committee shall be appointed annually by that committee at its first meeting following the Annual Council meeting and before proceeding to any other business.
- (c) **Quorum.** Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of the Committee unless at least three members are present.

Functions

The Standards Committee will exercise the following functions and those matters which flow from them, which are not executive functions by virtue of Schedule 1 or 2 to the Functions Regulations (as may be currently amended), as listed below.

In acting under the Committee's Terms of Reference and in exercising responsibility for those functions listed below, the Authority's Procedure Rules, any limitations on authority placed by Council and all legislative requirements and applicable rules of law must be complied with.

<i>Function</i>	<i>Provision of Act or Statutory Instrument</i>
A. Functions relating to standards of conduct by Members and co-opted Members of Milton Keynes Council and the parish councils within the Borough	Chapter 7 of the Localism Act 2011

**THE ACQUISITION AND
DISPOSAL OF LAND AND BUILDINGS PROCEDURE RULES**

1. Definitions

In these Procedures Rules:

- (a) “Appropriate Director” means the Chief Executive or the Corporate Director or the Assistant Director (as the case may be) to which the Acquisition or Disposal relates.
- (b) “Land and Buildings” means land and/or buildings and rights over land.
- (c) “Disposal” means the transfer to a third party of an interest in land and/or buildings no longer required by the Council.
- (d) “Acquisition” means the acquisition of an interest in land and/or buildings where the acquiring party is the Council even where the Council is not funding the Acquisition.
- (e) “Unavoidable Expenditure” means the revenue expenditure in any lease on rent, rates and service charge throughout the period of the lease anticipating that the Council will exercise any option to maintain the lease throughout the contractual term and/or options are exercised to extend the contractual term.
- (f) “The Relevant Decision Making Body” means the Cabinet, Cabinet Member or officer responsible for the management of property.
- (g) “The Valuation” means the valuation prepared in accordance with paragraph 3 below.
- (h) “Valuer” means the officer nominated by the Assistant Director designated by the S151 Officer, or the District Valuer appointed by the Assistant Director designated by the S151 Officer or any other person of suitable experience and professional qualifications appointed by the Assistant Director designated by the S151 Officer.

2. Application

- 2.1 These Rules apply to the Acquisition and Disposal of all Land and Buildings including Acquisitions of Land and Buildings pursuant to Section 106 Planning Agreements.

2.2 The agreement in writing of the Valuer to the terms of all Acquisitions and Disposals is required prior to authorisation being sought on terms proposed to or agreed with third parties.

3 Valuation

- (a) The Appropriate Director shall ensure that there is a valuation for each Acquisition and Disposal of Land and Buildings
- (b) The valuation shall relate to the whole of the Council's interest in the Land and Buildings, and in addition, where the Relevant Decision Making Body has resolved to dispose of less than the whole of that interest, shall also relate to that part of the whole interest, which is to be disposed of.

4 Acquisitions

- (a) The cost of freehold Acquisition of Land and Buildings will relate to the capital sum paid by the Council to third parties whether or not this is funded by the Council.
- (b) The cost of the leasehold Acquisition of Land and Buildings includes any premium paid or received and the total of all other Unavoidable Expenditure over the lifetime of the lease together with the cost of fitting out the accommodation for the Council's use whether or not funded by the Council.

5 Disposals

- (a) The value attributable to a freehold Disposal of Land and Buildings will relate to the valuation carried out by the Valuer of the whole of the Council's interest in the Land and Buildings to be disposed of irrespective of the consideration to be obtained on disposal.
- (b) The savings occasioned by the leasehold Disposal of Land and Buildings include the savings of Unavoidable Expenditure by the Council. The cost of premiums, dilapidations and reinstatement obligations paid to third parties are also to be included.

6 Consultation

The Valuer will satisfy him/herself that consultation with the Ward member(s) and Parish and Town Council(s) has taken place before the disposal of Land and Buildings in their area, together with consultation with the appropriate Cabinet Portfolio holder, as defined in the Executive Scheme of Delegation.

7. *Appropriate Director and Financial Procedure Rules*

Acquisitions of Land and Buildings to which these rules apply shall be made in accordance with the requirements of Financial Procedure Rules contained in Part 4 of the Constitution.

8. *Method of Marketing*

- (a) The method of marketing shall be determined by the Valuer.
- (b) Normally disposals will be advertised in an appropriate publication as determined by the Valuer except disposals where the Valuer considers that such an advertisement is unnecessary and for disposals with a value of less than £50,000.
- (c) If the Valuer considers the advertisement unnecessary the reasons for that decision will be set out in writing and given to the Appropriate Director.
- (d) Where the disposal is to be made by public auction the auction shall be subject to a reserve price determined by the Valuer.

9. *Acceptance of Offers*

No offer other than the highest shall be accepted (subject to satisfactory references, conditions and approval of funding) unless the Relevant Decision Making Body has received an evaluation of the tenders received, where an appraisal of proposals contained in the tenders is a relevant consideration in accepting a tender.

10. *Contracting*

No contract for the Acquisition or Disposal of Land and Buildings shall be entered into unless in a form approved by the Assistant Director Legal Services.

11. *General*

The Relevant Decision Making Body must approve any application being made to the Secretary of State where the Secretary of State's approval to dispose of Land and Buildings is required.

RETURNING OFFICER'S FEES

Contact Officer: Pamela Loose (Elections Officer)

1. Purpose

- 1.1 To agree the fees for acting as Returning Officer for Borough and Parish Elections for 2013/14.

2. Recommendations

- 2.1 That the Buckinghamshire scheme for Election fees be adopted for 2013/14.

3. Issues and Choices

- 3.1 The Chief Executive is the officer appointed by the Council to be the Returning Officer for district and parish elections (Minute CL72 of the Council's meeting held on 31 October 2013 refers).
- 3.2 Section 35(4) of the Representation of the People Act 1983 requires the Council to pay all expenditure properly incurred by a Returning Officer in relation to holding an election to be met.
- 3.3 It has been the practice for many years for the Council to adopt a schedule of fees and disbursements agreed with the district councils in Buckinghamshire.
- 3.4 Details of the agreed schedule of fees and disbursements are **Annexed**.

4. Implications**4.1 Policy**

None.

4.2 Resources

The budget for Returning Officer Fees and Disbursements for 2013/14 is set at £62,000, as there are no scheduled Borough wide elections.

The Schedule of Fees, apart from the mileage rate, remains unchanged from that agreed in 2011.

4.3 Legal

Section 35(1) of the Representative of the Peoples Act 1983 provides "that in England every district council shall appoint an officer of the Council to be the Returning Officer for the elections of councillors of the district, and an officer of the Council to be the Returning Officer for elections of Councillors of parishes within the district".

4.4 Other Implications

None.

Background Papers: Representation of the People Act 1983

ELECTION OF BOROUGH AND PARISH COUNCILLORS

Scale of expenditure fixed under Section 36(4) and (5) of the Representation of the People Act 1983

Effective from 1 April 2013

PART 1			
Returning Officer's Fees			
The fees to be paid to the Returning Officer for conducting an election; giving the prescribed notices; preparing, supplying and distributing nomination papers and forms of consent; preparing for signature, verifying and adjudicating upon nomination papers; appointing deputy returning officers, including the deputy returning officers fee; issuing poll cards; issuing and receiving postal ballot papers; arranging for and conducting the poll; counting the votes; declaring the result and making a return of the same; generally performing all the duties which a returning officer is required to perform and for covering all disbursements and expenses other than those for which provision is made in Part 2, but excluding both the employees' and employer's share of superannuation and national insurance contributions where payable, shall be as follows:-			
1	In a contested election		
Where the election is for district councillors			
	i	For each district ward	£116.00
(a)	ii	For every 500 electors (or part thereof) in each ward	£10.00
	iii	For every vacancy after the first in each district ward	£35.00
Where the election is for parish councillors			
(b)	i	For each parish or parish ward	£58.00
			i.e. 50% of figure for each district ward
	ii	For every 500 electors (or part thereof) in each parish or parish ward	£5.00
Where the election is for county councillors			
	i	For each electoral division	£290.00
			i.e. 2.5x figure for each district ward
(c)	ii	For every 1000 electors (or part thereof) in each division	£20.00
	iii	For every vacancy after the first in each county division	£72.50
			i.e. 25% of figure for each division
2	In an uncontested local election		
		Where the election is for any district ward, any parish council or parish ward or any county electoral division	£35.00
			For each uncontested election

PART 2 Disbursements

Where fees for staff are quoted, the fees stated are the maximum amounts payable for the services of staff. These fees are exempt from employees' and employers' share of national insurance contributions where otherwise payable.

The Returning Officer has the discretion to disburse funds on the different functions described below up to the overall maximum amount calculated under Part 2. Within the overall maximum figure the Returning Officer may incur costs flexibly on any particular element provided the total amount for Part 2 is not exceeded.

The code printed in the left hand column is the equivalent expenditure head in a parliamentary election

POLLING STATION COSTS

F1	Presiding Officer's fee for a single poll	£203.00
F1/F4	Presiding Officer's fee for a combined poll	£228.00
F1	Senior Presiding Officer's supplement (for overall control of a polling place with more than one polling station)	£28.00
F2	Poll Clerk's fee for a single poll	£122.00
F2/F4	Poll Clerk's fee for a combined poll	£137.00
F2	Poll Clerk's fee for working limited hours (5pm -10pm) for a single poll	£51.00
F2/F4	Poll Clerk's fee for working limited hours (5pm -10pm) for a combined poll	£61.00
F3	Supervisor's/Polling Station Inspector's fee (maximum fee)	£203.00
F5	Mileage rate for polling station staff (The maximum rate exempt from income tax)	45p per mile
F6	Training Fee for presiding officers and/or poll clerks (including mileage/travel)	Up to £30.00

Premises, printing and equipment related costs (Form F - Annex B, C, D and E)

F7	The rental or statutory charges* in respect of providing permanent polling stations (Annex B)	Actual & necessary costs
F8	The rental and other costs in respect of providing temporary polling stations (Annex B)	Actual & necessary costs
F9	Preparation and transport costs for polling station equipment (Annex C)	Actual & necessary costs
F10	The provision of equipment for polling stations (Annex D)	Actual & necessary costs
F11	The printing of all ballot papers, electoral registers, corresponding number lists, absent voting lists and notices (Annex E)	Actual & necessary costs

- Heating, lighting and caretaking for LEA or other publically financed schools or other rooms publically maintained

POSTAL VOTING COSTS

Staff Costs (Form G - Annex A)

The actual payments should be limited to a budget determined at the rate of £79.00 for each 100 postal voters or part thereof.

G1	Preparation and issue costs if done in-house	£35 per 100 postal voters or part thereof Paid as sessional fees with RO determining the rate of pay
G1	Preparation and issue costs if done by printer/mailing house	£15 per 100 postal voters or part thereof
G2	Opening and checking costs	£44 per 100 postal voters or part thereof Paid as sessional fees with RO determining the rate of pay
G3	Training	Incorporated into the above

Premises, printing and postage related costs (Form G - Annex B, C, D, E, F and G)

G4	Printing and stationery costs for postal voting	Actual & necessary costs
G5	Postal voting postal costs - outward	Actual & necessary costs
G6	Postal vote postage costs – inward	Actual & necessary costs
G7	Accommodation costs for postal voting (if any)	Actual & necessary costs
G8	Equipment costs for postal voting	Actual & necessary costs
G9	Cost of postal vote 'sweeps'	Not applicable to local elections

POLL CARD COSTS

All costs (Form H – Annex A, B, C and D)

H1	Staff costs for the manual preparation of poll cards	£5 per 100 cards or part thereof
H2	Equipment costs for poll cards	Actual & necessary costs
H3	Printing and stationery costs for poll cards	Actual & necessary costs
H4	Postage or delivery costs for poll cards	2 nd class post or a staff delivery fee not exceeding 90% of 2 nd class post

COUNT COSTS

Staff costs (Form I – Annex A)

The actual payments should be limited to a budget determined at the rate of £79.00 for each 1,000 electors or part thereof plus £16 for every vacancy after the first.

In the case of a combined election the higher limits of £131.00 per 1,000 electors or part thereof plus £26.00 for every vacancy after the first will apply.

11	Count staff	A fee for the role to be based on an hourly rate and the projected duration of the count, with the RO determining the rate of pay. Total fees to be subject to the overall budget calculation described above.
12	Supervising count staff	A fee for the role to be based on an hourly rate and the projected duration of the count, with the RO determining the rate of pay. Total fees to be subject to the overall budget calculation described above.
13	Mileage rate staff (The maximum rate exempt from income tax), if fee paid is not inclusive	40p per mile
14	Training	Incorporated into the above

Count Accommodation, equipment, conveyance and security costs (Form I – Annex B, C, D and E)

15	Hire and associated count premises costs	Actual & necessary costs
16	Equipment and stationery costs for the count (including count refreshments, if any)	Actual & necessary costs
17	Conveyance of count equipment etc	Actual & necessary costs
18	Security costs for the count	If provided by count staff the rates payable to other count staff apply. If provided externally – actual and necessary costs.

OTHER COSTS

Payments to general clerical staff (Form J – Annex A)

The actual payments should be limited to a budget determined at the rate of £79.00 for every 1,000 electors (or part thereof) in a contested election and £35.00 per ward, parish, parish ward or electoral division in the case of an uncontested election.

J1	General clerical staff	Rates of pay to be determined by the RO with the work undertaken specified in the claim form.
J2	Mileage rate staff (The maximum rate exempt from income tax)	40p per mile

Other payments (Form J – Annex B, C, D and E)

J3	Training courses	Actual & necessary costs
J4	Costs of materials and services	Actual & necessary costs
J6	RO's Superannuation costs	Calculated by payroll
	Encouragement of electoral participation in accordance with the Electoral Administration Act 2006	Actual & necessary costs
	Any other costs not allocated elsewhere	Actual & necessary costs

Ward Based Budgets 2012-13

Councillor

ALEXANDER, Paul	£1,000.00
BALD, Edith	£1,000.00
BARNEY, Lee	£500.00
BINT, John	£1,000.00
BRACKENBURY, Ric	£1,000.00
BRADBURN, Robin	£1,000.00
BRAMALL, Alice	£999.99
BROCK, Debbie	£1,000.00
BRUNNING, Denise	£1,000.00
BURKE, Margaret	£1,000.00
BURKE, Stuart	£161.13
COVENTRY, Steve	£1,000.00
DRANSFIELD, Andy	£1,000.00
EASTMAN, Derek	£1,000.00
EDWARDS, Reg	£1,000.00
EXON, Robert	£1,000.00
FERRANS, Jenni	£474.81
GEARY, Andrew	£0.00
GEARY, Peter	£1,000.00
HAWTHORN, John	£1,000.00
HOPKINS, David	£1,000.00
HOYLE, Donald	£0.00
JURY, Ruth	£0.00
KENNEDY, Angela	£870.00
KLEIN, Mick	£0.00
LEGG, Mick	£1,000.00
LONG, Nigel	£1,000.00
MARIC, Andy	£1,000.00
MARLAND, Peter	£1,000.00
McCALL, Douglas	£1,000.00
McCALL, Isobel	£1,000.00
McDONALD, Peter	£0.00
McKENZIE, Gladstone	£1,000.00
McLEAN, Keith	£1,000.00
MIDDLETON, Robert	£1,000.00
MILES, Norman	£1,000.00
MORRIS, Catriona	£1,001.98
O'NEILL, Hannah	£1,000.00
RICHARDS, Alan	£1,000.00
SHAFIQ, Subhan	£1,000.00
SMALL, Gerald	£1,000.00
TALLACK, Cec	£870.00
VENN, Rita	£0.00
WALES, Elaine	£1,000.00
WALLIS, Pauline	£1,000.00
WEBB, Alan	£1,000.00
WHARTON, Philip	£1,000.00
WHITE, Brian	£0.00
WILLIAMS, Chris	£1,000.00
WILLIAMS, Paul	£1,000.00
ZEALLEY, Christine	£1,000.00
	£41,877.91