

Application Number: 20/00942/OUT

**Correction of Development Control Committee Minutes of 8 October 2020****Description:** Hybrid application for the redevelopment of the Lakes Estate, comprising:

- a) full consent for development of 'Phase A' to provide 308 dwellings, 160sqm flexible retail floorspace, 613sqm community hub floorspace, 220sqm light industrial floorspace, 200sqm for a nursery and an energy centre, and various works; and
- b) outline consent (all matters reserved except access, layout and scale) for the demolition of Serpentine Court and the development of 'Phase B' to provide 217 residential dwellings, an extra care facility providing 64 homes, 756sqm of flexible retail floorspace (Use Class A1-A5), car parking, cycle parking and associated landscaping at Lakes Estate, Stoke Road, Bletchley, Milton Keynes

**Report Sponsor:** Sharon Bridglalsingh – Director, Law and Governance**Author and contact:** Peter Brown, Head of Democratic Services, Tel: 01908 253671**Executive Summary:**

This report seeks to amend the minutes of the Development Control Committee of 8 October 2020, which has an incomplete minute at DCC42.

At the meeting, the Case Officer's presentation highlighted an updated s106 financial contribution and the agreement of a Heads of Terms, which would be required by a legal agreement accompanying the approval of the application. These were agreed by the Committee, but not included in the minute. Additional verification checks undertaken by the Case Officer and Development Management Manager prior to the issuing of a Decision Notice highlighted the inaccuracy and provide the opportunity for the position to be corrected.

Because the minutes were approved and signed by the Chair as a correct record on 5 November 2020, a resolution of the Committee is now required to correct the position and enable the additional contribution to be included in the minute and in turn the s106 agreement.

Whilst it is anomalous to correct a minute after the passing of such a long period of time, the additional contribution was clearly referenced in the Case Officer's presentation and is reflected in the broadcast/recording of the meeting: [www.youtube.com/watch?v=ZJV7D7\\_NjwE](http://www.youtube.com/watch?v=ZJV7D7_NjwE)

## **1. Recommendation**

- 1.1 That the minute DCC42 of the Development Control Committee of 8 October 2020, approved and signed by the Chairman at the meeting of 5<sup>th</sup> November 2020 be amended, in order to correct an inaccuracy subsequently discovered.
- 1.2 That the words 'During the presentation the Committee were apprised in respect of the update paper and specifically:
  - of the agreed s106 contribution for education of £2,800,000.00; and
  - that a s106 Head of Terms had been agreed between the applicant and the Council.'be added at the end of paragraph 11 of minute DCC42.

## **2. Issues**

- 2.1 The application was approved on the 8 October 2020, with all members of the Committee voting in favour. Although the additional contribution introduced by the Case Officer was neither in the report or the update paper, it was clearly referenced in the presentation and a PowerPoint slide was presented to the Committee highlighting the additional contribution.
- 2.2 The approved minutes were agreed by the Committee and signed by the Chair as a correct record on 5<sup>th</sup> November 2020. Checking processes in the Development Management team discovered the inaccuracy when preparing to issue a Decision Notice.
- 2.3 The Committee were clearly cognisant of the additional s106 contribution by way of the officer update. The amendment does not seek to change the original resolution, which reflects the additional conditions and contributions in the update paper of which the committee were further updated by way of the case officer presentation. Instead, the amendment is simply to make clear that the education contribution (which was marked 'TBC' in the update paper) was communicated to the committee.
- 2.4 A 'tracked changes' version of the minutes and resolution is set out in Annex A.

## **3. Options**

- 3.1 The Committee could decide not to amend the minutes, but this would not be consistent with decision reached by the Committee on the 8 October 2020. This is not recommended as it would mean the contribution could not be included in the s106 agreement.

## **4. Legal**

- 4.1 As the minutes were approved by the Committee on the 5 November 2020 and signed as a correct record by the Chair, there is no provision for the correction of even minor or clerical errors, without a further resolution of the Committee.
- 4.2 Whilst it is anomalous to correct a minute after the passing of such a long period of time, the additional contribution was clearly referenced in the Case Officer's presentation and reflected in the broadcast/recording of the meeting: [www.youtube.com/watch?v=ZJV7D7\\_NjwE](http://www.youtube.com/watch?v=ZJV7D7_NjwE).

Paragraph 11 (minute DCC42) – additional words underlined

The Committee was reminded that an update paper had been published which detailed additional conditions and the proposed contributions to be included in the Memorandum of Understanding. During the presentation the Committee were apprised in respect of the update paper and specifically:

- of the agreed s106 contribution for education of £2,800,000.00; and
- that a s106 Head of Terms had been agreed between the applicant and the Council.'