

Minutes of the meeting of the CABINET held on WEDNESDAY 30 JANUARY 2013  
at 7.00 pm

**Present:** Councillor A Geary (Chair)  
Councillors Bald, Bint, Brock, Dransfield and P Geary

**Officers:** D Hill (Chief Executive), T Hannam (Corporate Director [Resources]), L Bull (Corporate Director [Community Wellbeing]), G Tolley (Corporate Director [Children and Families]), S Frossell (Deputy Director of Public Health), M Bracey (Assistant Director [Education, Effectiveness and Participation Children and Families]), M Brown (Assistant Director [Neighbourhood Services]), N Fenwick (Assistant Director [Planning, Economy and Development]), L Scott (Assistant Director [Adult Social Care]), I Ali (Acting Assistant Director [Law and Governance]), C Caves (Head of Housing Access), N Sainsbury (Head of Urban Design and Landscape Architecture), D Webber (Senior Planning Officer) and S Heap (Democratic Services Manager)

**Also Present** Councillors M Burke, Coventry, Edwards, Miles, Venn, Wallis and C Williams and 16 members of the public.

#### **C114 CHAIR'S ANNOUNCEMENTS**

The Chair announced that the items in relation to Whistleblowing and Anti-Fraud Policies (Item 7[a]) and St. Giles House, Stony Stratford, and St. Mary and St. Giles School (Item 20) had been withdrawn.

#### **C115 CABINET ANNOUNCEMENTS**

##### **MK Gallery**

Councillor P Geary announced that MK Gallery had received a £2.9 m grant from the Arts Council for England for expansion of the Gallery which would help it to further enhance its growing national and international reputation.

##### **Willen Road Travellers Site**

Councillor P Geary also announced that the bid to the Government, on behalf of the Council, for funding for improvements at the Willen Road Travellers Site, by the Council's investment partners, Grand Union Housing Group, had been unsuccessful as it had missed the submission deadline.

Councillor P Geary reported that it was hoped that funding for works to the site might still be identified, either from slippage in the schemes which had been successful in receiving funding from the Homes and Communities Agency, or if additional funding became available. Internal Audit had investigated the process around the submission of the bid, and had not found any fault on behalf of the

Council. Copies of the Audit Report would be available to Members shortly.

Investigations were also underway to identify any available resources which would enable the Council to deliver improvements for the families on the Willen Road Site and traveller families in housing need across Milton Keynes. Plans would be brought forward in the coming months as to how this would be achieved.

**C116 MINUTES**

RESOLVED -

That the Minutes of the meetings of the Cabinet held on 19 December 2012 and 10 January 2013, be approved and signed by the Chair as correct records.

**C117 DISCLOSURES OF INTEREST**

Councillor Hopkins declared an interest in Item 11 (Expanding the Best - Future Operation of Oakgrove Primary, Brooklands Farm Primary and Brooklands Secondary School sites) and indicated that he would be leaving the meeting at that point.

**C118 PETITION - TINKERS BRIDGE**

Councillor Coventry presented a petition on behalf of residents of Council properties at Tinkers Bridge regarding the insulation of Council properties.

The Cabinet Member for Communities indicated that officers had already responded to the tenants on the issues raised. He also indicated that the Council would be commencing works on the properties concerned as part of the next phase of a major improvement programme.

With regard to the issues of accessing funds from a scheme being promoted by one of the major energy supply companies, the Cabinet member reported that Building Regulation approval had not been obtained for the works which could be undertaken under the scheme and the Council had not received satisfactory answers to clarifications sought about the works.

The Cabinet Member for Communities invited Councillors Coventry and O'Neill to meet with him and officers to discuss issues regarding the issues raised by the petition.

**C119 MEDIUM TERM FINANCIAL PLAN - REFERRAL FROM BUDGET REVIEW GROUP: 17 DECEMBER 2012**

At the request of the Chair of the Budget Review Group, consideration of the recommendation regarding the Medium Term Financial Plan was deferred to the next meeting of the Cabinet for consideration alongside the draft budget.

**C120**

### **PLAY AREA REVIEW GROUP**

Councillor Hawthorn, on behalf of the Play Area Review Group, presented the report of the Group.

Councillor Hawthorn drew the Cabinet's attention to the Group's view that the establishment of any play area should be accompanied by an impact assessment checklist and consultation with Ward Members, parish councils and the public. The Review Group also suggested that there should be a policy and budget to address end of life play areas and, recognising the need for 'destination play parks' recommended that these should be located away from residential areas, possibly in areas designated for industry.

The Cabinet Member for Communities welcomed the findings of the Review Group and indicated how he intended to take forward the recommendations of the Review Group.

**RESOLVED –**

That officers be requested to report to a future meeting of the Cabinet on how the Review Group's recommendations were to be progressed.

**C121**

### **HOUSING OPTIONS AND ALLOCATIONS SCHEME AND HOMELESS STRATEGY**

The Cabinet considered a draft revised Housing Options and Allocations Scheme, together with a revised Homelessness Strategy.

It was noted that the current Housing Options and Allocations Scheme had been in place since October 2007 and the Homelessness Strategy since 2005. As a result of conditions in the local and national housing market having changed considerably over the last 18 months both needed revision.

The Cabinet received the report of the Housing Allocations and Lettings Review Group, which was presented by Councillor Coventry, the Chair of the Review Group. Councillor Coventry referred to the fact that the Group had not had been able to consider the Homelessness Strategy in the time available and requested that the Cabinet consider deferring adoption of the Strategy to allow the Review Group time to review it.

The Cabinet noted that the Review Group had been unable to achieve a consensus on a number of issues, however, Councillor Coventry drew attention to the following recommendations:

- (a) that there was a need for a simple system which differentiated between those in housing need and those who wanted a home from the Council;
- (b) that in allocating properties the allocations scheme should promote a 'balanced' community;

- (c) that applications for housing should be able to be made on-line for the majority of applicants, with any face to face interviews being undertaken at the end of the process, as this would allow account to be taken of any changes to an applicant's circumstances before an offer was made;
- (d) that the Council should have a house build programme of 500 homes per year; and
- (e) that the use of bed and breakfast accommodation for homeless persons, particularly outside Milton Keynes should be phased out and greater use made of private rented property.

The Chair of the Review Group reported that there was no consensus on what method should be used for the allocation of properties, with some members of the Review Group favouring a bidding system, while others favouring a system of banding. Also any system should take account of the new affordable rents. He also referred to the fact that the Review Group was unable to agree what qualifying period should be adopted to demonstrate a 'local connection' for housing need.

The responsible Cabinet member welcomed the report and indicated that a number of the recommendations were agreed and would be incorporated into the scheme and this included adopting a 3 year residence and employment qualification period for applicants in paragraph 1.2.1 in the Allocations Scheme. The Cabinet member also reported that an on-line application system was being developed as part of the Council's Public Access project. The Cabinet member commented that he believed that a house build programme of 500 per year was currently unachievable.

The Cabinet also heard that if it was not to adopt the Homelessness Strategy at this time there would be significant cost implications for the Council.

The Cabinet considered a number of options which included alternative local connection criteria and access to the scheme, exclusions from the scheme and different allocation systems. The Cabinet also reviewed alternative methods of discharging its homelessness duty, recognising the cost implications of continuing the current approach.

During consideration of this item the Cabinet heard from Councillors Coventry, C Williams and Miles.

RESOLVED -

1. That the Housing Options and Allocations Scheme and Homeless Strategy be approved.
2. That the Overview and Scrutiny Management Committee be invited to consider authorising the Housing Allocations and Lettings Review Group to continue its review of the Homelessness Strategy and to come forward with any

recommendations which could lead to amendments to the Strategy, within the next six months.

**C122**

**CENTRAL MILTON KEYNES DEVELOPMENT FRAMEWORK REVIEW SUPPLEMENTARY PLANNING DOCUMENT**

The Cabinet considered an updated Central Milton Keynes Development Framework Supplementary Planning Document, which had been reviewed with the intention that the Framework would provide further guidance for the ongoing sustainable growth and development of Central Milton Keynes and provide increased certainty for investors and developers as to the Council's expectations for the future development of Central Milton Keynes.

The Cabinet also considered the relationship between the Development Framework and the emerging Central Milton Keynes Business Neighbourhood Development Plan, noting that the Development Framework provided strategic level urban design principles within which the Neighbourhood Plan could propose more detailed and site specific policies.

It was reported that the Development Framework might need to be slightly revised and 're-adopted' once the Core Strategy was adopted in order to reflect the new strategic policy for Central Milton Keynes.

The Cabinet recognised that it was not a statutory requirement to have a Supplementary Planning Document, therefore if it decided on the need for a Supplementary Planning Document, as an alternative to adopting one at this time it could defer consideration until such time that the Core Strategy was adopted, or it could await the emerging Central Milton Keynes Alliance Business Neighbourhood Plan, so allowing the Development Framework to include further guidance if needed. However, the Cabinet also recognised that it would be preferable to have the Development Framework in place as soon as possible to influence planned development in Central Milton Keynes.

The Cabinet heard that the Development Framework was published for public consultation from 17 September to 12 November 2012 and 35 responses had been received from councillors, parish and town councils, commercial organisations and individuals.

Councillor Hopkins, the responsible Cabinet Member, supported the officer recommendation.

The Cabinet heard from a member of the public, together with Councillor Miles during consideration of this item.

**RESOLVED -**

1. That the changes to the draft Central Milton Keynes Development Framework Supplementary Planning Document arising from the public consultation be agreed, together with additional changes to content, including paragraph 3.2.5, the

revised CMK Street Hierarchy and Pedestrian Movement Network map and any grammatical and typesetting errors.

2. That the revised Central Milton Keynes Development Framework Supplementary Planning Document be adopted.

**C123**

**EXPANDING THE BEST - FUTURE OPERATION OF OAKGROVE PRIMARY, BROOKLANDS FARM PRIMARY AND BROOKLANDS SECONDARY SCHOOL SITES**

Further to minute C112 of the Cabinet's meeting on 20 December 2011, and in line with the recommendations of the School Place Planning Review Group, the Cabinet considered the possibility of expanding existing high performing schools onto a second campus, prior to then establishing a new organisation to provide the additional provision.

The Cabinet, in considering the report also considered the findings of the Cabinet Advisory Group which the Cabinet Member for Children's Services and Life Long Learning had established to assist in the process to assessing the various options available.

It was reported that sites at Oakgrove Primary, Brooklands Secondary and Brooklands Primary [Site 2] were identified and three organisations had submitted business cases to expand onto the sites. The business cases had been subject to a robust professional assessment by an independent professional advisor, and a Member assessment through the Cabinet Advisory Group.

Councillor Dransfield, the responsible Cabinet Member, supported the officer recommendation.

The Cabinet heard from Councillor Miles during consideration of this item.

**RESOLVED -**

1. That Oakgrove School (in partnership with Middleton Primary School) be supported to expand to provide primary provision on Oakgrove.
2. That Walton High (with Milton Keynes Education Trust) be supported to expand to provide secondary provision on Brooklands.
3. That Brooklands Farm Primary School be supported to expand to provide the second primary provision on Brooklands.

**C124**

**LANDSCAPE MAINTENANCE AND ASSOCIATED SERVICES**

The Cabinet considered invited tenders for the provision of its landscape maintenance functions, including grass mowing, weed control, shrub and hedge maintenance, noting that the landscape maintenance functions had not been put out for market testing since 2008/09.

It was reported that the procurement would address the recommendations of the Transport and Environment Select Committee, that that an “output” tender should be explored, together with the objectives of the emerging Open Space Strategy.

The Cabinet noted that an ‘industry day’ was to be held which would enable officers to further test the approach being taken to the contract and that the contract would be packaged in separate lots to enable local businesses to potentially compete and to bring together associated activities, whilst balancing the need for economies of scale and to improve service delivery.

Councillor P Geary, the responsible Cabinet Member, supported the officer recommendation.

The Cabinet heard from a member of the public, together with Councillors M Burke, Edwards and Miles during consideration of this item.

**RESOLVED -**

1. That tenders be invited for Landscape Maintenance and associated services contracts for a five year period, with potential to extend for up to a further five years, to include:
  - (a) grass cutting, shrub maintenance (including planting), weed control within parks, open spaces (including lake areas) and highways;
  - (b) play area inspections and maintenance;
  - (c) grave digging and landscape maintenance of graveyards, cemeteries and the crematorium; and
  - (d) arboriculture services.
2. That, in the event that feedback from the industry requires any changes to the intended approach, the Leader of the Council be authorised to approve the final tender approach as a Delegated Decision.

**C125**

**TRANSFER OF PUBLIC HEALTH FUNCTIONS TO MILTON KEYNES**

The Cabinet noted that in April 2013, as a result of the Health and Social Care Act 2012, the Council would acquire the leadership role for Public Health which would give the Council responsibility for improving health outcomes for people and communities in Milton Keynes.

It was reported that to support the new responsibilities the Council would receive a ring fenced budget of £7,989,000 in 2013/14 and £8,787,900 in 2014/15 and this was intended to cover the cost of staffing and the commissioning of specific public health services.

The Cabinet considered a proposed Vision for Public Health, which has been developed collaboratively between senior offices and senior public health colleagues, supported by members of the Corporate Leadership Team, which set the framework for the Council to begin to develop more detailed options for the shape and function of Public Health across the whole Council.

It was noted that the Vision had been endorsed by the shadow Health and Wellbeing Board and discussed at the Children and Families Partnership.

RESOLVED -

1. That the transfer of Public Health functions and staff to Milton Keynes Council on 1 April 2013 be noted.
2. That the Council's Vision for Public Health be agreed.

## **C126**

### **ORGANISATIONAL TRANSFORMATION PROGRAMME PLAN**

The Cabinet received the quarterly report on the Organisational Transformation Programme, which included a detailed progress report on the various projects which comprised each of the improvement strands.

It was noted that good progress had been made across a wide range of initiatives to transform the productivity and effectiveness of the organisation, enhance its capacity to deliver on objectives as expressed in the Corporate Plan, and achieve significant efficiencies and cost reductions over the medium term.

It was reported that a number of major initiatives had been completed during the last quarter including the 'localisation' of Homes and Communities Agency roles and responsibilities; the variation of the Mouchel contract; the creation of two Limited Liability Partnerships to derive further benefit from the Homes and Communities Agency assets and from the effective management of the services previously delivered by Mouchel. A preferred bidder for the residual waste treatment contract had also been appointed.

It was also reported that other important initiatives to modernise the Council's customer service model, to enhance the Council's ability to procure and manage major contracts and to review the overall approach to the management of open spaces in the Borough, together with many more initiatives, were making progress.

The Cabinet also noted that steps had commenced to revise and strengthen the Council's management arrangements to ensure an ongoing focus on the achievement of desired outcomes in the various professional service areas, while also reducing management costs.

The Cabinet heard from Councillors Edwards and Miles during consideration of this item.



RESOLVED -

1. That the sixth quarterly update on the progress made by the Organisational Transformation Programme, covering the last three months of 2012, be noted.
2. That comments and contributions regarding the Organisational Transformation Programme be invited from the Corporate Affairs and Performance Select Committee.

**C127**

**REVENUE AND CAPITAL BUDGET MONITORING**

The Cabinet considered the forecast outturn position for the General Fund; Capital Programme, Housing Revenue Account and Dedicated Schools Grant.

It was noted that:

- (a) the revenue forecast outturn for the General Fund was an underspend of (£0.373m);
- (b) there was a forecast underspend of (£0.099m) on the Dedicated Schools Grant;
- (c) there was a forecast overspend of £0.883m on the Housing Revenue Account; and
- (d) there was a forecast underspend on the Capital Programme of (£2.16m) against the latest spend approval which was mainly due to a re-phasing of a number of schemes.

It was reported that as at the end of December 2012 one corporate project (Wolverton Station Improvement Works ) was assessed by officers as Red with a further 4 projects (the Local Investment Plan, Secklow Gate Bridge Insurance Claim, the Local Land and property Gazetteer and the Electronic Document and Records Management System) being assessed as having a Amber/Red status.

The Cabinet also noted that the workforce had seen a reduction of 109.08 full time equivalents positions from 1 April to 31 December 2012.

The Cabinet received an update on Treasury Management activity and write offs for the first nine months of the financial year.

The Cabinet also received the declaration of the estimated Collection Fund balance for 2012/13 in line with Local Authorities Regulations 1992.

The Cabinet heard from Councillor Edwards during consideration of this item.

RESOLVED -

1. That the forecast outturn positions reported by Service Groups of an overall forecast General Fund revenue underspend of (£0.373m) be noted.

2. That the estimated outturn for the Collection Fund 2012/13, of a surplus of £1.39m, as estimated at 15 January 2013, be noted.
3. That the expenditure to date and projected outturn for the Capital Programme 2012/13, be noted.
4. That the Project Management position at the end of December 2012 be noted.
5. That the movement in the establishment be noted.
6. That the Treasury Management activity during the first nine months of the year be noted.
7. That the write off of the following National Non Domestic Rate accounts, which are deemed irrecoverable be approved:
  - (a) New City Nites Ltd - £29,714.95;
  - (b) Enpol Ltd - £55,418.62; and
  - (c) Yugoslav Refugee Appeal - £29,810.46 (spread over two accounts).

**C128**

### **REVISIONS TO CAPITAL PROGRAMME AND SPEND APPROVALS**

The Cabinet considered changes to the 2012/13 Capital Programme as a result of new schemes and amendments to current schemes.

It was noted that the changes outlined resulted in a revised Capital Programme for 2012/13 of £111.63m with Spend Approval of £109.23m.

The Cabinet heard from Councillor Long during consideration of this item.

**RESOLVED -**

1. That the amended resource allocation and spend approvals for the Capital Programme 2012/13 be approved.
2. That the re-phased resource allocation and spend approvals for the Capital Programme 2012/13 be approved.
3. That the funding position for the Capital Programme 2012/13 be noted.

**C129**

### **CABINET PROCUREMENT COMMITTEE**

The Cabinet received the Minutes of the Procurement Committee held on 6 November 2012, 4 December 2012 and 8 January 2013 and considered the membership requirements for the Committee.

**RESOLVED -**

1. That the membership for the Procurement Committee be amended to remove the requirement that the Cabinet Procurement Committee consist of three to five members of

the Cabinet, so allowing all members of the Cabinet to participate as full members of the Committee at any one time.

2. That the Minutes of the meetings of the Cabinet Procurement Committee held on 6 November 2012, 4 December 2012 and 8 January 2013, be received.

THE CHAIR CLOSED THE MEETING AT 9:32 PM