

Minutes of the meeting of the CABINET held on TUESDAY 5 JUNE 2018 at 6.30 pm

Present: Councillor Marland (Chair)
Councillors Gowans, Middleton, Morla, Legg Nolan, O'Neill and Priestley.

Officers: C Mills (Chief Executive), M Bracey (Corporate Director People), D Sharkey (Corporate Director Place), P Simpson (Corporate Director Resources), G Snelson (Director of Strategy and Futures), T Blackburne-Maze (Service Director [Public Realm]), M Kelleher (Service Director [Housing and Regeneration]), P Cummins (Head of Legal Services), F Robinson (MK Futures Programme Manager) and S Muir (Committee Manager).

Also Present: Councillors Brackenbury, Cannon, Crooks, Ferrans, A Geary, P Geary, D Hopkins, Marklew, Miles, Morris, Morla and Walker and circa 35 Members of the Public.

Apology: Councillor Long (Cabinet member for Housing and Regeneration).

C04 CABINET ANNOUNCEMENTS

- (a) Councillor Marland welcomed Councillor Priestley, the Cabinet member for Economic Growth and Community Partnerships, to her first meeting of the Cabinet.
- (b) Councillor Marland thanked residents, other councillors, officer colleagues, parish and town councils and community volunteers for their help and support during the flooding emergency during the 27 and 28 May 2018 bank holiday weekend.

Councillor Marland stated that many people had worked very long hours during the bank holiday, regardless of their own arrangements and circumstances and it presented the Milton Keynes community working together at its very best.

C05 MINUTES

RESOLVED -

That the Minutes of the meetings of the Cabinet held on 6 March and 16 May 2018 be approved and signed by the Chair as correct records.

C06 DISCLOSURES OF INTEREST

None were received.

C07

PETITION – SPEED LIMIT BETWEEN WOLVERTON AND STONY STRATFORD

The Cabinet received a petition on behalf of residents in Stony Stratford and Wolverton seeking a speed limit on the road between Stony Stratford and Wolverton, which was presented by Councillor Marklew for the attention of Councillor Gowans, the Cabinet member for Public Realm.

Councillor Marklew indicated that the petition had been signed by residents in Stony Stratford, Wolverton and wider Milton Keynes, because the speed limit on Stratford Road between Stony Stratford and Wolverton allowed drivers using the road to drive at up to the national speed limit in parts and 40 mph in other parts.

The speed limits on the roads with the exception of one road that fed this section of Stratford Road were all either 30mph or 40mph. The residents believed that reducing the speed limit for the entirety of the road to 40 mph would reduce accidents occurring as drivers approached the roundabout at the junction of Stratford Road, Great Monks Street and Old Wolverton Road.

Councillor Gowans accepted the petition and indicated that the options for speed controls on roads between Wolverton and Stony Stratford would be fully investigated and a report considered as a delegated decision by the end of August 2018.

C08

FLOODING UPDATE

The Cabinet considered an urgent report as a result of the flooding emergency during the late May 2018 bank holiday weekend, that was introduced by Councillor Marland, Leader of the Council.

It was reported that heavy rainfall was experienced overnight between 27 and 28 May 2018. Early indications were that the flooding was as a result of a short intensive storm with rain fall of 52mm and as the ground conditions were very dry, the water was not absorbed resulting in high rainfall run-off rates from grassed areas.

It was also reported that a detailed report under the Flood and Water Management Act 2010 Section 19, would be published following an investigation by the Lead Local Flood Authority (LLFA) which had prepared the report in conjunction with the Environment Agency and consultants AECOM.

Councillor Marland gave an overview of the incident, the Council's response, and recommendations to assist those residents significantly impacted by the events and how the Council should learn from the event to improve any future emergency response.

Councillor Marland stated that the adverse weather conditions had resulted in over 150 flooded residential properties across Milton Keynes. The primary focal points for flooding were Beanhill, Netherfield and Coffee Hall. The second most impacted areas were

Oldbrook, Fishermead, Eaglestone and the Lakes Estate. There were further affected properties within Furzton, Neath Hill, Downs Barn, Pennyland, Stantonbury, Newport Pagnell, Stoke Goldington and Heelands. It was also anticipated that support would be given to small local businesses in the affected areas in a future phase of the Council's response.

Councillor Marland further indicated that due to the urgency of the issue, and, noting the agreement of the Chair and Vice Chairs of the Scrutiny Management Committee, the call-in process as set out in Overview and Scrutiny Procedure Rule 16 would not apply in order that the public interest was not prejudiced by any delays in implementation of the various measures.

Councillor Marland repeated his thanks and praised officer colleagues, partners, fellow councillors, parish and town councils, fire and rescue services, and residents in the communities affected for their response to the flooding and for working tirelessly to help people at a difficult time. Councillor Marland also listed the actions that were being taken that included:

- An Emergency Hardship Grant of £200 to be made available to any household that had suffered flooding in the event on 27 and 28 May 2018, and was in immediate financial need. The aim was to cover additional costs incurred in meeting immediate humanitarian needs such as food, clothing, laundry and any other additional burdens.
- Council Tax enforcement action being suspended immediately for those properties impacted by Flooding during 27-28 May 2018.
- An automatic waiver, or its equivalent, of Council Rent for two months for those who had suffered significantly from the Flooding. In order that no Council tenant would incur any additional rent burden e.g. no additional Council charge would be made for temporary accommodation.
- A review of the emergency response to the floods with partners and the local community in order to understand what worked well and any issues that arose, and make recommendations for any changes and improvements should there be future events of this nature.
- An independent expert was to be commissioned to review issues such as drainage, damage to drainage caused by trees and tree roots, structural surveys, cleaning, supplies of sandbags, repairs and maintenance to address public concerns and make any recommendations as required.

The Cabinet also heard from 8 residents who voiced their concerns about repeated flooding incidents, as there had been several similar floods in recent years:

- (a) the importance of investigating all drains and soakaways;

- (b) making long term repairs, as many drains were blocked by roots from surrounding trees;
- (c) how the suspension of rents would be managed in order that residents were not disadvantaged by Council procedures;
- (d) if there was a preventative plan in place to stop the same properties from being flooded on a regular basis;
- (e) that all tenants, whether Council or private, be given the same information about access to properties; and
- (f) that affected Council properties be inspected to ensure they were structurally sound.

Councillor Marland reiterated in response to the concerns that an independent expert would be commissioned to review the issues such as drainage, damage to drainage caused by tree roots, structural surveys, cleaning, supplies of sandbags, repairs and maintenance.

The Corporate Director, Resources, indicated that he had met with the Leader of the Council and officer colleagues, including those from Audit, to ensure that measures were implemented with the minimum burden for those persons affected.

Councillor O'Neill, the Cabinet member for Health and Wellbeing and also a local Ward member for Woughton and Fishermead, thanked Councillor Marland for the help he had given in her Ward during the event. She also thanked the local community for all its efforts and the support given to fellow residents.

Councillor O'Neill also expressed her concerns about the longer term implications for residents and the impact on local schools and small businesses. She explained that children and young people who had been evacuated from their homes were suffering further disruption as they were unable to access their schools, nurseries and youth groups.

In response to questions from Councillor A Geary, with reference to reserves of sandbags available in the rural areas and the suspension of Council Tax payments from affected residents who had vacated their homes due to flood damage, Councillor Marland indicated that the request for sandbags in rural areas would be included in the independent review. With reference to Council Tax rebates, Councillor Marland stated that funding sources would have to be investigated by Finance colleagues, but payment credits could be backdated as appropriate.

In response to a question from Councillor Ferrans concerning affected residents being vulnerable to unscrupulous money lenders, Councillor Marland indicated that the work the Council did with the Credit Union and parish and town councils to protect vulnerable residents from unscrupulous money lenders would be continued.

The Cabinet also heard from Councillor Brackenbury, Chair of Scrutiny Management Committee, who indicated his support for the urgency of the item, the measures taken by the Cabinet and that he and his Vice Chairs supported the waiving of the Call In provisions.

Councillor Brackenbury indicated that the outcome of the Council's response and reviews in his view, should be considered by the Scrutiny Management Committee and added that previous flood remedial works carried out at Stoke Goldington and other areas should also be reviewed to ensure that they were fit for purpose.

Councillor Brackenbury also suggested that a public appeal for the flood victims be set up and suppliers be contacted for donations such as white goods.

Councillor Walker, Leader of the Conservative Group indicated that his Group supported the proposals and also thanked all those who had assisted residents.

Councillor Marland summarised that there would be a need for the Council to reflect on the impact of the event and how it had affected people's lives as he and other councillors had heard many distressing accounts from residents and witnessed how many had put the needs of others before their own. He was very proud of the way the different communities had come together to support each other and this reflected well on the borough.

RESOLVED -

1. That the impact of the adverse weather between 27 and 28 May 2018 and damage caused to property as a result, be noted.
2. That the initial response and recovery work initiated by Council officers be noted.
- 3(a) That an Emergency Hardship Grant of £200 to be made available to any household that has suffered flooding in the event over 27-28 May 2018, and were in immediate financial need. The aim being to cover additional costs incurred in meeting immediate humanitarian needs such as food, clothing and laundry and other additional burdens.
- (b) That additional consideration for those not insured following an assessment of their needs would include items such as white goods and flooring.
- (c) That the scheme be open to all residents regardless of rental or ownership status of the property they lived in.
4. That Council Tax enforcement action be suspended immediately for those properties impacted by the event over 27-28 May 2018.

5. That an automatic waiver or its equivalent, of Council Rent for two months for those who have suffered significant flooding impact due to the event over 27-28 May 2018 be agreed.
6. That it be noted that no Council tenant would incur any additional rent burden due to this incident e.g. no additional Council charge would be made for temporary accommodation.
7. That the an independent expert be commissioned to review issues such as drainage, damage to drainage caused by trees and tree roots, supplies of sandbags, repairs and maintenance, to address public concern about the issue and make any recommendations as required.
8. That Cabinet members and Council staff be thanked for their response to the flooding.
9. That all partners and their staff, including parish and town councils, fire and rescue services, and the people of the communities affected, who worked tirelessly to help people at a difficult time, be thanked.
10. That, noting the agreement of the Chair of the Scrutiny Management Committee, the call-in process as set out in Overview and Scrutiny Procedure Rule 16 did not apply due to the urgency this decision and the likely prejudice to the public interest if implementation of the decision was to be delayed.

OTHER ACTIONS -

1. That Council Tax refunds for those affected be investigated.
2. That the Council work with the Credit Union and parish and town councils to protect vulnerable residents from loan sharks.
3. That in order to ensure that tenants are protected the actions taken by some private land lords be investigated.

C09

QUESTIONS FROM MEMBERS OF THE PUBLIC

- (a) Question from Mr S Dunn to Councillor Marland (Leader of the Council).

Mr Dunn asked Councillor Marland to clarify what was meant by the word "Community" and the words "Community Led" in Annex A of the Council Plan which related to Regeneration and would he also clarify which of these the Council would be recommending in the future?

Councillor Marland indicated that with reference to the Regeneration projects, there were many decisions on the plans for each area which would need to be made, on which communities would have opportunities to make



CHAIR'S INITIALS

recommendations to the Cabinet Regeneration Sub. All the results from the various consultation exercises would be discussed initially with the Steering Group that represented the directly affected residents. The Cabinet Regeneration-Sub Committee would then respond to the issues identified by the Steering Group and the directly affected residents, but after this, there would be a need to seek the views of residents from each area.

Councillor Marland also indicated that to date, the only plans that had come forward were from the Residents Association at Fullers Slade, but other ideas were expected following the various community consultation events.

Councillor Marland also stated that it was important that the relationships between the various Residents' Associations and the Steering Groups improved.

- (b) Question from Mr A Francis to Councillor Marland (Leader of the Council).

Mr Francis asked Councillor Marland when it became Council policy that Milton Keynes population should increase to 500,000.

Councillor Marland thanked Mr Francis for the question and indicated that it was an aspiration of the Council that the population could increase to 500,000 in order that the Council could effectively plan infrastructure such as roads, transport, schools and health provision to support the long term growth and future development of Milton Keynes.

C10

COUNCILLOR QUESTIONS

- (a) Question from Councillor D Hopkins to Councillor Gowans (Cabinet member for Public Realm).

Referring to the Council's Refuse Contractors who had recently without prior notification or publicity, enforced a policy of non-collection of cardboard boxes and packaging unless they were broken down and placed in pink or clear sacks, Councillor D Hopkins asked Councillor Gowans, the responsible Cabinet Member, if there could be a discretionary return to collecting cardboard packaging as it was not always possible for residents to break down quantities of cardboard to include in recycling sacks, and that an alternative means of disposal by taking the packaging to the Council's Community Recycling Centres was also not an option for many people.

Councillor D Hopkins indicated that the policy was resulting in cardboard remaining uncollected until the quantity on the streets reached such a level that a special, expensive, special

collection had to be arranged, which in his view, was a false economy.

Councillor Gowans, the Cabinet member for Public Realm thanked Councillor D Hopkins for the question and referring to his written response, indicated that that the policy was not new and dated from the commencement of the Waste Contract in 2009 and subsequently extensions.

Councillor Gowans explained that the policy was now being implemented more strictly as the result of damage to the OnePass collection vehicles and that the machinery at the Materials Recycling Facility (MRF) which separated different recyclates, which could not handle oversized materials and was rejecting these materials as contaminated. Following the increased levels of contamination, the contractor had recently indicated they would seek to implement financial penalties that existed within the contract for contamination which would place a financial pressure on the Council's budget. Therefore, Councillor Gowans indicated that he was unable to recommend that the Council returned to collecting loose cardboard as this was neither an environmentally, nor financially sustainable, option.

Councillor Gowans also welcomed any thoughts and ideas on how the Council could improve its communications of the issues he had highlighted and how to imbed good practice with residents.

- (b) Question from Councillor D Hopkins to Councillor Gowans (Cabinet member for Public Realm).

Councillor Hopkins, referring to persistent incidents of unlawful parking in Woburn Sands and given the decriminalisation of traffic enforcement, and Thames Valley Police's apparent inability to tackle any but the most serious incidents of parking obstruction, the fact that the town also had infrequent visits from traffic wardens and the desire of Milton Keynes Council to work in partnership with town and parish councils, asked Councillor Gowans, the responsible Cabinet Member for Public Realm, to supply costings for the employment of a full time and/or part time traffic warden dedicated to patrolling in Woburn Sands.

Councillor Gowans, the Cabinet member for Public Realm thanked Councillor D Hopkins for the question and indicated that the Working Locally Framework had identified parking enforcement as a baseline item with the ability for town and parish councils to influence the service by financing an enhanced service. The figure for a parking enforcement officer was currently around £15 per hour but should Woburn Sands Town Council or any other local council wish further information, officer colleagues could investigate if Traffic



Wardens could be included as a devolved power to parish and town councils.

- (c) Question from Councillor Morla to Councillor O'Neill (Cabinet member for Health and Wellbeing).

Referring to the Unlawful Encampment on the Verge of the H8, Standing Way, between Bletchley and Emerson Valley, Councillor Morla asked Councillor O'Neill if she had studied the action plan agreed with residents, parish and town councils, partners and ward councillors that had been passed to her.

Councillor O'Neil confirmed that she had sight of the action plan and would review and respond to it in writing.

- (d) Question from Councillor P Geary to Councillor Gowans (Cabinet member for Public Realm).

Councillor P Geary referring to the requirements for folded cardboard boxes to go in recycling sacks, asked how many more recycling sacks would residents require?

As supplementary question Councillor P Geary asked if the quality of the clear plastic recycling sacks had changed as they split very easily.

Councillor Gowans indicated that a written response would be provided to both questions.

- (e) Question from Councillor Ferrans to Councillor Gowans (Cabinet member for Public Realm).

Councillor Ferrans asked if a tick box flyer could be given to residents as an explanation of why the rubbish was not collected.

Councillor Gowans indicated that it was often not possible identify which property the uncollected rubbish came from.

C11

REFERRAL FROM CHILDREN AND YOUNG PEOPLE COMMITTEE 7 MARCH 2018 - LONGITUDINAL STUDY TO MEASURE OUTCOME OF THE VARIOUS YOUNG PARENT SUPPORT AND INTERVENTION PROGRAMMES,

The Cabinet considered a referral from the Children and Young People Committee held on the 7 March 2018 with reference to undertaking a longitudinal study using a statistical sample to measure outcome of the various young parent support and intervention programmes, and requesting the Cabinet to consider to utilising a University, or other research institutions, to undertake the longitudinal study so as to mitigate any associated costs. The referral was presented by Councillor Crooks, the Chair of the Children and Young People Committee.

Councillor Nolan, the Cabinet member for Children and Families, thanked Councillors Crooks for the referral and indicated that the Council's Parenting programmes, for example, the Incredible Years Programme, offered by the Children's Centre team were international evidence-based interventions. In the case of Incredible Years, this programme had been described as one of the most carefully evaluated group-based parenting programmes available (Taylor et al, 1998) and was backed by research literature, with many randomised control trials showing its efficacy (Webster-Stratton et al, 2009).

Councillor Nolan stated that as the Council had now moved away from local programmes to greater use of evidence-based programmes, investing resources in undertaking the Council's own longitudinal study was not considered necessary.

RESOLVED -

That the written response be noted and forwarded to the Children and Young People Committee.

C12

REFERRAL FROM HEALTH AND ADULT SOCIAL CARE COMMITTEE 12 MARCH 2018 - WORKING WITH PARTNER ORGANISATIONS TO SUPPORT SAFEGUARDING REFERRALS AND ENSURING A STREAMLINED PROCESS

The Cabinet considered a referral from the Health and Adult Social Care Committee held on 12 March 2018 which asked the Cabinet to continue its work with partner organisations to support safeguarding referrals and ensure a streamlined process.

The Cabinet received a written statement from Councillor Jenkins, the Chair of the Health and Adult Social Care Committee, who apologised for being unable to attend the Cabinet meeting and indicated that the Committee had heard from numerous witnesses about the extent of monitoring that was being undertaken to ensure that the Council's Safeguarding Procedures were the best they could be.

Councillor Jenkins also thanked the newly formed Milton Keynes Safeguarding Board for its good work.

Councillor O'Neill, the responsible Cabinet member, thanked the Health and Adult Social Care Committee for its work and indicated that the Milton Keynes Safeguarding Board had confirmed that it was developing the safeguarding referral process as a business plan priority for 2018. Additionally, the Adult Programme Board had formed a multi-agency group to carry out this work which would be monitored by the Milton Keynes Safeguarding Board.

RESOLVED -

That the written response be noted and forwarded to the Health and Adult Social Committee.

C13

REFERRAL FROM BUDGET SCRUTINY COMMITTEE 13 MARCH 2018 – RESIDUAL WASTE TREATMENT FACILITY

The Cabinet considered a referral from the Budget Scrutiny Committee held on 13 March 2018 which asked that a “lessons learned” exercise be undertaken on how the Residual Waste Treatment Facility contract had been planned, developed and operated, which was presented by Councillor P Geary, a Vice-Chair of the Budget Scrutiny Committee.

Councillor P Geary indicated that the Budget Scrutiny Committee had recommended that officer knowledge and learning resulting from the Lessons Learned exercise, should be cascaded to all service departments across the Council to add to the Council’s Corporate Learning.

Councillor Gowans the Cabinet member for Public Realm indicated that a briefing note had recently been published advising of the lessons learnt from the Residual Waste Treatment Facility Project, which he anticipated to be would be used as a foundation document for any potential future design, build and operation contracts such as the Anaerobic Digestion Plant.

Councillor Gowans also indicated that any comments received in response to the briefing note would also be circulated.

RESOLVED:

That the written response and briefing note be sent to the Budget and Resources Scrutiny Committee.

C14

REFERRAL FROM BUDGET SCRUTINY COMMITTEE 13 MARCH 2018 - ALLOCATION AND USE OF S106 MONEY

The Cabinet considered a referral from the Budget Scrutiny Committee held on 3 March 2018 which was presented by Councillor P Geary, a Vice-Chair of the Budget Scrutiny Committee which requested that:

- (a) The Cabinet Members for Resources and Innovation and Customer Services be asked to ensure that the s106 funds held by the Council were much more actively managed.
- (b) A robust mechanism be put in place to advise Council Project Managers, other officers and relevant groups who might be able to benefit from the allocation of S106 funds, that such funding was available and how to access it.
- (c) The proposed review of the mechanism for s106 and the Community Infrastructure Levy be expedited.
- (d) Where appropriate, ward councillors and town and parish councils be fully consulted about the allocation of s106 funds.

Councillor Middleton, the Cabinet member for Resources and Innovation thanked the Budget Scrutiny Committee for submitting

the item and indicated that officer colleagues were in the process of considering how the information relating to Section 106 and Tariff contributions was captured and how it ensured that the contributions were used for the purpose identified. Councillor Middleton anticipated that the work streams would include:

- Moving from a reactive to a proactive approach by the Obligations Team to project delivery from S106 receipts;
- Making information on obligations more easily accessible and understandable to all;
- Implementing a new process on negotiating S106 agreements; and
- Measuring performance on the s106 process.

Councillor Middleton also indicated that there would be a future Cabinet decision to consider the Community Infrastructure Levy and S.106 funding. Whilst a Community Infrastructure Levy had been previously considered by the Council rather than seeking S. 106 contributions, at that time it was decided that it would be more beneficial to continue with S.106 contributions (Minute CL89 of 17 January 2018 refers). The evidence and viability case for a Community Infrastructure Levy was currently being assessed to ensure this was still the case.

RESOLVED -

That the response and actions be noted.

C15

REFERRAL FROM REGULATORY COMMITTEE - 14 MARCH 2018 - VILLAGE GREENS

The Cabinet considered a referral from the Regulatory Committee held on 14 March 2018 with reference to Registered Town and Village Greens and Current Applications, which was presented by the Chair of Regulatory Committee. Councillor Morris requested that the Cabinet considered implementing a voluntary village green registration procedure Town and Village Greens and Current Applications.

Councillor Legg, the Cabinet member responsible for Customer Services, indicated that the matter had been dealt with by a Delegated Decision on 27 March 2018. The decision had been taken to voluntarily register all the identified sites. The decision also made clear that significant protection already existed for many sites and this would be reinforced in PlanMK.

Councillor Legg stated that the responsible Cabinet member at that time did not agree that there was any need to implement a voluntary village registration procedure.

RESOLVED -

That the response be noted.



C16

REFERRAL FROM REGULATORY COMMITTEE - 14 MARCH 2018 - CHANGE IN TAXI APPLICATION PROCESS (ONLINE SERVICES) AND SAFEGUARDING AND CHILD SEXUAL EXPLOITATION TRAINING AND TINTED WINDOWS

The Cabinet considered a referral the from the Regulatory Committee held on 14 March 2018 concerning the Taxi Application process with reference to Safeguarding and Child Sexual Exploitation training which was presented by the Chair of Regulatory Committee, Councillor Morris. Councillor Morris emphasised that the training of taxi drivers in these matters was needed urgently and should be reflected in the conditions of the Application Process.

The referral requested that:

1. The Cabinet, following consultation with the Taxi Trade on changes to the Driver Induction and Knowledge Test, consider abolishing the current fee for the Driver Induction and Knowledge Test for all new applicants and replacing the tests with a new procedure known as Driver Assessment Suitability which was of an equal or higher standard to the current testing arrangements, together with details of how the Driver Assessment Suitability test would be implemented and structured.
2. The Cabinet to remove the restriction that vehicles could not have rear tinted windows by amending Condition A2.52 of Appendix A of the Taxi Licensing Policy to read:
"Side and rear windows would not have a visual light transmission restriction but could only be installed by the vehicle's manufacturer. Adhesive window tints of any shade were not accepted for any licensed vehicle".

Councillor Legg, the Cabinet member responsible for Customer Services, indicated that it was expected that the issues about the Taxi Application Process, including Safeguarding and Sexual Exploitation Training and Rear Tinted Windows would be considered at the Cabinet meeting on 10 July 2018.

RESOLVED -

That the response be noted.

C17

REFERRAL FROM REGULATORY COMMITTEE - 14 MARCH 2018 - PROPOSALS TO DEAL WITH EXCESSIVE LEVELS OF CROSS-BORDER HIRING AND THE IMPACT ON MILTON KEYNES RESIDENTS AND TAXI LICENSING

The Cabinet considered a referral the from the Regulatory Committee held on 14 March 2018, which requested that the Cabinet consider proposals to deal with excessive levels of Cross Border Hiring of taxis and the impacts of this on Milton Keynes residents and Taxi Licensing , which was presented by the Chair of Regulatory Committee, Councillor Morris.

Councillor Morris referred to the high number of taxi drivers in Milton Keynes which who were licenced by other Local Authorities whose Taxi Licensing Application processes were not as onerous as the process used by Milton Keynes Council. Councillor Morris indicated that this had resulted in the number of out of district vehicles growing, and the number of Milton Keynes private hire vehicles falling, which had resulted in the diminishing impact of the Council's Policy of protecting all Milton Keynes residents.

Councillor Legg, the Cabinet member responsible for Customer Services, thanked the Regulatory Committee for its work and indicated that it was anticipated that the proposals to deal with excessive levels of Cross Border Hiring of taxis and the impacts of this on Milton Keynes residents and Taxi Licensing, would be considered at the Cabinet meeting on 10 July 2018.

RESOLVED –

That the response be noted.

C18

REFERRAL FROM AUDIT COMMITTEE - 15 MARCH 2018 - ANNUAL AUDIT PLAN 2018/19

The Cabinet considered the referral from the Audit Committee held on 15 March 2018 which asked that, should any issues or risks be identified once the Northamptonshire County Council Best Value report had been fully analysed, the Cabinet consider the need to revise the Milton Keynes Council's budget for the Internal Audit Service to complete any work identified. The referral was presented by Councillor Cannon, the Chair of the Audit Committee.

Councillor Middleton, the responsible Cabinet member for Resources and Innovation, thanked the Committee for its work and indicated that the Corporate Director of Resources had completed a full analysis of the key issues raised in the Northamptonshire County Council Best Value Inspection report, and how they might impact on this Council. It was anticipated that the analysis would be shared in full at the first meeting of the Audit Committee, and the Committee would be invited to determine whether any changes to the existing Internal Audit Plan were necessary.

Councillor Middleton added that, in addition, the Chartered Institute of Public Finance and Accountancy (CIPFA) was likely to incorporate into their 'Statement on Audit Committees in Local Government', a recommendation that committees had at least one independent member. It was therefore important to acknowledge that Milton Keynes was already "ahead of the game" in this regard, given three of its Audit Committee members were Independent.

RESOLVED -

That the response and actions be noted.

C19

**REFERRAL FROM AUDIT COMMITTEE 15 MARCH 2018 -
DRAFT INTERNAL AUDIT STRATEGY AND CHARTER**

The Cabinet considered the referral from the Audit Committee held on 15 March 2018 which was presented by Councillor Cannon, the Chair of the Audit Committee, who asked that the relevant Cabinet member review the Council's contract management processes to ensure that they were robust and that proper process existed for redress where a service failed an individual or an organisation.

Councillor Middleton, the responsible Cabinet member for Resources and Innovation, thanked the Audit Committee for its work and indicated that a new Contract Management Review Group had recently been established which included key stakeholders across the Council, and was chaired by the Service Director for Finance. It was anticipated that the Group would meet on a bi-monthly basis to review existing contracts across the Council and provide peer challenge to ensure that contracts were being effectively managed in line with best practice and existing Council guidance.

Councillor Middleton added that part of the Group's remit would also be to ensure that contractor performance met the Council's requisite standards, and where necessary, to ensure that appropriate action to mitigate poor performance and outcomes for customers was taken.

Councillor Middleton also indicated that in order to ensure that the correct level of resources were provided to support the Scrutiny function across the Council in light of the new Scrutiny Committee arrangements, consideration would be given to this as part of the 2019/20 Budget process.

RESOLVED -

That the response and actions be noted.

C20

REFERRAL FROM COUNCIL: 21 MARCH 2018

The Cabinet considered the objectives of a petition referred from the Council meeting of the 21 March 2018 related to the funding for Eaton Mill Nursery.

Councillor Nolan, the Cabinet member for Children and Families, indicated that following a re-inspection by Ofsted on 26 March 2018, the facility had been graded Good and the matter was now resolved and it had not been necessary to withdraw funding.

Councillor Nolan congratulated Eaton Mill Nursery for addressing the concerns so quickly and wished it well for the future.

RESOLVED -

That the response be noted.

**REFERRAL FROM HOUSING AND COMMUNITY COMMITTEE 27
MARCH 2018 – DRAFT AFFORDABLE HOUSING
SUPPLEMENTARY PLANNING DOCUMENT**

The Cabinet considered the referral from the Housing and Community Committee, held on 27 March 2018, which was presented by the Chair of Housing and Community Committee, Councillor Ferrans which asked that:

1. the following sentence "In addition, on some sites there may be other higher priority objectives that provide wider benefits to Milton Keynes which may mean a reduction in the amount of Section 106 obligations that the development can sustain." which appeared in point 3.10 on page 9 of the Draft Affordable Housing Supplementary Planning Document, be removed as it conflicted with the need to secure a sufficient supply of affordable housing.
2. all relevant statements in the Draft Affordable Housing Supplementary Planning Document be modified to say " at least xx% of Affordable Rent / Social Rent / Shared Ownership ... " to better reflect the Council's minimum requirements for the provision of such housing by developers.
3. the Council support the Government's independent review into delays in construction on development sites with planning permission and the possibility of the Government introducing a tax to be paid by developers on any such sites which appear to have been "banked" by developers.
4. the Council continued to press the Government to relax the limitations on local authority house building so that local authorities can build the houses they need, not what the Government was willing to fund.

Councillor Legg, the Cabinet member for Public Realm, thanked Councillor Ferrans and the Committee for its work and indicated that the Committee's suggested textual changes to the Affordable Housing Supplementary Planning Document (paragraphs (1) and (2)) were noted and would be taken into consideration when the final version of the document was produced.

In relation to paragraph (3) above, Councillor Legg, indicated that officer colleagues had actively engaged y on this matter with Sir Oliver Letwin, Chairman of the Government's Independent Review Panel on tackling barriers to housebuilding, during his visit to Milton Keynes on 10 May.

Councillor Legg also noted the Committee's request in paragraph (4) above.

RESOLVED -

That the response and actions be noted.

C22

REFERRAL FROM SCRUTINY MANAGEMENT COMMITTEE 28 MARCH 2018 - THE COUNCIL'S EMERGENCY PLAN

The Cabinet considered the referral from the Scrutiny Management Committee held on 28 March 2018, which was presented by Councillor Brackenbury, Chair of the Scrutiny Management Committee.

Councillor Brackenbury advised of the Committee's disappointment at the response to its recommendations regarding the roles of the Leader of the Council and Cabinet members in a major emergency who it believed should be seen to be involved and the 'face' and 'voice' of the Council from the early stages of any such emergency. Councillor Brackenbury explained that the Scrutiny Management Committee report was referring to the Council's Emergency Plan which it had reviewed as a result of the Grenfell Tower tragedy in London. However, following the recent flooding event in Milton Keynes, Councillor Brackenbury accepted that in practice, the Emergency Plan was much more responsive.

Councillor O'Neill the responsible Cabinet member indicated that the Cabinet recognised the importance of the Leader of the Council and Cabinet members and the vital part that they played in engaging with, and reassuring, communities. Officer colleagues were in the process of reviewing the overall response to emergencies and had introduced an Emergency Planning Management Group which was examining the corporate response and would include learning from the recent flood events and how the Council could improve and ensure swift and accurate briefings to Councillors.

Councillor Marland, Leader of the Council indicated that the Emergency Plan was a document to guide each emergency.

RESOLVED -

That the response and actions be noted.

C23

MAKING THE STONY STRATFORD NEIGHBOURHOOD PLAN

The Cabinet considered recommending that the Council make the Stony Stratford Neighbourhood Plan, which was presented by Councillor Legg, the Cabinet member for Customer Services.

It was reported that Cabinet's agreement to recommend to Council that it made (brought into legal force) the Stony Stratford Neighbourhood Plan, was being sought, following the successful referendum held on 3 May, 2018.

Councillor Legg indicated that at the referendum held on on 3 May 2018, there were 2208 votes in favour of making the Neighbourhood Plan and 237 against. Turnout was 43.15%. Under the changes to S38 of the Planning and Compulsory Purchase Act 2004, introduced by the Neighbourhood Planning Act 2017, following a successful referendum, a Neighbourhood Plan came into force as part of the statutory development plan. The Plan was required be

made by the local planning authority within 8 weeks of the referendum.

Councillor Legg also indicated that if the Council agreed the Neighbourhood Plan, notification of the decision would be sent to Stony Stratford Town Council, and published by this Council to bring it to the attention of people who lived, worked or carried out business in the neighbourhood area.

The Cabinet also heard from the Chair of Stony Stratford Town Council who indicated that the process to achieve a successful Neighbourhood Plan was quite onerous.

RESOLVED -

1. That the Cabinet recommends to Council that it makes the Stony Stratford Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, and that:
 - (a) a decision document setting out the results of the referendum and the Council's decision to make the plan, and the Stony Stratford Neighbourhood Plan be published on the Council's website and in other means, 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 (Stony Stratford Town Council) and any person who asked to be notified of the decision.
2. That Stony Stratford Town Council be congratulated on the successful outcome of the referendum.

C24

MILTON KEYNES COUNCIL PLAN 2016 - 2020

The Cabinet considered approving the Council Plan 2016 -2020, which was presented by Councillor Marland, Leader of the Council.

It was reported that the revised Council Plan 2016 - 20 was based on the joint key priorities and deliverable policies recently agreed between the Labour and Liberal Democrat Groups and which were based upon the manifestos of the two parties.

The Cabinet also noted that the detailed update on the previous Council Plan Delivery Plan provided an update on progress and a narrative and self-reported RAG rating on each action, in the revised Plan.

It was also reported that the Council was not required to have a Council Plan, but if it did not, this would mean that the Council would lack an overall strategic framework to guide its activity. If adopted, the revised Council Plan would provide an overall strategic policy framework for the Council including: vision, values and priorities.

Councillor Marland indicated that the Council Plan was linked to the MK Futures 2050 Programme Update that was scheduled to be considered later in the agenda.

Councillor Marland also indicated that the Council would work with partners to implement the Starting Well element of the new Joint Health and Wellbeing Strategy and that a Carbon, Energy and Sustainability Strategy to 2050 would be brought forward.

In response to a question from Councillor Ferrans asking that that mental health issues for street homelessness be included, Councillor Marland indicated that issues regarding homeless people would be included in the Homelessness Delivery Plan.

The Cabinet also heard from Councillor O'Neill who welcomed the points about Children's Physical and Mental Health in the implementation plan raised by Councillor Crooks, and from two members of the public during consideration of the item.

RESOLVED -

1. That the Cabinet recommends to Council to approve the revised Council Plan 2016 – 2020.
2. That the Delivery Plan within the revised Council Plan 2016 – 2020 be further developed to include key milestones and targets, and presented to July Cabinet and Council meetings.
3. That the progress on the implementation of the previous Council Plan Delivery Plan be noted.
4. That a Carbon, Energy and Sustainability Strategy to 2050 be brought forward.
5. That the Council works with partners to implement the Starting Well element of the new Joint Health and Wellbeing Strategy.

C25

MK FUTURES 2050 PROGRAMME UPDATE

The Cabinet received the update for the MK Futures Programme which reported on a six monthly basis, progress made on the Six Big projects. The report was introduced by Councillor Marland, Leader of the Council.

It was reported that since the previous update, Project Three, 'Learning 2050', had made significant progress with a project manager now in place and was working with local schools and other partners to increase the focus on STEM (science, technology, engineering and maths) in the curriculum and ways of learning. It was anticipated that this work would include close working with businesses and MK:U to ensure students were better prepared for work and able to access the new university.

Councillor Marland indicated that the aspiration of MK:U was that it would be a high level nationally recognised University. Councillor

Marland also indicated that the long term consequences of transport links within the 2050 programme needed to be assessed.

Councillor Marland outlined that stakeholder engagement across the Programme was independently led and impartial and many consultation events had been held across the community.

The Cabinet also heard from Councillor Crooks who indicated that he endorsed the report and advocated that the terminology of the name the 'Six Big Projects' be reassessed in order that external partners could understand the magnitude of the Programme.

RESOLVED –

1. That the progress to date in delivering the 'Six Big Projects' forming the MK Futures 2050 Programme be noted.
2. That the terminology of the name the 'Six Big Projects' be considered at the next sponsors meeting in the context of the magnitude of the Programme.

C26

APPOINTMENTS TO OUTSIDE ORGANISATIONS AND ADVISORY GROUPS

The Cabinet considered the current list of appointments to be made to strategic outside organisations and advisory groups by the Cabinet for 2018/19.

Councillor Marland (Leader of the Council) introduced the item and indicated a number of changes to the appointments.

RESOLVED -

1. That appointments be made to the various Organisations, Advisory Groups and Strategic Partnerships for 2018/19 as set out in the Annex to these minutes.
2. That, in the event that any vacancies are remaining, the Service Director (Legal and Democratic Services), in consultation with Group Leaders, be authorised to agree the appointments.

C27

GENERAL FUND REVENUE, HOUSING REVENUE ACCOUNT, DEDICATED SCHOOLS GRANT AND CAPITAL PROGRAMME OUTTURN REPORT FOR 2017/18

The Cabinet considered the forecast outturn position for the General Fund Revenue and Capital Budget, the Housing Revenue Account and the Dedicated Schools Grant as at 31 March 2018 which was introduced by Councillor Middleton, the responsible Cabinet member for Resources and Innovation.

It was reported that General Fund Revenue Account indicated:

- (a) an underspend of £0.140m after the net use of £3.001m from reserves. This was an improvement in the reported position of £0.351m since December 2017. The final out-turn included a

reported overspend within the service areas of £8.832m, offset by an underspend of £5.971m in Corporate Debt Financing, which was mainly attributed to the agreed change to the Council's Minimum Revenue Provision (MRP) Policy. The balance had largely been addressed by the use of £3.096m of demand led reserves, and a net contribution to reserves of £0.095m. It was reported that the £0.140m net underspend would be transferred to the General Fund Working Balance;

- (b) that the Dedicated Schools Grant budget was set with an estimated deficit carry forward into 2018/19 of £0.264m. The final out-turn position was a surplus carry forward of £1.007m, an improvement of £1.271m;
- (c) that the Housing Revenue Account out-turn was reporting a surplus of £1.023m;
- (d) that the Capital Programme out-turn expenditure was reporting £220.344m, which was an underspend of £10.188m against spend approval of £230.532m; and
- (e) in closing the accounts overspends and increased spend due to additional funds being received in year totalling £6.274m had to be financed, resulting in an total underspend of £16.463m against the revised spend approval, of which £13.208m of expenditure previously planned in 2017/18 has been re-phased into later years.

Councillor Middleton highlighted that the Council was reporting a balanced position with an underspend of £140k and congratulated the services directors on their work to reduce costs.

Councillor Middleton also compared the Council's positive position against other Local Authorities where deficits of £48m had been reported.

Councillor Middleton also noted that Somerset County Council was showing a deficit of £20m in Children's Services alone, but at this Council, reserves had been prudently earmarked to balance the demand led areas of Housing, Adult Social Care and Children's Social Care which had arisen as a result of the housing crisis.

Councillor Middleton also stated that the Housing Revenue Account was reflecting a balanced position.

RESOLVED -

1. That the General Fund Revenue Account out-turn of £0.140m underspend, after the use of £3.096m of demand led reserves and £5.405m of unplanned other reserves less the contribution to general fund working balance of £5.500m, be noted.

2. That the use of one-off resources to offset risks and higher than expected levels of demand, be noted.
3. That the out-turn surplus on the Housing Revenue Account of £1.023m be noted.
4. That the Dedicated Schools Grant surplus carry forward of £1.007m be noted.
5. That the out-turn spend on the Capital Programme of £220.344m be noted and additional funding in 2017/18 of £6.274m and re-phasing of £13.208m into 2018/19 be approved.

C28

REVISIONS TO THE CAPITAL PROGRAMME AND SPEND APPROVALS

The Cabinet considered the revisions to the Capital Programme and Spend Approvals which was introduced by Councillor Middleton (Cabinet member for Resources and Innovation).

It was reported that the changes outlined in the report resulted in a revised Capital Programme for 2018/19 of £141.40m. Against this programme, £115.37m 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 was a forward funding mechanism to deliver infrastructure in the expansion areas of the borough. Should the recommendations included in this report be approved, the impact of this would be a revised Tariff Programme for 2018/19 of £39.84m; with the total spend approval for these contributions at £22.15m.

It was further reported that, in finalising the outturn position of the 2017/18 Capital Programme, a number of adjustments had been made that included:

- Funding from future years to be taken back into 2017/18 to fund additional project expenditure. These changes had decreased the funding available in 2018/19 by £2.411m.
- Some schemes from the 2017/18 Capital Programme being delayed and as a result would be completed in 2018/19. This re-phasing of both the schemes and associated resources increased the 2018/19 Capital Programme by £13.52m.

Councillor Middleton indicated that the following existing projects had been allocated resources in the 2018/19 Capital Programme:

- (a) CMK Passenger Transport (resource allocation and spend approval of £0.168m in 2018/19) to upgrade bus stops in Central Milton Keynes, two on Avebury Boulevard and three on Midsummer Boulevard;

- (b) Monkston Play Area Improvements (resource allocation and spend approval of £0.168m in 2018/19);
- (c) Bancroft Play Area Improvements (resource allocation and spend approval of £0.168m in 2018/19) ; and
- (d) Brownswood Neighbourhood Park and Play provision (resource allocation and spend approval of £0.168m in 2018/19).

Councillor Gowans, the Cabinet member for Public Realm, outlined that as a result of resources being deployed from the enforcement team to deal with unlawful encampments, and after discussions between the Leader, the Cabinet member and the S151 Officer, had been held, and to reflect the priority of tackling litter, one off funding of two enforcement officers had been approved to deal with litter and environmental crime. The overall budget would be reviewed during the budget setting process.

RESOLVED -

1. That the additions and amendments to resource allocation and spend approval for the 2017/18 Capital Programme and spend approval requested for the 2018/19 be approved.
2. That the amendment to resource allocation and spend approval for the 2017/18 Capital Programme approved by Delegated Decision on the 30 January 2018 be noted.
3. That the overall funding position for the 2017/18 and 2018/19 Capital Programmes be noted.
4. That the amendments to resource allocation and spend approvals for the 2017/18 tariff programme and spend approval requests for the 2018/19 tariff programme be approved.
5. That the current position of the 2017/18 and 2018/19 tariff programme be noted.
6. That resources currently deployed from the enforcement team to deal with unlawful encampments and reflecting the priority of tackling litter, one off funding of two enforcement officers be approved to deal with litter and environmental crime, with the overall budget being reviewed during the budget setting process.

C28

TREASURY MANAGEMENT UPDATE

The Cabinet considered the Treasury Management Report Update which was introduced by Councillor Middleton (Cabinet member for Resources and Innovation).

It was reported that the Council was required by regulations issued under the Local Government Act 2003 to produce an Annual Treasury Management Review of activities which included the actual

prudential and treasury indicators for the preceding year. This report also met the requirements of both the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities.

Councillor Middleton indicated that during 2017/18 the minimum reporting requirements were that the following reports were received:

- (a) an annual treasury strategy in advance of the year (Council 15/02/2017);
- (b) a mid-year (minimum) treasury update report (Cabinet 03/10/2017); and
- (c) an annual review following the end of the year describing the activity compared to the strategy (this report).

In addition to this, the Cabinet had received quarterly treasury management update reports (Cabinet 11/07/2017 and 02/01/2018) as part of the budget monitoring process.

RESOLVED -

That the report be noted.

THE CHAIR CLOSED THE MEETING AT 8.56 PM

