

Minutes of the meeting of the CABINET held on TUESDAY 5 FEBRUARY 2019 at 6.30 pm.

**Present:** Councillor Marland (Chair).  
Councillors Gowans, Legg, Long, Nolan, Middleton, O'Neill and Priestley.

**Officers:** M Bracey (Chief Executive), P Simpson (Corporate Director Resources), S Gonsalves (Director of Policy, Insight and Communications), M Heath (Acting Director of Children's Services), V Collins (Acting Director [Social Services]), S Richardson (Service Director [Finance and Resources]), P Cummins (Acting Service Director [Legal and Democratic Services]), K Hulatt (Acting Head of Legal Services) and S Muir (Committee Manager).

**Also Present:** Councillors R Bradburn, Crooks, Darlington, McLean, Morris and Walker and 3 members of the public.

**C135 ANNOUNCEMENTS**

Councillor Marland welcomed the new Local Democracy Society Reporter David Tooley to the Meeting.

**C136 MINUTES**

RESOLVED -

That the Minutes of the meeting of the Cabinet held on 8 January 2019 be approved and signed by the Chair as a correct record.

**C137 DISCLOSURES OF INTEREST**

None disclosed.

**C138 AMENDMENTS TO THE MILTON KEYNES COUNCIL STREET TRADING POLICY - REFERRAL FROM REGULATORY COMMITTEE: 12 DECEMBER 2018**

The Cabinet considered a referral from the meeting of the Regulatory Committee of 12 December 2018 with reference to proposed amendments to the Council's Street Trading Policy that was presented by Councillor Morris (Chair of the Regulatory Committee).

Councillor Morris summarised that it was anticipated that the proposed revisions to the policy would strengthen and clarify the approach to the regulation of street traders in Milton Keynes and also supported the Council's vision of putting customers first, while

also improving performance by having clear standards in place and protecting the public from unscrupulous traders.

Councillor Morris also indicated that the revised policy would not have an impact on premises such as cafes that had outdoor tables and chairs licence.

Councillor Legg, the responsible Cabinet member for Customer Services, thanked the Regulatory Committee for the referral and indicated that although there was no legal requirement under the Local Government Miscellaneous Provisions Act 1982 for the Council to have a policy; it was good practice to do so as it provided published guidance on procedures and standards. The policy provided guidance where legal requirements were not established and it was anticipated this would assist consistent decision making.

RESOLVED -

That the revised Street Trading Policy be adopted

**C139**

**SOLAR PANELS - REFERRAL FROM DEVELOPMENT CONTROL PANEL: 13 DECEMBER 2018**

The Cabinet considered a referral from the Development Control Panel of 13 December 2018 which asked the Cabinet to consider a policy to ensure that where solar panels were fitted to a property, any proposed extension or development of neighbouring properties did not adversely affect their efficiency, which was presented by Councillor McLean (Chair of the Development Control Panel).

Councillor McLean summarised the details of the planning application where this issue had arisen.

Councillor Legg, the responsible Cabinet member for Customer Services thanked the Development Control Panel for its work and indicated that he would meet with the Chair of the Development Control Committee to discuss the advice from Legal Services that he had received in connection with solar panels.

The Cabinet heard from Councillor R Bradburn during consideration of the matter.

RESOLVED -

That the referral and response be noted.

**C140**

**FORECAST OF OUTTURN FOR GENERAL FUND REVENUE AND CAPITAL, HOUSING REVENUE ACCOUNT AND SCHOOLS BUDGETS 2017/18 - QUARTER 3**

The Cabinet considered the General Fund Revenue, Housing Revenue Account, Dedicated Schools Grant and Capital Programme Forecast Outturn Report for Quarter 3 that was presented by Councillor Middleton, the Cabinet member for Resources and Innovation.

The report indicated that:

- (a) The General Fund Revenue Account - was currently forecasting an underspend of £0.338m; (compared to £1.350m overspend in the previous quarter).
- (b) The General Fund Revenue Account planned savings of £11.727m had been delivered (67% of the annual savings target). By the 31 March 2019 it was forecasted that £15.287m savings would be achieved (87%), leaving a shortfall of £2.299m. This had been reflected in the forecast overspend (an increase of £0.265m since Quarter 2).
- (c) The Housing Revenue Account (HRA) was currently forecasting a break even position by 31 March 2019 (unchanged from Quarter 2). This forecast included no unplanned use of reserves, but a reduction of £1.727m in the planned contribution to reserves to offset the overspends forecast.
- (d) the Dedicated Schools Grant (DSG) - the budget was set with an estimated surplus carry forward into 2019/20 of £0.067m, the forecasted position at Quarter 3 was a surplus carry forward of £3.071m.
- (e) Public Health - the budget was set with planned use of reserves of £0.383m. It was anticipated that a forecast underspend of £0.159m in year would reduce the use of reserves to £0.224m.

It was further reported that the changes required to the Capital Programme had resulted in a revised Capital Programme for 2018/19 of £164.928m and spend approval of £148.928m.

It was also reported that the Council was responsible for the management of the Milton Keynes Tariff, which was a forward funding mechanism to deliver infrastructure in the expansion areas of the borough. It was anticipated that the impact of the proposals would result in a revised Tariff Programme for 2018/19 of £37.532m; with the total spend approval for these contributions at £24.025m and a forecast outturn of £22.17m.

Councillor Middleton highlighted that there had been an overspend in Adult Social Care of £0.745m which was due to a significant increase in homecare and direct payments for older people and those with physical disabilities. However, since the implementation of the enhanced management of this process, this overspend had been reduced by £0.550m. Additionally, one-off funding for Adult Social Care was announced in October by the Government for winter pressures. The Council's allocation was £0.906m and this had been reflected in the forecast.

Councillor Marland, (Leader of the Council) indicated that the Council had addressed issues in its Social Care budgets over a number of years which had resulted in much smaller overspends

compared to those recently reported by neighbouring local authorities.

RESOLVED -

1. That the General Fund Revenue Account forecast outturn of £0.338m underspend be noted.
2. That the forecast outturn on the Housing Revenue Account of break even be noted.
3. That the Dedicated Schools Grant surplus carry forward of £3.071m be noted.
4. That the forecast outturn spend on the Capital Programme of £557.088m total project of which £97.411m in 2018/19 be noted.
5. That the additions and amendments to the Resource Allocation and Spend Approval for the 2018/19 Capital Programme be approved.
6. That the overall funding position for the 2018/19 Capital Programme be noted.
7. That the additions and amendments to Resource Allocation and Spend Approvals for the 2018/19 Tariff Programme be approved.
8. That the current position of the 2018/19 Tariff programme be noted.
9. That the 2019/20 Capital Programme and Tariff Programme spend approval requests be approved.
10. The debt performance as at 31 December 2018 be noted.

**C141**

**REFERRAL FROM BUDGET SCRUTINY AND RESOURCES COMMITTEE AND DRAFT COUNCIL BUDGET 2019/20.**

The Cabinet considered the report of the Budget Scrutiny and Resources Committee and the draft Budget for 2019/20.

Councillor R Bradburn (Chair of the Budget Scrutiny and Resources Committee) thanked all those who had contributed to the Budget Scrutiny and Resources Committee meetings and indicated that in response to a submission from the Milton Keynes Bus Users Group, the Budget Scrutiny and Resources Committee had asked that where S106 money that supported new bus routes ran out before a bus service to a new development was economically viable, this be recognised by the Cabinet and additional safety net revenue for Non-Commercial Bus Services be considered.

Councillor R Bradburn further indicated that he would respond more fully to the Council's Budget on behalf of the Budget Scrutiny and Resources Committee, at the meeting of the Council on 20 February 2019.

Councillor Middleton, the Cabinet member for Resources and Innovation, thanked Councillor R Bradburn and those concerned in producing the Budget Scrutiny and Resources Committee report and referred to his written response.

Councillor R Bradburn, in his role of Ward Councillor, also indicated that the new Community Centre in Heelands that had been built on the old Suffolk Punch pub site as a replacement community place for the local area using S106 funding, required a further £25,000 in order to complete the internal kit out and asked if this could be investigated by the Cabinet in its budget setting process.

Councillor Middleton introduced the Council Budget 2019/20 and indicated that the Budget and Medium Term Financial Plan had been prepared in the context of continued Government austerity, a substantial increase in demand for critical Council services, such as Housing, Adults and Children's Social Care, and delivery of key priorities as set out in the published Council Plan (Minute C110 of the Cabinet meeting of the 6 November 2018 refers).

Councillor Middleton also indicated that the draft Revenue Budget proposed a Council Tax at Band D of £1,341.65, for the Milton Keynes element. This was an increase of 2.99% and included the further 1% increase allowed by the revised referendum limit.

Councillor Middleton also indicated that the Housing Revenue Account Dwelling Rent 2019/20, included a reduction of 1%, an average of 87p per week, and this would be recommended to Council.

Councillor Middleton further indicated that an increase to the empty homes Council Tax premium charge was also being proposed on a sliding scale to be calculated by the period of time the property had been empty and unfurnished.

Councillor Middleton stated that in order to support the Cabinet's Sustainability Strategy, a Sustainability Officer Post was proposed, and to support vulnerable residents, a Domestic Abuse Co-ordination Officer Post for one year, was proposed from one off funding resources.

Councillor Marland (Leader of the Council) expressed the thanks of the Cabinet to officer colleagues for their efforts in constructing the draft Budget and noted that the Corporate Director Resources, the Council's Chief Finance Officer, was satisfied with the robustness of the draft budget.

Councillor Marland also indicated that with reference to the request for additional safety net revenue for Non-Commercial Bus Services, to new developments highlighted by the Budget Scrutiny and Resources Committee, other vulnerable bus services also needed support.

Councillor Marland further indicated that the reported under spend of £388,000, referred to at Minute C140 above, gave scope for flexibility to make some further improvements in the borough despite the backdrop of austerity. As a result, Councillor Marland suggested that that the Revenue Budget 2019/20 included subject to out-turn, the addition of the following one off sums, prioritised in order (a) to (g):

- (a) Funding for Youth Counselling Service - £40,000
- (b) Additional safety net revenue for Non-Commercial Bus Services - £60,000
- (c) Additional Pot-hole Repair budget - £50,000
- (d) MK Futures Engagement - £25,000
- (e) Funding to enable Concessionary Fares for older people for one extra year - £25,000
- (f) Kit out new Community Centre in Heelands (old Suffolk Punch) -£25,000
- (g) Thrift Farm service transfer reserve - £25,000

The Cabinet also heard from Councillor Long (the Cabinet member for Housing and Regeneration) who indicated his support for the draft Budget recommendations and from Councillor Walker. The Cabinet also received three written additional submissions to the Budget consultation.

**RESOLVED -**

1. That the Revenue Budget 2019/20 totalling £193.0m be approved and recommended to Council, including, subject to out-turn, the addition of the following one off sums, prioritised in order (a) to (g):
  - (a) Funding for Youth Counselling Service - £40,000
  - (b) Additional safety net revenue for Non-Commercial Bus Services - £60,000
  - (c) Additional Pot-hole Repair budget - £50,000
  - (d) MK Futures Engagement - £25,000
  - (e) Funding to enable Concessionary Fares for older people for one extra year - £25,000
  - (f) Kit out new Community Centre in Heelands (old Suffolk Punch) -£25,000
  - (g) Thrift Farm service transfer reserve - £25,000.
2. That the Council Tax at Band D of £1,381.65, for the Milton Keynes element of the Council Tax, be approved and recommended to Council. This is an increase of 2.99%, consisting of a 2.99% general increase (including the further 1% increase allowed by the revised referendum limit).

3. That the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish Precepts) of £117.270m, be noted.
4. That the increases to the empty homes Council Tax premium charge be approved by Cabinet and recommended to Council.
5. That the fees and charges for 2019/20 (including those fees and charges which are exceptions to the Income and Collection Policy) be approved and recommended to Council.
6. That the estimated position for Dedicated Schools Grant for 20182019/20 be noted.
7. That the Housing Revenue Account Revenue Budget 2019/20 be recommended to Council for adoption.
8. That the Housing Revenue Account Dwelling Rent 2019/20, a reduction of 1%, an average of 87p per week, be recommended to Council.
9. That the Capital Programme for 2019/20 to 2022/23 be approved by Cabinet and recommended to Council.
10. That the resource allocation for the 2019/20 Tariff programme be approved by Cabinet and recommended to Council
11. That the Treasury Management Strategy for 2019/20 to 2023/24 and the Treasury Policy Statement, including the Minimum Revenue Provision Policy, be approved by Cabinet and recommended to Council.
12. That the financial forecast set out in the Medium Term Financial Plan, in relation to both resources and expenditure, be noted.

## **C143**

### **LANDSCAPING TRANSFORMATION**

The Cabinet considered a report about the Landscaping Transformation aspirations which was presented by Councillor Gowans, the Cabinet member for Public Realm.

It was reported that since 1992, the Parks Trust had taken on many responsibilities which would have been traditionally undertaken by the Council and that the Trust was now responsible for approximately 25% of the parklands and open spaces in the Borough. Additionally, 6 Parish and Town Councils had taken over the maintenance and management of a number of landscaping responsibilities within their areas from the Council. All these arrangements were largely working well. There were also currently an estimated further 13 Parish and Town Councils who had indicated an interest in taking over the maintenance and management of a number of landscaping responsibilities in their area in 2020.

It was also reported that in the longer term it was anticipated that all landscaping services in Milton Keynes would be undertaken by either parish and town councils or the Parks Trust.

Councillor Gowans indicated that at its meeting on 30 January 2013 (Minute C125 refers), the Cabinet had approved the outsourcing of the services and in 2014 the landscaping contract was awarded to Serco with anticipated savings of up to £250,000 per year. The contract started on 1 March 2015 with a period of 5 years with optional extensions for a further 5 years.

Councillor Gowans summarised that the current budget for the landscaping service was approximately £2.0m which was the cost to deliver the current level of service using the existing Serco contract rates. The estimated value of landscaping costs to be paid to the nineteen Parishes, should they take up the option to deliver their own Landscaping services, was approximately £0.8m which represented 40% of the current budget.

Councillor Gowans indicated that the report was being considered by the Cabinet to provide transparency about the process as it was proposing major changes to one of the Council's major contacts and if agreed, would empower Council Officers to make decisions to transform the Landscaping service.

Councillor Gowans further indicated that a business case that demonstrated the implementation of the Landscaping Transformation ambitions would be developed and considered at a future Cabinet meeting and that an update on progress would be brought to the June 2019 meeting of the Cabinet.

In response to question from Councillor McLean, Councillor Gowans apologised for the omission of North Crawley Parish Council from an Annex in the report and indicated that this would be corrected and also acknowledged that some of the smaller parish councils in particular, did not have the resources to monitor landscape contacts.

Councillor Priestley responded to concerns raised by Councillor Walker and indicated that there was considerable liaison with parish and town councils by the Council's Parish's Partnership team. 40 parish and town council representatives had attended the Parish Forum's December 2018 meeting, where Parish and Town Councils had the opportunity to include items on the agenda and there were multiple other platforms available for parish and town council's to engage with Milton Keynes Council. Cabinet members also met with individual Parish and Town Councils to discuss a number of topics.

Councillor Priestley recognised that not all Milton Keynes parish and town councils had the resources to take on Landscape arrangements.

The Cabinet also heard from Councillor Long (the Cabinet member for Housing and Regeneration) in support of the proposals and from Councillors Crooks, McLean and Walker during consideration of the item.

RESOLVED -

1. That the aspirations to transform the delivery of landscaping management and maintenance within Milton Keynes be agreed.
2. That a business case to demonstrate the implementation of this aspiration be developed and considered at a future Cabinet meeting.
3. That an update be provided to the June 2019 Cabinet meeting.

**C144**

### **CORPORATE PEER REVIEW**

The Cabinet considered the Corporate Peer Review which was introduced by Councillor Marland, Leader of the Council.

It was reported that the Council had commissioned the Local Government Association (LGA) to undertake a corporate peer challenge, which took place on 1 - 4 October 2018. Following the Peer Challenge, during which a range of officers, councillors and partners were interviewed, the Peer Review Team had provided the Council with formal feedback. The Peer Review Team had identified a number of strengths as well as some suggestions for taking the Council forward and an Action Plan has been produced that reflected the areas identified.

It was also reported that the Peer Review Team had expressed its thanks to all those who took part and for the support provided in the lead up to, and during, the challenge.

Councillor Marland indicated that, with reference to the Council's Scrutiny Management Committee, a request for additional resources to support scrutiny would be included a review of Democratic Services and Councillor Support.

With reference to the review of the Council's Constitution, Councillor Marland indicated that a review was ongoing and it was anticipated that a revised Constitution would be available for consideration by the Council at its meeting in March 2019. Councillor Marland also indicated that the new Chief Executive was carrying out a restructure of the Council's Corporate Leadership team.

Councillor Marland also referred to the Councillors Case Work project which was being carried out by the Customer Services team.

The Cabinet also heard from Councillor Morris during consideration of the item.

RESOLVED -

1. That the Peer Review feedback letter be noted
2. That the Chief Executive be requested to take forward the Action Plan.

THE CHAIR CLOSED THE MEETING AT 7.28 PM