



Minutes of the meeting of the MILTON KEYNES COUNCIL held on TUESDAY
11 JULY 2006 at 7.30 pm

Present: Councillor Carstens (Mayor)
Councillor Barry (Deputy Mayor)
Councillors Box, Bristow, Brock, Burke, Butler-Ellis, Campbell, Carruthers, Sandra Clark, Stephen Clark, Crooks, Dransfield, Drewett, Eastman, Eaton, Edwards, Exon, Ferrans, Fraser, Geary, Gerrella, E Henderson, I Henderson, Holroyd, Hopkins, Hoyle, Irons, Jury, Latham, Lloyd, Long, D McCall, I McCall, McKenzie, Miles, Morris, Morsley, Pendry, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa, Tunney, Wharton, Williams and Wilson

The following Honorary Aldermen were also present:

Aldermen Connor and Howell

Apologies: Councillors Coventry, Legg and Mabbott and Alderman Ellis

Also Present: 63 members of the public

CL25 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 13 June 2006, be approved and signed by the Mayor as a correct record.

CL26 DISCLOSURE OF INTERESTS

Councillors declared interests in Item 4(a)(ii) – Statement of Accounts, as set out in the schedule attached as an **Annex** to these minutes. Councillor Edwards also declared a further interest in Item 4(a)(ii) – Statement of Accounts as he was awaiting information from the District Auditor relating to the Statement of Accounts.

Councillor Geary declared a prejudicial interest in Item 5(b)(i) [Area 11 – Public Inquiry], having clients who farmed the areas of land in question.

Councillor Latham declared a personal interest in Item 5(b)(vi) [National Identity Cards and Data Base].

CL27**ANNOUNCEMENTS****(a) The Queen's Birthday Honours**

The Mayor congratulated the following residents of Milton Keynes who had been honoured in The Queen's Birthday Honours List:

Ninian Vernon Le Blanc the Director for Diversity and Inclusion at Royal Mail who had received an MBE for charitable services;

Ronald Leslie Perry who had received an MBE for services to Milton Keynes Hospital; and

Miranda Powell-Sheddon who received an MBE for services to the administration of justice and the community of Milton Keynes.

(b) The Queen's Award for Voluntary Service

The Mayor offered the Council's congratulations to the Wolverton Secret Garden Society which had been awarded the Queen's Award for Voluntary Service for its efforts in acquiring, clearing and reordering a 1.5 acre area of Central Wolverton.

(c) Vice Lord-Lieutenant for Buckinghamshire

The Mayor offered the Council's congratulations to Mrs Jenny Hopkirk whose appointment as the Vice Lord-Lieutenant for Buckinghamshire had been approved by her Majesty The Queen. Mrs Hopkirk had also been appointed a Deputy Lieutenant for Buckinghamshire.

CL28**PUBLIC QUESTIONS**

Question from Mrs A Rose to Councillor I Henderson:

"Can you assure me that staff in Council care homes have been checked with the Criminal Records Bureau?"

Answer from Councillor I Henderson:

"Yes I can."

CL29**REPORTS FROM CABINET AND COMMITTEES****(a) Audit Committee – 22 June 2006****(i) Work Programme and Terms of Reference**

Councillor Dransfield moved the following recommendation from the meeting of the Audit Committee held on 22 June 2006, which was seconded by Councillor Burke:

"1. That the Audit Committee may co-opt non-voting members that hold specialist knowledge

and to commission expert support to assist the Committee to achieve its technical capability in particular subject areas to discharge its audit responsibilities.

2. That the Audit Committee's Terms of Reference include the following:

"Constitution

- (i) The Committee will be a fully constituted committee and act independently of the Authority's Executive and scrutiny functions.
 - (ii) It will meet at least 4 times per year.
 - (iii) The Committee will maintain the technical capability to discharge the Audit Committee responsibilities of the Council.
 - (iv) The Committee will have a policy on matters that will be considered in public and those considered in private.
 - (v) The business of the Committee will be conducted apolitically".
3. That the Chair of the Standards Committee be appointed as one of the two independent voting co-optees of the Audit Committee."

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

RESOLVED –

1. That the Audit Committee may co-opt non-voting members that hold specialist knowledge and to commission expert support to assist the Committee to achieve its technical capability in particular subject areas to discharge its audit responsibilities.
2. That the Audit Committee's Terms of Reference include the following:

"Constitution

- (i) The Committee will be a fully constituted committee and act independently of the Authority's Executive and scrutiny functions.
- (ii) It will meet at least 4 times per year.
- (iii) The Committee will maintain the technical capability to discharge the Audit Committee responsibilities of the Council.

- (iv) The Committee will have a policy on matters that will be considered in public and those considered in private.
 - (v) The business of the Committee will be conducted apolitically”.
3. That the Chair of the Standards Committee be appointed as one of the two independent voting co-optees of the Audit Committee.

(ii) Statement of Accounts 2005/2006

Councillor Dransfield moved the following recommendation from the meeting of the Audit Committee held on 22 June 2006, which was seconded by Councillor Burke:

- “1. That the Statement of Internal Control be adopted.
- 2. That the 2005/2006 Statement of Accounts be adopted.”

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

RESOLVED –

- 1. That the Statement of Internal Control be adopted.
- 2. That the 2005/2006 Statement of Accounts be adopted.

(Councillors declared interests, as set out in the **Annex** to these Minutes.)

(b) Cabinet – 27 June 2006

Council Plan 2006/09

Councillor Tallack moved the following recommendation from the meeting of the Cabinet held on 27 June 2006, which was seconded by Councillor I McCall:

“That the Council Plan 2006-09 be adopted.”

Councillor Tunney moved the following amendment, which was seconded by Councillor Dransfield:

"That the following words be added to the Recommendation:

‘subject to the following amendments:

- 1. on Page 1 the word ‘rapid’ being removed from paragraph 3 and replaced with the words ‘sensible, but only incremental’;
- 2. on Page 6 paragraph 2 being removed;

3. on Page 10 the words 'To build sustainable communities' being removed from paragraph 2 and the words 'To ensure that our communities are sustainable' inserted; and
4. on Page 11 the words 'Together with our partners, we are expanding parts of the city and these areas are designed around bus friendly streets rather than a grid pattern' being removed from paragraph 3".

The mover and seconder of the recommendation accepted Clause 3 of the amendment.

A recorded vote on Clause 1 of the of the amendment was requested, the voting was as follows:

FOR: Councillors Box, Brock, Butler-Ellis, Carstens, Dransfield, Geary, Hopkins, Hoyle, Jury, Latham, Morris, Tunney and Wharton (13)

AGAINST: Councillors Barry, Bristow, Burke, Campbell, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Edwards, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, Holroyd, Irons, Lloyd, Long, D McCall, I McCall, McKenzie, Miles, Morsley, Pendry, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa Williams and Wilson (35)

Clause 1 of the amendment was declared lost.

Clause 2 of the amendment was declared lost with 13 Members voting in favour, 35 voting against.

Clause 4 of the amendment was declared lost with 13 Members voting in favour, 35 voting against.

A recorded vote on the original recommendation, as amended, was requested. The voting was as follows:

FOR: Councillors Barry, Burke, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, D McCall, I McCall, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa and Williams (23)

AGAINST: Councillors Bristow, Campbell, Dransfield, Edwards, Holroyd, Hoyle, Irons, Lloyd, Long, McKenzie, Miles, Morsley, Pendry and Wilson (14)

ABSENTIONS: Councillors Box, Brock, Butler-Ellis, Carstens, Geary, Hopkins, Jury, Latham, Morris, Tunney and Wharton (11)

The Council heard from one member of the public on this item.

The original recommendation, as amended, was declared carried.

RESOLVED –

That the Council Plan 2006-09 be adopted, subject to the words ‘To build sustainable communities’ on Page 10 being removed from paragraph 2 and the words ‘To ensure that our communities are sustainable’ inserted

CL30 PROCEDURE

The Mayor brought forward Item 5(vii) – Urban Potential Study, to this point in the meeting.

CL31 URBAN POTENTIAL STUDY

Councillor Morsley moved the following motion, which was seconded by Councillor Long and on which a recorded vote was requested:

- “1. That this Council is concerned that:
 - (a) the blocking of the release of the ‘*Urban Potential Study*’ until after the local elections has led to significant public concern and loss of trust in the Council.;
 - (b) the lack of clarity in ‘*A Strategy for Growth 2031*’ has added to public disquiet and created further uncertainty and insecurity amongst thousands of residents; and
 - (c) the lack of openness and clarity of proposals is leading to housing blight on Bradville, Stantonbury, Conniburrow and other estates along the V7 to the north of Central Milton Keynes
2. That this Council requests the Cabinet to hold and fund independent secret postal ballots on any proposals for demolition of homes on any estate or group of estates in Milton Keynes.”

The Council heard from seven Members of the public on this item.

The voting on the motion was as follows:

FOR: Councillors Bristow, Campbell, Edwards, Holroyd, Irons, Lloyd, Long, McKenzie, Miles, Morsley, Pendry and Wilson (12)

AGAINST: 0

ABSTENTIONS: Councillors Barry, Box, Brock, Burke, Butler-Ellis, Carruthers, Carstens, Sandra Clark, Stephen Clark, Crooks, Dransfield, Drewett, Eastman,

Eaton, Exon, Ferrans, Fraser, Geary, Gerrella, E Henderson, I Henderson, Hopkins, Hoyle, Jury, Latham, D McCall, I McCall, Morris, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa, Tunney, Wharton and Williams (36)

The motion was declared carried.

RESOLVED –

1. That this Council is concerned that:
 - (a) the blocking of the release of the '*Urban Potential Study*' until after the local elections has led to significant public concern and loss of trust in the Council.;
 - (b) the lack of clarity in '*A Strategy for Growth 2031*' has added to public disquiet and created further uncertainty and insecurity amongst thousands of residents; and
 - (c) the lack of openness and clarity of proposals is leading to housing blight on Bradville, Stantonbury, Conniburrow and other estates along the V7 to the north of Central Milton Keynes
2. That this Council requests the Cabinet to hold and fund independent secret postal ballots on any proposals for demolition of homes on any estate or group of estates in Milton Keynes.

CL32

AREA 11 – PUBLIC INQUIRY

Councillor Long moved the following motion, which was seconded by Councillor Bristow and on which a recorded vote was requested:

- “1. That this Council is concerned about the impact of proposals for Area 11 upon the people of Stony Stratford, Calverton, the Wealds, Fullers Slade, Two Mile Ash, Great Holm, Crownhill, Grange Farm and the West of Milton Keynes generally and believes the poor consultation with residents is a feature of Milton Keynes Council’s present approach.
2. That, having regard to the inadequate public consultation that occurred prior to the inclusion of Area 11 in the Adopted Local Plan, this Council resolves that if the current legal challenge to that feature of its Adopted Local Plan is successful, it will fully consult the public on the proposed allocation of Area 11 for development and hold a public local planning inquiry under an independent Inspector to enable objectors properly to be heard, and will reconsider its decision to allocate Area 11 in the light of the findings of that inquiry.”

Councillor D McCall moved the following amendment, which was seconded by Councillor Williams and on which a recorded vote was requested:

“That all words after ‘That this Council’ be deleted and replaced with:

- “1. notes that a 12 month Public Inquiry was held into the Local Plan which cost the tax payers of this borough £400,000. It further notes that the Council accepted the inspector’s recommendations in relation to Area 11; and
2. further notes that there is currently a legal challenge to that part of the Local Plan and resolves that if the court orders the quashing of Area 11 and its removal from the Local Plan, the Council will implement the Court’s decision.”

The voting on the amendment was as follows:

FOR: Councillors Barry, Burke, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, D McCall, I McCall, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa and Williams (23)

AGAINST: Councillors Box, Bristow, Brock, Butler-Ellis, Campbell, Carstens, Dransfield, Edwards, Holroyd, Hopkins, Hoyle, Irons, Jury, Latham, Lloyd, Long, McKenzie, Miles, Morsley, Morris, Pendry, Tunney, Wharton and Wilson (24)

The amendment was declared lost

The voting on the motion was as follows:

FOR: Councillors Bristow, Campbell, Edwards, Holroyd, Irons, Lloyd, Long, McKenzie, Miles, Morsley, Pendry and Wilson (12)

AGAINST: Councillors Barry, Burke, Carruthers, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Ferrans, Fraser, Gerrella, E Henderson, I Henderson, D McCall, I McCall, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa and Williams (23)

ABSENTIONS: Councillors Box, Brock, Butler-Ellis, Carstens, Dransfield, Hopkins, Hoyle, Jury, Latham, Morris, Tunney and Wharton (12)

The motion was declared lost.

(Councillor Geary declared a prejudicial interest in this matter and left the meeting, taking no part in the debate or voting thereon.)

WRITTEN QUESTIONS

Councillor Wilson moved the following motion, which was seconded by Councillor Miles:

- “1. That a procedure for Members of the Council to submit written questions to be answered by Cabinet Members and Chairs of Committees and Panels be adopted, based on the following principles:
 - (a) that Cabinet Members or Chairs may decline to answer any question where the cost of doing so is found to be prohibitive;
 - (b) that any Member be limited to asking a maximum of 20 questions in any one Council Year;
 - (c) that all such formal questions and answers be published on a weekly basis; and
 - (d) that answers to questions be provided within 15 working days of the question being submitted, except in exceptional circumstances where it is not possible, in which case the Member submitting the question to be advised as to the reasons within 15 working days.
2. That the Head of Democratic Services be authorised to make any consequential changes to the Constitution.”

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

RESOLVED –

1. That a procedure for Members of the Council to submit written questions to be answered by Cabinet Members and Chairs of Committees and Panels be adopted, based on the following principles:
 - (a) that Cabinet Members or Chairs may decline to answer any question where the cost of doing so is found to be prohibitive;
 - (b) that any Member be limited to asking a maximum of 20 questions in any one Council Year;
 - (c) that all such formal questions and answers be published on a weekly basis; and
 - (d) that answers to questions be provided within 15 working days of the question being submitted, except in exceptional circumstances where it is not possible, in which case the Member submitting the question to be advised as to the reasons within 15 working days.
2. That the Head of Democratic Services be authorised to make any consequential changes to the Constitution.

EMPTY HOMES

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

- “1. That this Council:
 - (a) notes the pressing need for more affordable homes for the people of Milton Keynes;
 - (b) welcomes the best ever figure of 40% affordable homes achieved in 2005/06;
 - (c) welcomes the recommendation of the new study of housing needs in Milton Keynes to increase the proportion of homes for social rent in new developments from 5% to 13%.
2. That this Council is, however, extremely concerned that many new homes in Milton Keynes that are designated for key workers remain empty because the Government's definition of "key worker" is too narrow.
3. That this Council therefore resolves to request the Cabinet to:
 - (a) step up its lobbying to persuade the Government that, where homes designated for key workers are empty, they can be made available first to people who meet the Council's broader definition of "key worker" and then, if some still remain empty, to those people in most housing need;
 - (b) enlist the support of local housing associations, English Partnerships and Milton Keynes MPs in this endeavour.”

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

RESOLVED –

1. That this Council:
 - (a) notes the pressing need for more affordable homes for the people of Milton Keynes;
 - (b) welcomes the best ever figure of 40% affordable homes achieved in 2005/06;
 - (c) welcomes the recommendation of the new study of housing needs in Milton Keynes to increase the proportion of homes for social rent in new developments from 5% to 13%.
2. That this Council is, however, extremely concerned that many new homes in Milton Keynes that are designated for key workers remain empty because the Government's definition of "key worker" is too narrow.

3. That this Council therefore resolves to request the Cabinet to:
 - (a) step up its lobbying to persuade the Government that, where homes designated for key workers are empty, they can be made available first to people who meet the Council's broader definition of "key worker" and then, if some still remain empty, to those people in most housing need; and
 - (b) enlist the support of local housing associations, English Partnerships and Milton Keynes MPs in this endeavour.

CL35

STANTONBURY GARAGES

Councillor Morsley moved the following motion, which was seconded by Councillor D McCall:

“That the Cabinet be requested to consider acquiring the freehold of the derelict garages at Redbridge and Ormonde, Stantonbury, either by negotiation or by compulsory purchase, and then arrange for their demolition so as to reduce the level of vandalism in the area, the number of arson attacks and the risk of fire in nearby properties, and the illegal dumping of old tyres, and thereby to respond to the numerous complaints from the residents of the area.”

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

RESOLVED –

That the Cabinet be requested to consider acquiring the freehold of the derelict garages at Redbridge and Ormonde, Stantonbury, either by negotiation or by compulsory purchase, and then arrange for their demolition so as to reduce the level of vandalism in the area, the number of arson attacks and the risk of fire in nearby properties, and the illegal dumping of old tyres, and thereby to respond to the numerous complaints from the residents of the area.

CL36

DRAFT GROWTH STRATEGY FOR MILTON KEYNES TO 2026

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

- “1. That the Council notes and welcomes the Cabinet’s proposal, at its meeting on 27 June, 2006, to agree to a period of public consultation on the draft Growth Strategy for Milton Keynes to 2026, to inform the Council’s position at the Examination in Public into the South East Plan.
2. That the Council calls upon the Cabinet to take the outcome of the consultation exercise fully into account in formulating its response to the Plan.”

Councillor I McCall moved the following amendment, which was seconded by Councillor E Henderson and accepted by the mover of the motion:

“That the following be added to the motion:

- ‘3. That the Council confirms that the Growth Strategy does not require any demolition of existing properties, and that, furthermore, this Council re-affirms that it has no intention of proposing any programme of demolition of homes in any area of Milton Keynes.’”

On being put to the vote the motion, as amended, was declared carried with 36 Members voting in favour and 12 Members abstaining from voting.

RESOLVED -

1. That the Council notes and welcomes the Cabinet’s proposal, at its meeting on 27 June, 2006, to agree to a period of public consultation on the draft Growth Strategy for Milton Keynes to 2026, to inform the Council’s position at the Examination in Public into the South East Plan.
2. That the Council calls upon the Cabinet to take the outcome of the consultation exercise fully into account in formulating its response to the Plan.
3. That the Council confirms that the Growth Strategy does not require any demolition of existing properties, and that, furthermore, this Council re-affirms that it has no intention of proposing any programme of demolition of homes in any area of Milton Keynes.

CL37

NATIONAL IDENTITY CARDS AND DATA BASE

Councillor Tamagnini-Barbosa moved the following motion, which was seconded by Councillor Snell:

“That the Council:

1. Notes that on the 14 June 2005 a motion was passed declaring this Council's opposition to a National Identity Card and Database scheme, to write to and enlist the support of our MPs to request the Government spend the money allocated for this scheme into local policing.
2. Regrets that despite overwhelming public opposition the Labour Government has continued its pursuit of such an Orwellian scheme and re-affirms its request that the funds being made available to this scheme should be spent supporting local policing.
3. Advises the residents of Milton Keynes to renew their passports before October 2006 in order to avoid being registered on the National Identity Database, to avoid having

to attend a registration centre and to save nearly half the cost of renewal.

4. Calls upon the Cabinet to consider affiliating to the national NO2ID campaign and to assist the local NO2ID campaign in educating the residents of Milton Keynes about the dangers to privacy and freedom the scheme will create.
5. Invites the Cabinet to resist the new Identity Card scheme where legally possible by:
 - (a) refusing to take part in any pilot scheme; and
 - (b) accepting alternative and traditional methods of identification from residents wishing to access council services and benefits.”

Councillor Geary moved the following amendment, which was seconded by Councillor Tunney:

“That the words ‘to consider affiliating to the national NO2ID campaign and’ be deleted from paragraph 4 of the Motion”.

On being put to the vote the amendment, was declared lost with 20 Members voting in favour, 23 Members voting against and 1 Member abstaining from voting

On being put to the vote the motion, was declared carried with 28 Members voting in favour, 10 Members voting against and 6 Members abstaining from voting.

RESOLVED -

That the Council:

1. Notes that on the 14 June 2005 a motion was passed declaring this Council's opposition to a National Identity Card and Database scheme, to write to and enlist the support of our MPs to request the Government spend the money allocated for this scheme into local policing.
2. Regrets that despite overwhelming public opposition the Labour Government has continued its pursuit of such an Orwellian scheme and re-affirms its request that the funds being made available to this scheme should be spent supporting local policing.
3. Advises the residents of Milton Keynes to renew their passports before October 2006 in order to avoid being registered on the National Identity Database, to avoid having to attend a registration centre and to save nearly half the cost of renewal.
4. Calls upon the Cabinet to consider affiliating to the national NO2ID campaign and to assist the local NO2ID campaign in educating the residents of Milton Keynes about the dangers to privacy and freedom the scheme will create.

5. Invites the Cabinet to resist the new Identity Card scheme where legally possible by:
 - (a) refusing to take part in any pilot scheme; and
 - (b) accepting alternative and traditional methods of identification from residents wishing to access council services and benefits.

(Councillor Latham declared a personal interest in this matter.)

CL38

LIVEMK

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

“That the Council calls upon the Cabinet to suspend the publication of LiveMK until all-party editorial control is put in place.”

On being put to the vote the motion, was declared carried with 24 Members voting in favour and 23 Members voting against.

RESOLVED –

That the Council calls upon the Cabinet to suspend the publication of LiveMK until all-party editorial control is put in place.

CL39

APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

The Council noted that at its meeting on 9 November 2006 (Minute BMG37 refers), the Business Management Group agreed a process for the selection of an additional Independent Member of the Standards Committee.

The interviews for the Independent Member took place on 26 June 2006, when the Interview Panel agreed to recommend to Council that Mr Christopher Rose should be appointed as the third independent member of the Standards Committee.

The Council also noted that the Business Management Group, had recommended the Council to adopt a term of office for any appointee which expires immediately prior to the Annual Meeting of the Council in 2009.

RESOLVED –

1. That Mr Christopher Rose be appointed as the third independent member of the Standards Committee.
2. That the Council adopt a term of office for Mr Rose which expires immediately prior to the Annual Meeting of the Council in 2009.

THE MAYOR CLOSED THE MEETING AT 11.35 PM