



Minutes of the meeting of MILTON KEYNES COUNCIL held on TUESDAY 11 JUNE 2002 at 7.30 pm

Present: Councillor Pugh (Mayor)
Councillor Monk (Deputy Mayor)
Councillors Adderley, Bartlett, Box, Burke, Campbell, Carrington, Carruthers, Carstens, Sandra Clark, Stephen Clark, Crooks, Dransfield, Drewett, Eastman, Eaton, Edwards, Exon, Fraser, Geary, Gillingham, Hardwick, E Henderson, I Henderson, Hoyle, Jury, Legg, Lloyd, Long, A Mabbott, G Mabbutt, McCall, Miles, Pendry, Saunders, Seymour, Snell, Tallack, Tamagnini-Barbosa, Wicker, Williams, I Wilson and K Wilson

The following Alderman was also present:

Alderman Connor

Apologies: Councillors Benning, Bristow, Coventry, Gerrella, Hopkins, Irons and Morsley and Alderman Howell

Also Present: Mr C Fogden (Chair of the Standards Committee)

CL16 MINUTES

RESOLVED -

That the Minutes of the Annual Meeting of the Council held on 21 May 2002, be approved and signed by the Mayor as a correct record.

CL17 DECLARATIONS OF INTEREST

Members declared prejudicial interests, under Item 5(a) (Minerals Local Plan - Position Statement), as follows:

- (a) Councillor Bartlett
Trustee of Milton Keynes Parks Trust
- (b) Councillor Miles (interest declared on his behalf)
Owner of property in the vicinity of one of the potential sites.
- (c) Councillor I Wilson
Trustee of Milton Keynes Parks Trust

The Chief Executive declared an interest as an owner of property in the vicinity of one of the potential sites.

CL18 ANNOUNCEMENTS

The Mayor announced that the Civic Service would be held on Sunday 7 July 2002 at 10.30 am at the Church of Christ the Cornerstone, and would include the Council's celebration of the Queen's Golden Jubilee.

CL19 QUESTIONS FROM MEMBERS OF THE PUBLIC

(a) Question from Mrs Anita Rose to Councillor I Henderson:

"Could you please tell me whether the Council would be willing to facilitate a shopmobility scheme, to be sponsored by major businesses in the town, which will provide mobility all around the City Centre, similar to that operated in Canterbury?"

Reply from Councillor I Henderson:

"The Canterbury scheme looks interesting. The best thing to do is to pass this leaflet onto the City Centre Management people and ask them to look at it. Anything which helps disabled people get around the City Centre deserves to be looked at."

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

(b) Question from Mr C Rose to Councillor Long:

"If the proposed Denbigh Football Stadium actually goes ahead and proves, as many people expect, to be a financial white elephant, can I have an assurance from the Council that it will immediately buy an open top touring bus so that I can then drive all the tourists around the town, and shown them this and the town's other white elephants? I promise that if this happens, I will not charge any money, because by that time the Council will probably be very skint."

Answer from Councillor Long:

"I believe that Wimbledon Football Club coming to Milton Keynes and the development of a modern Stadium in Denbigh, will be a key development in the regeneration of Bletchley."

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

(c) The Mayor indicated that he would take questions relating to the Minerals Local Plan as part of that item.

CL20

PROCEDURAL MOTION

In accordance with Council Procedure Rule 12a, the Mayor moved that Item 4 (Training Session on Code of Conduct for Councillors) be deferred to the end of the meeting.

The motion was seconded by the Deputy Mayor and agreed by acclamation.

CL21

REPORTS FROM CABINET AND COMMITTEES

- (a) Minerals Local Plan - Position Statement (Cabinet - 28 May 2002)

Councillor McCall moved the following recommendation from the Cabinet meeting on 28 May 2002 (Minute C11), which was seconded by Councillor G Mabbutt:

1. That the following principles for the Deposit Draft Minerals Local Plan, be adopted:
 - (a) to make an appropriate contribution to meet local, regional and national needs for minerals;
 - (b) to protect the Area of Attractive Landscape and to minimise the adverse effects of mineral extraction on the Council's environmental resources, in accordance with Policy M2 of the Adopted Buckinghamshire County Structure Plan 1991-2011;
 - (c) to minimise the adverse effects of mineral extraction on the quality of life of nearby residents;
 - (d) to safeguard deposits of potentially valuable minerals against sterilisation by the types of development that would hinder or prevent their subsequent extraction;
 - (e) to support and safeguard the use of rail for the importation of aggregates; and
 - (f) to secure greater use of secondary and recycled material.
2. That the following sites be allocated for sand and gravel extraction in the Plan, to meet the Council's apportionment requirement for the period up to 2006:
 - (a) Caldecote Farm, Newport Pagnell; and
 - (b) Manor Farm, Wolverton;
3. That officers negotiate the apportionment requirement with Buckinghamshire County Council, covering the period after 2006.

Question from Mr M Galloway to Councillor McCall:

“Given that you state that Milton Keynes Council must fulfil the Buckinghamshire’s imposed apportionment, please explain why although you only named two sites, you consider it appropriate to include the Wolverton site, although there is no Environmental Impact Assessment or Flood Risk Assessment first?”

Answer from Councillor McCall:

“It is not a pre-requisite to adopting a minerals plan that an environmental impact and flood assessment takes place, in fact it is not normal practice to do so before the deposit plan stage. Clearly these will have to take place before any planning application could be approved by the Development Control Committee.”

Mr Galloway asked a supplementary question, which was answered by Councillor McCall.

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

“1. That clause 2 of the motion be deleted and replaced with the following:

‘That the findings of the 1982 British Geological Survey be noted, specifically that it said “the main deposits of workable aggregates in north Buckinghamshire are found in the river valley of the Great Ouse to the north of the M1 motorway, although even here, they tend to be shallow compared to the deposits in south Buckinghamshire.’

2. That the following additional clause be added to the motion:

‘That the Council agrees to:

- (a) reopen negotiations through the Department of Transport, Local Government and the Regions with Buckinghamshire County Council to agree a revised apportionment that reflects the geological distribution of gravel;
- (b) not proceed with allocating gravel extraction at Wolverton pending the outcome of these negotiations; and
- (c) proceed with the designation of the Wolverton and Passenham ‘Areas of Attractive Landscape’, as recommended by Cabinet on 19 March 2002.”

The voting was as follows:

FOR: Councillors Adderley, Box, Campbell, Edwards, Geary, Gillingham, Jury, Legg, Lloyd, Long, A Mabbott, Pendry, Saunders and K Wilson (14)

AGAINST: Councillors Burke, Carrington, Carruthers, Carstens, Sandra Clark, Stephen Clark, Crooks, Drewett, Eastman, Eaton, Exon, Fraser, Hardwick, E Henderson, I Henderson, Hoyle, G Mabbutt, McCall, Monk, Pugh, Seymour, Snell, Tallack, Tamagnini-Barbosa, Wicker and Williams (26)

ABSTENTION: Councillor Dransfield (1)

The amendment was declared lost.

On being put to the vote, the original motion was declared carried, with 24 Members voting for, 16 Members voting against and 1 Member abstaining.

RESOLVED -

That the recommendation of the Cabinet, as set out above, be confirmed.

- (b) New Code of Conduct for Councillors - Guidance on Development Control Matters (Standards Committee - 29 May 2002)

The Council noted that the Standards Committee had not completed its work on the Guidance on Development Control matters, and accordingly the item was deferred.

CL22 MEMBERS' MATTERS - NOTICE OF MOTIONS

It was noted that no notices of motions had been submitted for this meeting.

CL23 MEMBERS' QUESTIONS

- (a) Question from Councillor Dransfield to Councillor G Mabbutt:

"I presume it is Councillor Mabbutt who is responsible for transport policy. Would he care to explain how the new Administration came to make a politically correct decision one day and then a politically incorrect decision the next day? Isn't it about time that we started to think about what the people of Milton Keynes are thinking? Does he not agree with me, that if the people of Milton Keynes had realised that they were going to be banned from having the Union Jack for the Queen's Jubilee, or the English flag for England playing in the World Cup, they would certainly not have wanted to have

voted for his motley crew? The very idea, that he's going to remove this ban in three weeks time, is he going to do the same thing forever more, or is he still going to be carrying on being politically incorrect?"

Answer from Councillor G Mabbutt:

"I did not impose the ban. In fact, I was the person who asked for the ban to be lifted. Can I say to Councillor Dransfield, you have, for a number of years, been a Member of the Taxi Panel, you are, therefore, very familiar with the Regulations which govern the issue of taxi vehicle licences, both for Hackney Carriages and private hire vehicles. I would assume if you objected to them, you would have tried to change them in that period. One of those things in the Regulations is no signs, notices, advertisements, plaques, marks, numbers, letters, figures, symbols, emblems or devices whatsoever, should be displayed on or in the vehicle, except that maybe required by statutory provision.

That is the Regulation and the officers took it very literally to the letter. When they saw the flags flying officers decided that was contravention of the policy as laid down by this Council, which you, Councillor Dransfield, had not at any time tried to change and, therefore, they enforced the Regulation. When I heard about this, I discussed it with the officers, as it appeared a little bit over the top. I had legal advice which said we could not lift the restrictions completely without going through a protracted period of consultations, but what we could do was to ask the Strategic Director Environment to ask the officers to be flexible and lift the ban on flying national flags on taxi cabs. Therefore, I responded to public opinion. We, of course, are very patriotic here, we want England to win and we very much enjoyed the Jubilee celebrations.

I think that we, on this side of the Chamber, have done everything possible to go along with the public mood and I hereby announce that I have agreed with officers that there should be a review of the licensing conditions, in liaison with the Trade.

It was merely the officers carrying out existing policy as they should do and as you know, when it came to our attention, we relaxed the ban."

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

(b) Question from Councillor Gillingham to Councillor G Mabbutt:

"I understand the original restriction on flying national flags on Hackney Carriages was introduced, due to a predominance of Pakistani drivers displaying their national flag. I have no problem with that, but I wonder if the same head of steam

would have built up around banning the display of a Pakistani flag - I suspect it would not have. I think there is a danger of there being a little bit of tactlessness about this. I do know that certain members of the Bengali community in Bletchley feel that the Council is adopting double standards by removing this ban so quickly, when the ban on displaying of Pakistani flags was introduced. If Pakistan were to tour England again, would the displaying of Pakistani flags be banned and if there was a public outcry, how would Councillor Mabbutt react?"

Answer from Councillor G Mabbutt:

"I have already announced that the administration is going to be reviewing the licensing conditions, which will take care of that situation."

(c) Question from Councillor Legg to Councillor G Mabbutt:

"In recent weeks, local bus operators have announced the slashing of the No. 5 Sunday Service, and the withdrawal of the No. 7 Service. Your Liberal Democrat manifesto was very clear in its commitment to increase and improve bus services. This is clearly contrary to that policy. Can you explain tonight what steps you will be taking to reverse these decisions and implement your manifesto commitments to the public?"

Answer from Councillor G Mabbutt:

"The evening, weekend and No. 7 Services were due to be slashed because the previous Administration had not increased the budget for public transport in the current year, and the tenders for the services had come in £140,000 in excess of the budget. None of those services are now going to be lost because I have taken the decision in consultation with the Central Milton Keynes Parking Group and my Cabinet colleagues, to allocate some of the income from the parking funds to keep these services running.

When I've just stood on a manifesto to increase public transport, I'm not going to cut it purely because the previous Administration did not allow insufficient funds in this year's budget."

(d) Question from Councillor Campbell to Councillor G Mabbutt:

"The quality bus service No. 5 which runs from the Lakes Estate to the City Centre via Central Bletchley, is about to have its Sunday service slashed by half. This serves some of the most disadvantaged members of Milton Keynes, with the lowest car ownership. In view of the Liberal Democrat manifesto commitments to improve and increase these bus services, and also to tackle social exclusion and

disadvantage, could Councillor Mabbutt give a clear commitment to subsidise the shortfall in this service?"

Answer from Councillor G Mabbutt:

"I have not received notification of cuts to the No. 5 service in particular. What I have received is notification of changes to weekend services in general. I have already said the weekend services which came in above the budget allocation, which I assume includes the No. 5, will continue to be run and they will be paid for as income from the Central Milton Keynes Car Parking fund. I will check if the No. 5 is included, but most definitely the No. 7 is."

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

(e) Question from Councillor K Wilson to Councillor I Henderson:

"On 31 May 2002, you wrote to all tenants of Milton Keynes advising them that the housing repairs service was going to be slashed following a decision taken by officers, and supported by yourself, for reasons to do with housing finance.

My question relates to the constitutionality of that decision because it now appears, does it not, that, in fact, the decision was never made and that the decision is going to be remade on 14 June 2002, and then, subject to proper scrutiny and proper calling procedures, as it should have been in the first place. In view of the fact you have already written to 14,000 tenants advising them of a decision that has not been made, would you like to take this opportunity to apologise for informing them some weeks to prematurely of a decision that has not been made?"

Answer from Councillor I Henderson:

"I am really almost speechless at the cheek of an outgoing Administration who left behind a £1.9 million hole in a budget that needs to be bridged, and instead of apologising to the tenants for doing that, you actually pick on the technicality of the decision that was made. I think you really have a cheek.

There is a point about the technicality of the decision that was made. The letter that was written was sent to be checked by the officers in the Legal Department. Unfortunately, what was not picked up was that the decision needed to go through a proper loop. You are quite right about that. It is being put right now. In the meantime, the decision has been taken in the sense that a moratorium has been put on those repairs, so it is perfectly accurate to inform the tenants of what is happening at the moment. As a result of this action some of the money is already being re-cooped. It was an emergency situation and we could not allow the overspend to continue to

run and try and pick it up later. The decision is now going through the proper channels, but, I repeat, that I am appalled that you have the nerve to stand up and comment without making any kind of acknowledgement that it was your Administration that left this mess for the tenants to suffer.”

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

(f) Question from Councillor Pendry to Councillor E Henderson:

“We have had a shortage of school places on the east and west flanks, highlighted in recent months. With the growing population in Milton Keynes in these areas and also a possibility of a change in the age of transfer, can the Administration be confident and assure us that the proposals for change and consultation are fully prepared?”

Answer from Councillor E Henderson:

“The process of working towards a consultation on the review of ages of transfer is another area where the previous Administration dithered, hovered, were indecisive and mucked about for a considerable period of time. We will be initiating that consultation with some preliminary meetings towards the end of this term, with Heads and Chairs of Governors, in order to launch the consultation in detail at the beginning of September 2002. If Councillor Pendry had let me know the detail of his question in advance, I could have been precise as to dates and times.

Turning to the first part of the question about the shortage of school places on the east and west flanks, this is another example of really quite outstanding incompetence by the previous Administration. I wonder how many Members of this Council are aware that the last time that Milton Keynes Council put in a bid for Basic Need Allocation for primary school places was in 1999, no bid in 2000 or 2001, I really find it extraordinary. No wonder they have to change their spokespersons because it would be even more embarrassing for Councillors Saunders or Lloyd to be asking a similar question. However, it has become apparent to us within a very few days of taking office, that the expectation of the previous Administration was that the next primary school to be opened on the west flank would be in 2005, and on the east flank also in 2005. We have very quickly realised that actually what is needed is six new primary schools by 2005 on the east and west flanks.

We have initiated discussions and we have been able to find some capital money to start some pre-planning, which, of course, the previous Administration cut out of the capital budget. We are entering into discussions with the

Department for Education and Skills in the hope that we will be able to get an extra out of time capital allocation in order to start building new schools on both flanks at Tattenhoe and Middleton by this Autumn.

If we don't get this special allocation from the Department for Education and Skills then we will not be able to start until after Christmas. You can be assured that this Administration will be putting in a bid for capital allocations for basic need in primary schools in the normal course of events during this year."

Councillor Pendry asked a supplementary question, which was answered by Councillor E Henderson.

(g) Question from Councillor Bartlett to Councillor G Mabbutt:

"For some while I have been pushing quite hard for officers to ensure that when Milton Keynes took over some of the parking powers, as we did in March/April, that the abuse of disabled parking spaces was hit hard, and that if you parked illegally you were fined. I'd like to think, Councillor Mabbutt, that you approve of that as lead Member and that you are disappointed that so far, since the Council took over this contract, over 1,500 tickets in two months have been issued against people who have abused disabled parking spaces in Milton Keynes. This is disappointing, it shouldn't be even one.

However, the fines raise a lot of income and I'd like to ask you if it is possible that money that is raised through abuse of disabled parking spaces by able bodied people in Milton Keynes, can be used towards providing facilities for disabled people in Milton Keynes when it comes to their transport needs, whether this is bus access, lowering of pavement curb stones, more parking, etc. Also, I welcome the continuation of the good work being done by the Parking Wardens to ensure offenders are prosecuted.

Do you support this and will you make a public statement to the able bodied people in Milton Keynes to walk a little further and to stop abusing people with disabilities?"

Answer from Councillor G Mabbutt:

"First thing I have to say is that we are well aware that the parking by able bodied people in Disabled Bays has not been well enforced in previous years, and we are very pleased that it is being properly enforced now. It is rather a nice idea that the money from the fines could be put into a separate pot and used to provide facilities for people with disabilities. That is something I will ask officers to look at. I cannot guarantee this because all the money that is coming in from fines is going to pay the salaries of the Traffic Wardens and the

setting up costs which are expensive, and is currently being subsidised out of the car parking income.

Nice idea and definitely worth looking at, but can't give you a definite yes or no. It will be considered."

(h) Question from Councillor Hoyle to Councillor Stephen Clark:

"I have looked at properties where planning permission has been applied for and I was going to object on behalf of the Parish Council. Twice I have found that these buildings have in fact been finished. One an extension and another a porch. I was wondering what relevance there is in applying for planning permission and asking for comments from Parish Councils, when in fact the properties are finished. What can be done about what seems to me something of an abuse of the system?"

Answer from Councillor Stephen Clark:

"My own personal opinion is that it is very regrettable that some people seem to carry out what I would regard as abuse of the planning system, by doing the development first and then applying, for retrospective permission afterwards. Unfortunately, one of the problems is that Government Guidance does allow retrospective planning applications and those applications have to be looked at on their merits. Obviously those applications when they do come in may still provide grounds for objections and if the objections are strong enough, then enforcement action could be taken against the developer."

CL24 EARLY RETIREMENT/REDUNDANCY PANEL

The Council considered appointing an Early Retirement/Redundancy Panel for the Council year 2002/03.

RESOLVED -

That the Early Retirement/Redundancy Panel be appointed for the Council year 2002/03, in the ratio 3:1:1, and comprise Councillors Dransfield, Eastman, Edwards, Gerrella and Tallack.

CL25 TRAINING SESSION ON CODE OF CONDUCT FOR COUNCILLORS

The Council received a training session on its Code of Conduct for Councillors.

THE MAYOR CLOSED THE MEETING AT 9.48 PM