

Minutes of the meeting of the STRATEGIC PLACEMAKING SCRUTINY SUB-COMMITTEE held on TUESDAY 23 OCTOBER 2018 at 6.00 pm

**Present:** Councillors Brackenbury (Substitute for Councillor McPake), Marklew, Minns, Morla and Rankine.

**Officers:** S Gonsalves (Director of Policy, Insight and Communications), K Hullat (Acting Head of Legal Services) and S Muir (Committee Manager).

**Apologies:** Councillors Bint and McPake

**Also Present:** Councillors Marland, P Geary, Hosking, Miles, Morris and 18 members of the public.

#### **SPSSC07 ELECTION OF CHAIR**

Councillor Marklew proposed and Councillor Minns seconded that Councillor Brackenbury be elected as Chair of the Sub-Committee meeting.

RESOLVED -

That Councillor Brackenbury be elected as Chair of the Sub-Committee for this meeting.

#### **SPSSC08 DISCLOSURES OF INTEREST**

None received.

#### **SPSSC09 HOUSING INFRASTRUCTURE FUND - FORWARD FUNDING BID FOR LAND EAST OF THE M1 (MK EAST)**

The Sub Committee noted the following decision made by the Cabinet on 2 October 2018 had been called-in by Councillors Bint, Morris, P Geary and Hosking

“That a business case for an application to forward fund necessary infrastructure be developed and submitted to meet the December 2018 funding window and that the Leader of the Council will approve the final submission.”

The Sub-Committee noted that the reasons for the Call-In by Councillors Bint and Morris were as follows:

- “1. that the officer submission of the original funding bid was contrary to the Council's policies at the time, including the emerging Submission draft of PlanMK, and therefore was improper in policy terms;
2. that the decision to submit the bid, without any consultation with residents living West of the M1, or their Ward Councillors, or their Parish Council, was contrary to the

Council's commitment to transparent decision making, contrary to the published commitment to transparency with Ward Councillors, contrary to the Parish Protocol, and therefore completely improper in process terms;

3. that officers and/or the Administration have used the unauthorised funding bid to influence the outcome of the PlanMK EIP, creating a policy context for MK East that might not have existed if officers had followed Council policy and proper process ahead of submitting the HIF bid;
4. that the Council Leader publicly stated at Cabinet that this cabinet decision and the business case will have no presumption of any new Bridge, and that this assurance was incorrect as the Business Case must support the application and the application includes the Bridge (as effectively the biggest single item to be funded). Therefore Cabinet was misled;
5. that the Cabinet has received no traffic modelling data to indicate that the Bridge will improve traffic flow in the area, and therefore the entire funding application is currently without justification and the Business case "to support the funding application" is completely pre-judging what the transport modelling data will show;
6. that the officer paper to Cabinet fails to address the significant understatements of risk identified by residents and Ward Councillors in the officer briefing paper circulated at the recent MK East Stakeholders Group; and
7. that, in the light of the officer remarks at the Stakeholder Group meeting that if the Council gets offered the money it will be too politically damaging to turn it down, any future "consultation" on the project as a whole will be a sham, and therefore, the entire project will have been steamrolled with no consultation of any kind so far and no meaningful consultation possible at any point in the future."

The Sub-Committee noted that the following reasons given by Councillors P Geary and Hosking for their Call-In:

- "1. the paper presented to Cabinet was scant on detail with little information on costs to the Council;
2. the paper and the decision to bid was taken with little or no understanding of the risks to the Council or the financial implications and that the risks highlighted were potentially misstated; and
3. the idea that the detail of such a large bid will receive no scrutiny or no future public decision making, despite the financial risks runs contrary to good democracy.

The Sub Committee heard that at the mediation meeting held between Councillor Marland and Councillors Morris and P Geary and Hosking to try and reach compromise was unsuccessful.

The Sub-Committee received representations from Councillors Morris, P Geary and Hosking who summarised their reasons for Calling In the item.

The Sub Committee received a response from Councillor Marland (the responsible Cabinet Member) who indicated that:

- he was aware of residents' anxieties that supporting infrastructure for development east of the M1 might affect residents west of the M1 and further consultation and engagement with councillors, parishes and town councils, stakeholders and residents from both East and West of the M1, including face-to-face meetings, workshops and the opportunity to comment online, would be carried out;
- a public note to respond to feedback from consultation would be published;
- that the Risk Assessment Register would be made available as appropriate;
- that the work undertaken that demonstrated the need for the required infrastructure, including traffic modelling, would be shared more widely;
- that an independent review of costings to ensure robustness would be undertaken and shared; and
- he would also consider delaying submission of the business case, if it did not harm the prospects of success, to ensure additional consultation and feedback could be taken into account.

The Sub-Committee challenged and questioned Councillor Marland and his witness about the Housing Infrastructure Bid process, the consultations that had been carried out, the timeframe for submission of the bid, the availability of transport modelling data, the financial implications and risks to the Council and the proposed option to not submit the bid by the councillors who had called-in the item.

Councillor Marland also indicated that should the submission to the Highways Infrastructure Fund be successful, the resulting project would be monitored by several Government departments including the Department for Transport, Highways England and the National Infrastructure Commission and scrutiny invited by the relevant Council scrutiny committees.

Councillor Brackenbury indicated he believed that more consultation should be carried out. He understood that residents and councillors were nervous about the proposal but funding from Government of

£75m for infrastructure was very rare and the opportunity should not be turned down.

The Sub Committee received a written submission from Councillor Crooks and also heard from Councillors Marklew, Minns, Morla and Rankine and 2 members of the public, during consideration of the item.

Councillor Brackenbury proposed and Councillor Marklew seconded that the matter be not referred back to the Cabinet and that the assurances from Councillor Marland be noted.

The motion was declared carried with 3 Councillors voting in favour and 2 Councillors voting against.

RESOLVED -

1. That the decision be not referred back to the Cabinet,
2. That the following undertaking given by Councillor Marland be noted:
  - that a public note to respond to feedback from consultation would be published;
  - that the Risk Assessment Register would be made available as appropriate;
  - that further consultation and engagement with Councillors, Parishes and Town Councils and residents from both East and West of the M1, including face-to-face meetings, workshops and the opportunity to comment online would be carried out;
  - that the work undertaken that demonstrates the need for required infrastructure, including modelling, would be shared more widely;
  - that an independent review of costings to ensure robustness would be undertaken and shared; and
  - to consider delaying submission of the business case, if it does not harm the prospects of success, to ensure additional consultation and feedback can be taken into account.

The Sub-Committee noted that the Cabinet Decision of 2 October 2018 would be effective immediately.

THE CHAIR CLOSED THE MEETING AT 7.45 PM