

COUNCIL DECISIONS / ACTIONS

23 MARCH 2016

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
1(b)	<p>Minutes</p> <p>That the Minutes of the meetings of the Council held on 17 February 2016 be approved and signed by the Mayor as a correct record, subject to Councillor D McCall being replaced by Councillor Cannon as the seconder of Councillor Brackenbury's amendment to the Cabinet's recommendation relating to the Budget Report 2016/17 (Minute CL103).</p>		Committee Services and Scrutiny Manager
1(c)	<p>Disclosure of Interests</p> <p>A number of Interests were declared.</p>		Committee Services and Scrutiny Manager
2(b)	<p>Questions from Members of the Public</p> <p>Questions were received from 5 members of the public.</p> <p>Councillor Miles to provide Mr D Kendrick (Campbell Park Parish Councillor) with a detailed written response to his question concerning the Academy.</p> <p>Mr A Francis to be provided with an explanation of work regarding traffic flows around Station Square, Central Milton Keynes.</p>		Councillor Miles / Corporate Director - People
			Councillor Clifton / Service Director (Public Realm)

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
4(a)	<p>Shared Services Partnership (LGSS and Milton Keynes) [Cabinet - 11 January 2016]</p> <ol style="list-style-type: none"> 1. That Milton Keynes Council join the LGSS Shared Services Partnership from 1 April 2016. 2. That three Councillors be appointed to represent the Council on the Joint Committee and delegate to the Committee responsibility for setting the LGSS budget (within the amounts delegated by individual Councils), agreeing the service plan, monitoring performance and quality of service delivery and making decisions on expenditure and commercial arrangements. 3. That the appointments to the Joint Committee be reviewed as part of the Council's annual process for appointments to outside organisations. 	<p>-</p> <p>-</p> <p>Annual Council</p>	<p>Corporate Director Resources</p> <p>Committee Services and Scrutiny Manager</p>
4(b)	<p>Terms of Reference (Children and Young People Committee - 10 February 2016)</p> <p>That the revised Terms of Reference for the Children and Young People Committee be adopted.</p>	-	Committee Services and Scrutiny Manager
4(c)	<p>Pay Policy Statement 2016/17 (Joint Negotiating Committee [Employer's Side]) - 22 February 2016</p> <p>That the Pay Policy Statement 2016/17 be adopted.</p>	-	Human Resources Service Delivery Manager
4(d)	<p>Great Linford Neighbourhood Plan North and Great Linford Neighbourhood Plan South (Cabinet - 14 March 2016)</p> <p>That the Great Linford Neighbourhood Plan North and Great Linford Neighbourhood Plan South be made pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Act 2004.</p>	-	Service Director (Planning and Transport)

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
4(e)(i)	<p>Council Procedure Rule 15 (Constitution Commission - 2 March 2016)</p> <p>That in accordance with Council Procedure Rule 21.2 the following recommendation stand adjourned without discussion to the next ordinary meeting of the Council:</p> <p>“That the Council be recommended to amend Council Procedure Rule 15 as follows (changes in bold type and strikethrough):</p> <p>‘15.4 No resolution will be rescinded, no action will be deferred, and no matter referred back, where it has already been acted upon, if the rescission or deferment would disadvantage a third party who has become entitled to a right as a result of the resolution, which includes decisions of the Licensing and Regulatory Committees and their sub-committees where a licence or permission has been awarded and the applicant notified of the decision.</p> <p>15.6 When a Member intends to submit a motion to rescind a decision, notice must be given to the Monitoring Officer within 24 hours of the decision being published of the Member’s intention to submit a rescinding motion, in order to prevent the decision being implemented. The actual motion must be signed by at least five Members, and be submitted within five working days of the decision being taken published.”</p>	Council	Committee Services and Scrutiny Manager

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
4(e)(ii)	<p>Substitutions of Cabinet members to Quasi-Judicial Committees - Council Procedure Rule 23.1 (Constitution Commission - 2 March 2016)</p> <p>That in accordance with Council Procedure Rule 21.2 the following recommendation stand adjourned without discussion to the next ordinary meeting of the Council:</p> <p>“That the Council be recommended to amend Council Procedure Rule 23.1, as follows (changes in bold and strikethrough):</p> <p>‘The Monitoring Officer, or his / her authorised representative at a meeting of a body, is authorised to agree substitutions for Members of bodies submitted in writing by appropriate Group Leaders, Deputy Group Leaders, the Chair or Group Spokesperson of the body concerned before the scheduled start time of the meeting at which the substitution is to apply. Substitutions may only be made in accordance with the total number of seats allocated to each political group and the agreed balance of seats between the political groups on the body, and appointed substitutes to the Audit Committee must not be members of the Cabinet, except, where a Cabinet member is appointed to a committee they may be substituted by another Cabinet Member.</p> <p>No member of the Cabinet may be substituted to an overview and scrutiny committee.”</p>	Council	Committee Services and Scrutiny Manager

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
4(e)(iii)	<p>Schedule of Council Meetings - Council Procedure Rule 1 (Constitution Commission - 2 March 2016)</p> <p>That in accordance with Council Procedure Rule 21.2 the following recommendation stand adjourned without discussion to the next ordinary meeting of the Council:</p> <p>“That the Council be recommended to adopt the revisions to Council Procedure Rule 1 (see Annex to these decisions).”</p>	Council	Committee Services and Scrutiny Manager
4(e)(iv)	<p>Overview and Scrutiny Procedure Rule 16 - Call-in of Decisions (Constitution Commission - 2 March 2016)</p> <p>1. That the following changes to Overview and Scrutiny Procedure Rule 16(c) be agreed (changed in bold):</p> <p>During that period, the Assistant Director (Democratic Services) shall call-in a decision for scrutiny by the Executive Scrutiny Panel if so requested in writing by the chair or any 2 Members of the Council, the chair or clerk of any Parish or Town Council and any 20 residents of the Borough, and shall then notify the decision taker of the call-in. In submitting the request to the Assistant Director (Democratic Services) for a decision to be called-in, the requester must specify a reason / reasons for calling in the decision. The Assistant Director (Democratic Services) shall call a meeting of the Panel on such a date as he/she may determine, where possible, after consultation with the chair of the Panel, and in any case within ten days of the decision to call-in.</p>	-	Committee Services and Scrutiny Manager

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4(e)(iv) (cont)	<p>2. That the following new clause be added to Overview and Scrutiny Procedure Rule 16, with the remaining clauses being re-lettered:</p> <p>(d) Where as a result of any mediation meeting the decision maker, or where the decision maker is the Cabinet, the responsible Cabinet member, gives an undertaking in writing that the decision will be reviewed and the person calling in the decision for review confirms their agreement in writing prior to the meeting of the Executive Scrutiny Committee, the Chair, in consultation with the Vice-Chair will cancel the meeting, with a report on the outcome of the call-in being reported to the next meeting of the Executive Scrutiny Committee.</p>		
4(f)	<p>Annual Reports</p> <p>The Council received the Annual Scrutiny Report from the Chair of the Scrutiny Management Committee, together with reports from the Chairs of the Executive Scrutiny, Licensing and Regulatory Committees.</p>	-	-
5(a)	<p>Councillors' Questions</p> <p>Councillor Miles to ask officers to investigate if there was any disparity in the Home to School Transport provided for children from Moulsoe and respond to Councillor P Geary.</p> <p>Councillor Legg to ask officers to investigate the delays and prioritisation in the contractor providing road direction signs to the new live parking schemes in Newport Pagnell South ward and respond to Councillor D McCall.</p> <p>Councillor Legg to provide a response to Councillors Brackenbury and Bramall with regard to the replacement / renewal of road direction signs.</p>		<p>Councillor Miles / Corporate Director - People</p> <p>Councillor Legg / Service Director – (Public Realm)</p>

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5(a) (cont)	Councillor Middleton was to liaise with BT Openreach as to why targets for the Broadband rollout to areas in MK were not being achieved and inform the Council.		Councillor Middleton / Service Director (Planning and Transport)
5(b)(i)	European Union Referendum Motion withdrawn.		
5(b)(ii)	European Union Referendum That this Council, mindful of the economic, social and cultural value to the United Kingdom and Milton Keynes of membership of the European Union, places on record its support for continued membership.	-	-
5(b)(iii)	Future Working Programme That this Council: 1. notes the proposals contained within the Future Working Programme to spend £6.5m on the refurbishment of the Civic Offices; 2. further notes the concerns expressed by all political groups in the recent budget debate regarding the future difficulties in funding the Capital Programme with the potential to put the school building programme and other major infrastructure requirements in serious doubt; 3. believes that with so many other pressing demands on the services delivered by this Council, it is time to re-examine our own internal priorities;		

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5(b)(iii) (cont)	<p>4. further notes the Conservative Central Government's current consultation about the future of the New Homes Bonus, a funding stream utilised by this Council in funding our critical infrastructure needs including our school building programme; and</p> <p>5. therefore requests that the Scrutiny Management Committee undertakes a full review of the Future Working Programme and any additional capital investment within the Civic Offices with the utmost urgency to explore alternative ways of delivering long term savings around our own Council properties, but without investing the huge levels of capital funding that are so desperately required on other capital projects and public services and reports its recommendations to the Cabinet on this matter.</p>	Scrutiny Management Committee	Committee Services and Scrutiny Manager
5(b)(iv)	<p>Tackling Tax Avoidance</p> <p>That this Council:</p> <p>1. notes the recent publicity and public interest in multinational companies accused of avoiding corporation tax via diverting profits from UK trade to countries with more favourable tax regimes;</p> <p>2. regrets how taxation regulation has failed to keep pace with globalisation and online business in particular;</p> <p>3. notes the estimates that such tax avoidance costs the UK up to £30bn per year, and the negative effect on small and medium-sized companies who pay more tax proportionately;</p>		

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5(b)(iv) (cont)	<p>4. further notes that:</p> <p>(a) the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14), which applies to all Central Government contracts worth more than £5m and requires companies bidding for contracts to disclose any information submitted to HMRC subsequently found to be incorrect (failed tax avoidance) and to disclose information about convictions or challenges of their tax affairs by a foreign tax authority – not just by HMRC in the UK;</p> <p>(b) Councils are able to ask these questions, and to use the answers as part of the procurement process in determining the winning bidder;</p> <p>5. believes that bidders for Council contracts should be asked to account for their past tax record, using the standards in PPN 03/14, rather than the lower standards in the recent regulations;</p> <p>6. asks the Cabinet to amend procurement procedures to require all companies bidding for service contracts worth more than £200k and for works contracts worth more than £3m to self-certify that they are fully tax-compliant in line with Central Government practice using the standards in PPN 03/14; and</p> <p>7. asks the Cabinet to consider whether the thresholds above are the most appropriate for Milton Keynes, and to publicise this policy and report on its implementation annually.</p>	<p>Cabinet</p> <p>Cabinet</p>	<p>Committee Services and Scrutiny Manager</p> <p>Committee Services and Scrutiny Manager</p>

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5(b)(v)	<p>Reinstatement of Housing and Communities Select Committee</p> <p>That this Council, mindful of the housing crisis and the increase in homelessness within the Borough of Milton Keynes, agrees to reinstate the Housing and Communities Select Committee at its Business Annual General Meeting in May 2016.</p>	Annual Council	Committee Services and Scrutiny Manager
5(b)(vi)	<p>Impact of Conservative Government Housing ‘Reforms’</p> <ol style="list-style-type: none"> 1. That this Council notes the recent Local Government Association (LGA) report on the cumulative impact of the Conservative Government’s housing ‘reforms’ on councils and communities. 2. That this Council notes with distress, although without surprise, that the following data has emerged from those councils who participated in the compiling of the report: <ol style="list-style-type: none"> (a) 78% stated that there would be a significant increase in homelessness; (b) 90% responded that the number of Council homes would decrease; (c) 74% noted that Council homes sold under ‘Right to Buy’ would not be replaced; (d) 82% replied saying that there would be major reduction in the resources available for repair and maintenance of their existing stock; and (e) 80% commented that there would be an increase in demand for temporary accommodation. 		

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5(b)(vii)	<p>Right to Buy</p> <ol style="list-style-type: none"> 1. That this Council notes the recent report from the Communities and Local Government Select Committee (CLG Select Committee) which states ‘the Right to Buy policy has played a major role in the loss of social rented stock’ and, therefore, supports the view that ‘Right to Buy’ has exacerbated the continuing reduction of Milton Keynes Council’s housing stock. 2. That this Council also notes that, in Milton Keynes, the number of applications made under ‘Right to Buy’ more than doubled between the years 2010 and 2015. 3. That this Council further notes, with alarm and regret that, in Milton Keynes, an estimated 1,100 flats sold under ‘Right to Buy’ are now in the hands of lease holders / private landlords who reside at different postal addresses. Furthermore, this Council deplores the fact that up to 40% of houses sold under ‘Right to Buy’ are also now in the hands of private landlords. 4. That this Council, therefore, declares its opposition to ‘Right to Buy’ in its current form and instructs the Chief Executive to write to our two Members of Parliament demanding their support for our continuing resistance to this insidious policy. 		Chief Executive

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6.	<p>Scheme of Councillors' Allowances 2016/17</p> <ol style="list-style-type: none"> 1. That the Scheme of Councillors' Allowances 2016/17, based on the recommendations of the 2014 Independent Remuneration Panel and the Scheme adopted for 2015/16, be adopted to take effect from 1 April 2016, subject to: <ol style="list-style-type: none"> (a) the addition of a Special Responsibility Allowance of £3,000 for the Chair of the RegenerationMK Committee; and (b) an increase in the Dependent Carer's Allowance in line with the maximum rate for national Minimum Wage. 2. That the 2014 report on allowances for members of Parish and Town Councils be noted. 		Councillor and Electoral Services Manager
7.	<p>Returning Officers' Fees</p> <p>That the Buckinghamshire scheme for Election fees be adopted for 2016/17, subject to the correct budget figure of '£196,443.00', being noted.</p>		Councillor and Electoral Services Manager
8.	<p>Appointment of RegenerationMK Committee</p> <ol style="list-style-type: none"> 1. That the RegenerationMK Committee comprise the Leader and 6 members of the Council, being Councillors Bald, Exon, Middleton, Morris, O'Neill and C Williams. 2. That the RegenerationMK Committee need not comply with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (political balance). 3. That all Members of the Council, with the exception of Cabinet members (unless they are substituting for another Cabinet member), be appointed as substitutes to the Committee.' 		Committee Services and Scrutiny Manager

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9.	<p>Ward Based Budgets - 1 April 2015 to 31 March 2016</p> <p>That the report be noted, subject to a minor amendment in respect of the entry for Councillor Dransfield's expenditure of 29 February 2016, that should read 'Staging for Medbourne Pavilion'</p>		-
10.	<p>Appointment of Service Director (Public Realm)</p> <p>The appointment of Tom Blackburne-Maze as Service Director (Public Realm) was noted.</p>		
11.	<p>Quarterly Report on Special Urgency Decisions</p> <p>That the report be noted.</p>		-