



Minutes of the meeting of the MILTON KEYNES COUNCIL held on TUESDAY 10 OCTOBER 2006 at 7.30 pm

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

Aldermen Howell and Saunders were also present

Apologies: Councillors Box, Bristow, Jury and Mabbott and Alderman Ellis

Also Present: 19 members of the public

CL59 MINUTES

RESOLVED -

That the Minutes of the meetings of the Council held on 12 and 28 September 2006, be approved and signed by the Mayor as correct records.

CL60 DISCLOSURE OF INTERESTS

Councillor Wilson declared a prejudicial interest in Item 5(b)(i) [Milton Keynes Credit Union], by virtue of his wife's employment.

CL61 ANNOUNCEMENTS

(a) Ken Peters, The Mayor of Woburn Sands

The Mayor announced the death of Ken Peters, the Mayor of Woburn Sands.

The Council stood in silence as a mark of respect

- (b) Councillor Brock

The Mayor congratulated Councillor Brock on her recent marriage to Mr Peter Geary.

CL62

PUBLIC QUESTIONS

- (a) Question from Mr Phillip Kay to Councillor Williams (Cabinet Member for Highways):

“Why have road signs been placed on busy entry roads directing traffic to Tavistock trading away from my business when this was not in the original consultation?”

- (b) Question from Mr Kevin Scott to Councillor Williams (Cabinet Member for Highways):

“On 6 January 2004 one of the Council’s Highway Engineers stated ‘the simple option of stopping up the road midway appears to be a non-starter as there is no suitable turning head available’ and he noted five options, one of which was severance, with the provision of turning heads on both approaches. Can you tell me what has changed to take severing the road from a non-starter in 2004 to ‘lets’ sever the road in 2006 without turning heads on either approach?”

- (c) Question from Mr P Bullwright to Councillor Williams (Cabinet Member for Highways):

“Notes of a meeting with officers state that projects using planning gain money need to have started by August 2006, otherwise all the money would have had to have been returned. How long has the Council known of this deadline?”

- (d) Question from Mr Ian Kirk to Councillor Williams (Cabinet Member for Highways):

“I would like to know the identities of the persons who allegedly hand delivered notifications in February and June this year concerning proposed traffic calming schemes for Tavistock Street. I can then invite them to my workshop and to my neighbouring businesses, so that that we can identify our staff members who allegedly received these notices?”

- (e) Question from Mr Steve Spicer to Councillor Williams (Cabinet Member for Highways):

“If the residents of Tavistock Street’s complaint against the HGVs moving up and down the street is genuine, why penalise every business by putting up a gate? Why not put up a height restriction like the one at the bandstand car park in Bletchley town centre?

I stand to loose possibly 50% of my business when I don’t even use HGVs.”

- (f) Question from Ms Christine Taylor to Councillor Williams (Cabinet Member for Highways):

“On 13 January 2006 it was agreed that the Council would contact Tavistock Street businesses regarding their access and turnaround requirements if the severance took place.

Then, on 22 February 2006, it was noted that there was no turnaround solution for the businesses.

As the businesses of Tavistock Street were not contacted regarding this matter, who was it that noted this and why are the findings now being ignored?”

Response from Councillor Williams:

“There is a proposal to experimentally close Tavistock Street in Bletchley and the number of people here asking questions tonight are asking questions with regard to that experimental proposal.

I would contend that the Council has carried out not just its legal obligations with regard to consultation, but it has carried out more than its legal obligation with regard to consultation. Every resident in the three affected streets, that is Tavistock Street, Western Road and North Street, received notification of the proposal to sever Tavistock Street and were invited to attend an Energiser Bus exhibition. That exhibition was organised jointly with the help of the Ward Councillors and the Town Council. All three Ward Councillors were in favour of the proposal to sever Tavistock Street and so was the Town Council. Over 125 people attended the two day exhibition and the vast majority of those that responded were in favour of the option to sever Tavistock Street. This is because of the number of HGVs using Tavistock Street, which is essentially a residential street.

We did consider a height barrier in order to allow normal vehicles and restrict HGVs. This was one of the options on offer at the exhibition. However, it was firmly rejected by a large majority in favour of severance. At this consultation exercise there was fairly and squarely a majority in favour of severance rather than a height restriction. This was because many of the residents of Tavistock Street and Western Road believe that the commercial premises were parking their vehicles in their roads and therefore they felt that a height restriction would not deal with that issue. That was the response received from residents on that particular subject.

The Council wrote to the businesses in Tavistock Street and one of the items in the letter was an acknowledgement of the need for them to tell us what their needs were with regard to turning circles, and indeed some of the businesses attended the two day exhibition, although none of them made, as far as

I am aware, reference to the turning circles. They did, of course, make reference to the severance of Tavistock Street.

At the exhibition, residents from all three streets plus the businesses actually did attend and there is a record of that attendance. So it is my view it is clear that the Council did advertise correctly the proposals and gave people the opportunity to come and see them, as businesses and residents from all three streets attended.

There is one question to which I do not know the answer and I apologise. This is simply because I have not been the Cabinet Member for Transport and Highways for a significant number of months as yet. That is the question with regard to the use of planning gain money and schemes having to have started by August 2006. I honestly do not know the answer to the question and I will respond in writing when I have an answer.

I now move on to the question with regard to an officer stating, or appearing to state, that stopping up the road was a non-starter. All I can say in defence of that is that we carried out a full consultation exercise with all the residents and traders from the commercial premises with the help and advice of the Ward Councillors and the Town Council. Once again, I have to state that the overwhelming majority of responses were in favour of severance. What may, or may not, have been said by the officer, I have no record of. The officer may have said it appears to be a non-starter. However, the consultation exercise clearly showed that the residents and the majority of respondents were in favour of exactly that provision.

Therefore, my decision was clearly based on the legal grounds that the Council has carried out a full, complete and proper consultation and that we should heed the merits and advice given to us by the majority of respondents.

With regard to signage, I understand that the Ward Councillors for the area requested that Western Road should be deemed a road for non-HGV traffic. Therefore, the signs are specifically designed to encourage large vehicles and HGVs not to use Western Road to reach Tavistock Street. There is a perfectly adequate route via the V6 and the signage was designed, with the help of Ward Councillors and the Town Council, to achieve that end. Obviously there is the matter of enforcement. Whether or not adequate enforcement is being carried out to ensure that HGVs do not use Western Road, this is not the place to say. However, the signage does direct people away from Western Road, but allows access to the business premises in Tavistock Street.

Not all of us may be aware, but a number of the Tavistock Street businesses have together requested that legal action

be taken against the Council. The Council has subsequently received a solicitors' letter that says they represent the traders and commercial businesses of Tavistock Street. That letter is currently being addressed by the Council's Legal Department and therefore I am advised that some of the questions that may be put to me by traders may prejudice any case the Council may wish to put forward at a future date, so the question I feel unable to answer, and certainly I would feel under the Data Protection Act unable to answer, is to give out in a public arena the identities of the people who delivered the notifications to the residents and businesses of Tavistock Street."

The questioners asked supplementary questions which were answered by Councillor Williams.

- (g) Question from Mr Ian Ross to Councillor Lloyd (Chair of the External Scrutiny Committee):

"As Chair of the External Scrutiny Committee, why did you not call-in the decision to gate Tavistock Street?"

Answer from Councillor Lloyd:

"As Chair of the External Scrutiny Committee we scrutinise organisations external to the Council. This decision was made not by a Member of the Bletchley and Fenny Stratford Town Council, but by a Member of Milton Keynes Council, a Member of the Cabinet.

Therefore, if there were to be any calling-in, it would have to be done by a Member of the Council, or by 20 Members for the Executive Scrutiny Committee.

I couldn't do it. I wouldn't do it. It is not my remit.

If you feel that it should have been called-in then, the time has now passed for that particular thing, but it isn't anything to do with me, sorry."

Mr Ross asked a supplementary question which was answered by Councillor Lloyd.

- (h) Question from Mr Tom Graw to Councillor Long (Leader of the Labour Group):

"Are you aware that the proposed severance of Tavistock Street could put hundreds of Bletchley people out of work?"

Answer from Councillor Long:

"I am extremely worried about job losses. I have seen correspondence from the Ward Councillors, and it says very clearly that severance would not work due to the lack of turning heads for lorries. What worries me about tonight's discussion is that it is not clear to me that all the issues have been looked at."

Mr Graw asked a supplementary question which was answered by Councillor Long.

- (i) Question from Mr John Bint to Councillor I McCall (Leader of the Council):

“Does the report in MK News last week, promising Council Tax increases of no more than inflation, and quoting Councillor Crooks, represent a formal commitment by the Administration?”

Answer from Councillor I McCall:

“It is correct that the Administration has now announced that it intends to revise its planning assumptions on Council Tax levels for the coming year. As you know, they were 4.95% in budget papers produced in February 2006, and we are intending to reduce that to the level of inflation.”

Mr Bint asked a supplementary question which was answered by Councillor Williams.

CL63

REPORTS FROM CABINET AND COMMITTEES

Cabinet - 26 September 2006

2006/2007 Prudential Indicators Monitoring Report - To End of July 2006

Councillor Crooks moved the following recommendation from the meeting of the Cabinet held on 26 September 2006, which was seconded by Councillor Tallack:

- “1. That the following revised prudential indicator for capital expenditure estimates be approved:

Capital Expenditure at 31 July 2006			
	2006-07 Latest Estimate £000	2007-08 Latest Estimate £000	2008-09 Latest Estimate £000
General Fund	91,259	92,362	56,173
HRA	12,921	12,404	12,329
Total	104,180	104,766	68,502

2. That the following revised prudential indicator for the Capital Financing Requirement estimates be approved:

Capital Financing Requirement forecasts at 31 July 2006				
	31 March 2006 Outturn	31 March 2007 Latest Estimate	31 March 2008 Latest Estimate	31 March 2009 Latest Estimate
	£000	£000	£000	£000
Non-HRA	134,120	176,601	212,138	251,683
HRA	76,520	77,449	78,198	78,946
Total	210,640	254,050	290,336	330,629

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

RESOLVED -

1. That the following revised prudential indicator for capital expenditure estimates be approved:

Capital Expenditure at 31 July 2006			
	2006-07 Latest Estimate £000	2007-08 Latest Estimate £000	2008-09 Latest Estimate £000
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2. That the following revised prudential indicator for the Capital Financing Requirement estimates be approved:

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Non-HRA	134,120	176,601	212,138	251,683
HRA	76,520	77,449	78,198	78,946
Total	210,640	254,050	290,336	330,629

CL64

MEMBERS' QUESTIONS

- (a) Question from Councillor Dransfield to Councillor Williams:

"Do you accept that there should be openness and honesty about the relative number of car parking spaces that will be available in Central Milton Keynes in the future? Will you admit that in strictly implementing the Government's advice

on parking provision, the Liberal Democrat Administration will in the long term be reducing the relative number of car parking spaces per square foot of retail and office space, and that in the short to medium term, the situation will get even worse because the Administration has not insisted that car parking spaces cannot be taken out for building purposes before replacement spaces are provided? Will you also admit to the residents of Milton Keynes that the situation will be made even worse by totally inadequate parking provision for the future residents of CMK? Do you understand that unless you significantly change your policy, you will feel the same wrath of the electorate that saw off your two predecessors?"

Answer from Councillor Williams:

"Yes, I do believe in openness and honesty and I would suggest that, as a reference to openness and honesty, if you would like to turn to the bottom of Page 4 of tonight's Agenda, you will see that the Liberal Democrats and the Conservatives have put forward a motion that requests and requires a change of Government thinking on this very issue. Not only do I believe in openness and honesty in the sense that I am happy to work with the other parties, in order to improve the lot of the residents of Milton Keynes, but we have also agreed that we should involve the Development Control Committee and the Environment Policy Development Committee in a resolution to the number of car parking spaces that need to be available in the whole of the Borough, not just in Central Milton Keynes. I therefore believe that this particular Liberal Democrat can hardly have his openness and honesty questioned on the matter of car parking standards."

Councillor Dransfield asked a supplementary question, which was answered by Councillor Williams.

(b) Question from Councillor Latham to Councillor I Henderson:

"According to the Performance Report discussed at MK Housing Forum's meeting last month, the target for Milton Keynes Council rent collections during the year 2006/07 is set at 97.7%, yet Midsummer Housing Association sets a target of 100% across the board.

Should we not alter our rent collection targets to reflect the superior management performances of a better managed organisation?"

Answer from Councillor I Henderson:

"Setting a target is always quite a difficult thing to do, in the sense that you have to take account of where you are at, and set a target that is going to stretch you, and is actually achievable. The Council has frequently been criticised by the Audit Commission for setting targets that are too high and unachievable. You are right, our target for this year is 97.7%

collection, and this was set bearing in mind that last year's collection was 97.39%. It is a target that we are aiming to achieve, rather than setting a target of 100% which would be utterly unachievable at this point. I don't think we should change our rent collection target at this point. Midsummer Housing Association is an excellent organisation, and this Council has a fair way to go before it can call itself an excellent housing provider, but I will look forward to the day when that happens."

Councillor Latham asked a supplementary question, which was answered by Councillor I Henderson.

(c) Question from Councillor Morsley to Councillor I McCall:

"Would you, and hopefully all the Members of the Council, join me in offering congratulations to Buckinghamshire and Milton Keynes Fire Authority and Thames Valley Police in securing a conviction at the Magistrates Court with a prison sentence of four months for a persistent offender, who made a total of sixteen hoax calls to both the Police and Fire Service? Hopefully, this will send a message that putting people's lives at risk is not acceptable"

Answer from Councillor I McCall:

"I share those sentiments."

(d) Question from Councillor Hoyle to Councillor I McCall:

"Bearing in mind what we have heard this evening, isn't it about time we took the 'con' out of consultation?"

Answer from Councillor I McCall:

"Perhaps we should take the 'con' from the front of Conservatives as well."

(e) Question from Councillor Irons to Councillor Williams:

"I have recently had notice of several incidences of flooding in my Ward. In view of this, do you feel that a decision taken by your predecessors to reduce the frequency of drain clearances, was both short-sighted and counterproductive?"

Answer from Councillor Williams:

"This is a serious subject. People are at risk, from time to time, from heavy and unexpected downpours, and it is true, the drainage system does not always cope. However, I would point out that these are rare occasions. I had recently had the opportunity to visit Beanhill, which, as some of you will know, was flooded a few weeks ago. I understood the difficulties that people face when this occurs. I am not going to call Councillor Mabbutt's abilities to handle this particular issue into doubt, only to say that the Cabinet and the Council agree the budget. I will be, in the course of my duties,

bringing to the Council and my budget recommendations for the amount of finance that should be available for gully cleaning and drainage. I would sincerely ask that those Members who are on the Scrutiny Panels look at those amounts, compare them with previous years and previous Administrations, and then advise me accordingly as to whether they believe they are sufficient or not.

I conclude by saying that this is a serious issue and we do have an obligation to serve the residents of Milton Keynes. I have experienced some of the difficulties they are faced with when unexpected flooding occurs.”

Councillor Irons asked a supplementary question, which was answered by Councillor Williams.

(f) Question from Councillor Campbell to Councillor I Henderson:

“The latest Council performance information for August shows that the average turnaround for void properties had dropped consistently over the last three years. In 2003/04, it was 39.83 days, rising in 2005 to 43 days, rising to 50 days for 2006/07 and on the Council’s latest published prediction, 53 days in August 2006. Given that there were 667 homeless households in temporary accommodation in August 2006, whilst the Council left homes empty, do you agree that this is very poor performance indeed?”

Answer from Councillor I Henderson:

“I do indeed agree that it is a very poor performance. Our re-let times have slipped, and I am not sure why. There are various explanations being put forward at the moment. One of them is that, since April 2006, there have been 558 voids, which is a very, very much larger percentage. I agree that this is a poor performance and officers and I are working on it.”

Councillor Campbell asked a supplementary question, which was answered by Councillor I Henderson.

(g) Question from Councillor Geary to Councillor D McCall:

“In early June 2006, a Ward resident of mine logged a phone call to Environmental Services about problems that he could see with the new arrangements at Newport Pagnell domestic refuse collection site. With no response at the end of June 2006, he e-mailed expressing his concerns and reiterating them. After July 2006, when still no response was issued, he sent a reminder and several subsequent reminders followed. As of yesterday, he still had no response to the original complaint he made in early June 2006. Would you care to comment?”

Answer from Councillor D McCall:

“I think that is an unacceptable level of service.”

Councillor Geary asked a supplementary question, which was answered by Councillor D McCall.

(h) Question from Councillor Morris to Councillor I McCall:

“2026, or maybe it was 2031, Middleton Ward 20mph street limits, Tavistock Street and Council Tax. These are all consultations which have received much publicity and, in some cases, none at all, in relation to whether they have actually happened or not. What are you doing to ensure a robust consultation process for the residents of Milton Keynes?”

Answer from Councillor I McCall:

“Consultation is a very key part of what the Council does, and it is very important to us as an Administration. There are several consultation processes on the go at once. The Council Tax consultation only started yesterday. In relation to the 2026 consultation, there was a huge amount of publicity. I realise that there was an issue about the leaflet that was produced by Milton Keynes Partnership, which didn’t reach all the houses in Milton Keynes. However, every effort was made to reach people through a variety of means, through the local press, through radio adverts on Horizon Radio; interviews on 3 Counties Radio and also the Citizen covered it extensively, as did MK News. The consultation having closed a week ago, officers are now sifting through the responses, in order to inform the decisions that Cabinet take. We do have a policy that we will respond to individuals, as far as possible.”

Councillor Morris asked a supplementary question, which was answered by Councillor I McCall

CL65

MILTON KEYNES CREDIT UNION

Councillor Irons moved the following motion, which was seconded by Councillor Holroyd:

“That this Council welcomes the formation of Milton Keynes Credit Union, and requests the Cabinet to promote its services amongst its tenants and other users by:

- (a) advertising its activities in Council publications;
- (b) advertising its activities in all Council offices;
- (c) producing a leaflet promoting the Credit Union and including that leaflet in the next standard Council mailing to tenants e.g. rent statement etc;
- (d) advising people who are in arrears of rent or Council Tax of the activities of the Credit Union; and

- (e) using LiveMK and the Website to promote the Credit Union.

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

RESOLVED -

That this Council welcomes the formation of Milton Keynes Credit Union, and requests the Cabinet to promote its services amongst its tenants and other users by:

- (a) advertising its activities in Council publications;
- (b) advertising its activities in all Council offices;
- (c) producing a leaflet promoting the Credit Union and including that leaflet in the next standard Council mailing to tenants e.g. rent statement etc;
- (d) advising people who are in arrears of rent or Council Tax of the activities of the Credit Union; and
- (e) using LiveMK and the Website to promote the Credit Union.

(Councillor Wilson declared a prejudicial interest in this Item and did not vote thereon.)

CL66

SCHOOL MEALS

Councillor Campbell moved the following motion, which was seconded by Councillor Lloyd:

- “1. That this Council notes:
 - (a) the success of Jamie Oliver in kick starting a revolution to improve school meals and the £280 million provided by the Government to support improvements to school meals;
 - (b) the importance of school meals in promoting a healthy diet for Children;
 - (c) that from September school meals that are high in salt, sugar or fat were banned;
 - (d) that the whole Council supported a motion at its September meeting, from Cllr Irene Henderson, supporting the need to promote healthy eating; and
 - (e) its surprise to suddenly hear that the Council is proposing to stop providing school meals through Synergy/Direct Service Organisation to a number of schools.
2. That this Council agrees to ask the Cabinet to:
 - (a) ensure that all schools that wish to provide schools meals are helped by the Council to do so;

- (b) ensure that the standard of alternative meals provision is, at least, as high as the current service;
- (c) meet any extra funding costs to schools that arise from having to find alternative providers."

On being put to the vote the motion was declared carried with 36 Members voting in favour and 11 Members abstaining from voting.

RESOLVED -

1. That this Council notes:
 - (a) the success of Jamie Oliver in kick starting a revolution to improve school meals and the £280 million provided by the Government to support improvements to school meals;
 - (b) the importance of school meals in promoting a healthy diet for Children;
 - (c) that from September school meals that are high in salt, sugar or fat were banned;
 - (d) that the whole Council supported a motion at its September meeting, from Cllr Irene Henderson, supporting the need to promote healthy eating; and
 - (e) its surprise to suddenly hear that the Council is proposing to stop providing school meals through Synergy/Direct Service Organisation to a number of schools.
2. That this Council agrees to ask the Cabinet to:
 - (a) ensure that all schools that wish to provide schools meals are helped by the Council to do so;
 - (b) ensure that the standard of alternative meals provision is, at least, as high as the current service;
 - (c) meet any extra funding costs to schools that arise from having to find alternative providers.

CL67

RESIDENTIAL CAR PARKING STANDARDS

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

- "1. That this Council urges Central Government to immediately change its current Residential Car Parking Standard policy, in that:
 - (a) nearly 400 Local Authorities have expressed the view that this is a failed policy;
 - (b) Central Government has publicly acknowledged that this is a failed policy; and

- (c) the experience of both residents and the Planning Authority of Milton Keynes indicates that this is a failed policy.
2. That this Council agrees to ask the officers to:
- (a) write to the responsible Minister, and both Milton Keynes' Members of Parliament, and request an immediate relaxation of the constriction on maximum residential parking space provision;
 - (b) investigate the means by which Milton Keynes Council can revise its own Residential Car Parking Standards; and
 - (c) prepare a report for examination by both the Council's Development Control Committee and the Environment Policy Development Committee."

On being put to the vote the motion was declared carried with 34 Members voting in favour, 0 Members against and 13 Members abstaining from voting.

RESOLVED -

1. That this Council urges Central Government to immediately change its current Residential Car Parking Standard policy, in that:
- (a) nearly 400 Local Authorities have expressed the view that this is a failed policy;
 - (b) Central Government has publicly acknowledged that this is a failed policy; and
 - (c) the experience of both residents and the Planning Authority of Milton Keynes indicates that this is a failed policy.
2. That this Council agrees to ask the officers to:
- (a) write to the responsible Minister, and both Milton Keynes' Members of Parliament, and request an immediate relaxation of the constriction on maximum residential parking space provision;
 - (b) investigate the means by which Milton Keynes Council can revise its own Residential Car Parking Standards; and
 - (c) prepare a report for examination by both the Council's Development Control Committee and the Environment Policy Development Committee.

THE MAYOR CLOSED THE MEETING AT 9.57 PM