

Vale of Aylesbury Local Plan (VALP) – Main Modifications Representation by Newton Longville Parish Council – 17th December 2019

1. Introduction

- 1.1. This submission endorses and should be read in conjunction with the submissions made by:
 - North Bucks Parishes Planning Consortium (NBPPC)
 - Impact Planning Services on behalf of Kingsmead Residents Group
 - Milton Keynes Council (with the exception to the issue of compliance with the Duty to Co-operate where the Parish Council takes a different stance to MKC as detailed below)
- 1.2. Newton Longville Parish Council believe that the draft plan is not capable of being found legally compliant and sound based on the current proposed main modifications.
- 1.3. There are significant changes proposed at a late stage in the process we therefore ask that the Inspector re-opens the public examination to give all parties the opportunity to make their case direct to the Inspector. The parish council wishes to take part in discussions on the plan and on modifications that may be required.
- 1.4. In accordance with the Planning Inspectorate's "Procedure guide for local plan examinations" we believe further hearing sessions are necessary to resolve fundamental soundness issues, to deal with substantial issues raised in the representations and to ensure fairness.
- 1.5. The most significant change is the allocation of 1,150 dwellings at Whaddon, the so called "Shenley Park", which will have a major impact on communities in Newton Longville and Whaddon as well as adjoining communities in Milton Keynes. This allocation should be removed from the plan.

Sustainability Appraisal

- 1.6. The work to produce Sustainability Appraisal Addendum appears to have been produced not as the proposals in the Main Modifications were being formulated but only after AVDC had decided on what changes it was proposing. This is not justified or sound.

Spatial Strategy - Allocations in "close proximity to Milton Keynes"

- 1.7. Whilst we acknowledge the Inspector agreed with AVDC that an allocation of 500 dwellings "in close proximity to Milton Keynes" would satisfy his requirement, AVDC does not appear to have given any consideration to an evidence based approach and instead simply asked the Inspector if an allocation of 500 would suffice. Indeed, AVDC appear to have picked 500 at random and ultimately changed it to 1,150 without an evidential basis for their choice.
- 1.8. No evidence has been put forward for the Spatial Strategy of VALP being adjusted to increase the scale of new housing development provided "in close proximity to Milton Keynes", it appears this has only come about as a

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result of representations from developer interests promoting sites near Milton Keynes. AVDC should be required to produce robust evidence justifying the allocation of housing development, bearing in mind the need for meeting unmet need to the south of Buckinghamshire and that Milton Keynes Council has no unmet need to be met by other planning authorities.

- 1.9. The idea of more housing “in close proximity to Milton Keynes” seems to be based on a false premise that being close to MK somehow of itself makes a development sustainable. The road infrastructure around the western edge of MK is already at breaking point. Similar concerns apply to infrastructure generally and the necessary and significant uplift for health provision, the extra strain on emergency services caused by new developments and the disposal of waste have not been properly considered. Whilst Milton Keynes Council have policy SD15 in their adopted Local Plan covering these requirements, this is not even being mentioned by AVDC. (MM007, MM010, MM076)
- 1.10. AVDC seems to think that simply being close to Milton Keynes makes a development sustainable. That is not the case for the above reasons. All the burden will be placed on MK rather than Aylesbury Vale and thus expansion actually achieves diminished sustainability and a reduced quality of life. This cannot be seen as progress. (MM070, 076)

Housing Trajectory - accuracy

- 1.11. It is proposed to modify the Housing Trajectory for Newton Longville from 48 to 53. We contend this is based on a miscalculation by AVDC by including one site twice (it was first approved for 3 dwellings and then for 4), the correct figure would be 50, not 53. We pointed out this apparent error to AVDC in July 2019 and despite chasing still no satisfactory explanation has been provided. Whilst in overall numbers overcounting by 3 is not significant, it must give rise to concerns about the accuracy and robustness of other detail in the Housing Trajectory.
- 1.12. In an attempt to further check on the above issue and if the error applied elsewhere, we asked AVDC for the planning application references for each of the sites included ED203E. It appears they do not have this and instead have to resort to searching using the online planning application search. This indicates a lack of a robust evidence base. Such lists ought to include references (such as for example as done in the East Riding of Yorkshire www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/housing-monitoring/).

OAN

- 1.13. Given the passage of time since the OAN (objective assessment of housing need) was carried out, AVDC should be required to ensure the OAN is informed by the latest available information and whether it gives rise to

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meaningful change as well as how requirement should be apportioned between different Housing Market Areas.

Coalescence and double standards

- 1.14. Many of the Main Modifications appear to be designed protect the villages surrounding Aylesbury and to prevent coalescence, whilst at the same time promoting coalescence with Newton Longville, Whaddon and communities in Milton Keynes particularly Oxley Park, Kingsmead, Tattenhoe and Bletchley. AVDC seem to hark back to the South East Plan as if it is justification for allocating sites close to Milton Keynes this is neither sound nor justified. There should not be such double standards and villages in the north of the district must be offered the same protection from coalescence as the south. (MM013, 014, 031)
- 1.15. It is as if *“anywhere but around Aylesbury”* seems to be the real explanation for the allocation on the edge of Milton Keynes rather than establish a clear green boundary between Milton Keynes and Aylesbury Vale.
- 1.16. Why should the villages around Aylesbury be protected from coalescence but the villages around Milton Keynes not?
(Policy S3 and supporting text 3.22 and 3.24)
- 1.17. Throughout the proposed Main Modifications there appears to be an inconsistent approach to what is meant by “Aylesbury”, in some instances it means the town itself (the Aylesbury Town Council boundary) but in other instances it appears to include the surrounding villages as well.
- 1.18. Several Main Modifications propose altering allocations from “around x” to “at least”. We contend that is unsound as it is not sufficiently precise and for example in the case of D-WHA001 could lead to the policy being read as supporting 1,800 dwellings which is what the developers contend should be on the site.
- 1.19. A Cumulative Growth Impact report on sites in and around Aylesbury has been produced but no such consideration has been undertaken for sites around Milton Keynes.
- 1.20. Detailed policies for sites should be within VALP, not left to be in an SPD. Significant policy detail is included for even relatively small sites in and around Aylesbury, but the very large sites around MK (NLV001 and WHA001) have scant detail. Despite the inclusion of a policy for Salden Chase in the proposed VALP, AVDC then ignored this when the actual planning application was considered by their SDMC in June 2017.
- 1.21. If “Shenley Park” is to be developed it must include appropriate infrastructure in both Buckinghamshire and Milton Keynes which should include construction (not just safeguarding of a route) of a bypass from the A421 to the A4146 as was protected by Local Plan policy RA.35 in the 2004 Local Plan.

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- 1.22. Policy T3 supporting local transport schemes includes detail for individual developments in Aylesbury, Buckingham and Winslow. However when it comes to the “edge of MK” (otherwise being referred to by AVDC as the mythical “North east Aylesbury Vale”) there is no mention at all of the major transport infrastructure required for Salden Chase and one minor reference in relation to “Shenley Park” at Whaddon. The necessary studies and modelling should be undertaken BEFORE allocation not as an afterthought. Without this the plan is unsound, compare for example with the proposed deletion of site BUC051 due to lack of highways infrastructure which had been included in the submission VALP for 300 dwellings.
- 1.23. A new Appendix F “Schedule of Saved Policies replaced by VALP” is added which amongst other things includes removal of saved policy RA.35 “Safeguarded road corridor at Newton Longville” in the 2004 Local Plan without any replacement with the commentary *“Little/no possibility of implementation in VALP no route identified or agreed/safeguarded – uncertainty over Expressway route Policy Redundant.”* There has been no consultation of this and indeed a safeguarded route has been required within the Salden Chase application. The reference to *“uncertainty over Expressway route”* is particularly bizarre as the idea of an expressway is a recent proposal and has no connection with the safeguarded road corridor.
- 1.24. Many sites considered in the HELAA have not been recently proposed in a call for sites but appear to have simply been carried forward as South East plan relics. We understand that due to a lack of resources within AVDC many sites only had a limited desktop review. Whilst this may be sufficient to decide a site is not suitable, it is not sufficient for a decision to allocate a site, particularly when allocating a site as strategic, such as at Salden Chase and Whaddon.
- 1.25. The proposed new policy D-WHA001 in MM 075 starts *“To create an exemplar development, of regional significance, which will be a great place to live, work and grow.”* A development such as proposed is neither *“an exemplar development”* nor *“of regional significance”*. AVDC had previously had similar wording in paragraph 4.119 which they now propose in MM073 to delete.
- 1.26. Amendments are now proposed in MM074 to policy D-NLV001 to include things like
- *“including the implementation of a defensible boundary along the western edge of Milton Keynes.”*
 - *“The objective is to ensure that high quality walking, cycling and public transport links to and from Newton Longville, Bletchley and the city of Milton Keynes are an integral part of the development”*
 - *“ensuring that Newton Longville ... and Far Bletchley remain separately identifiable”*

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These changes may be justified but in reality AVDC have demonstrated they have no intention of following their own policy when it comes to making decisions on planning applications. The amended policy is not sound as AVDC have already made a committee resolution in June 2017 to approve the application subject to a Section 106 agreement. Nearly two and a half years later and still it has not been approved. In the meantime, Milton Keynes Council rejected the cross-boundary application to them in November 2019. Without approval by Milton Keynes Council the development may not proceed and the continued allocation within VALP is neither justified or sound.

- 1.27. The proposed modification to policy D-NLV001 on “Phasing” or as proposed “Expected time of delivery” indicates how little reliance can be placed on AVDC’s housing trajectory. It is clear AVDC have little idea when particular sites are going to be delivered. That they have a five year housing supply seems more down to luck than good planning.
- 1.28. The development at Newton Leys demonstrates how things can go wrong when development straddles local authority boundaries without robust and ongoing cooperation and a joint policy approach. Instead what results is residents in the Aylesbury Vale part of the development justifiably feeling they are less favourably treated.
- 1.29. We contend there is no justification for the selection of the additional allocation at Shenley Park (MM070), the new site policy D-WHA001, policy D2 on delivering site allocation in the rest of the district, as well as MM071, MM075 and MM076. The decision to allocate this is not based on evidence and is not justified, it is contrary to the evidence base submitted by AVDC. Site selection appears to have been based on which developer interest shouted loudest rather than a robust and proportionate approach to site selection. Local Planning Authorities are urged to leave no stone unturned in the search for potential development sites. This requires far more than simply relying on landowners and potential developers proposing sites,
- 1.30. Whilst Newton Longville Parish Council contend there should be no strategic allocations on the edge of Milton Keynes (but within Aylesbury Vale) if there has to be one it should be based on robust evidence and consideration of reasonable alternatives. It is unclear how the conclusions of the Landscape and Visual Capacity Comparison Assessment, Transport Study or Viability Study justify the chosen site or indeed any site on the edge of MK.
- 1.31. Although they have not acted promptly, even now AVDC have failed to undertake sufficient work to produce appropriate evidence, for example BCC Highways costs estimates were “not available” and no consideration seems to have been given to the even more significant costs for highways infrastructure in MK. A recent analysis by Milton Keynes Council established a cost of around £50m for construction of a “Bletchley Southern bypass”,

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something the limited modelling done points indicates would be essential for either “Shenley Park” or Salden Chase.

- 1.32. Transport needs for Shenley Park have not been properly considered. At present there are long traffic jams at rush-hour on the A421 which demonstrates the transport infrastructure on the west of MK are already at capacity, and this is before the approved developments within Milton Keynes at Tattenhoe Park and Kingsmead have been built out. These traffic jams are only going to get longer and worse without significant investment in improvements to the infrastructure, something AVDC have not fully taken account of even within the AVDC area let alone in Milton Keynes. Traffic analysis must be done first, not as an afterthought. Infrastructure before expansion would be a sensible course of action. Unfortunately, it seems not to be a consideration in this case and that must be addressed. (MM007)
- 1.33. There is a lack of active and ongoing cooperation between AVDC and Milton Keynes Council. This is demonstrated by the ongoing failures in relation to Salden Chase and the VALP policies dealing with “strategic development” around Milton Keynes which gives little indication of joint working. What evidence there is is flawed as it is connected with the discredited top-down South East Plan, rather than any locally assessed need.
- 1.34. No references are made by AVDC in their proposed policies for either Salden Chase or Whaddon “Shenley Park” to address the detailed policy SD15 in the adopted Plan:MK the Milton Keynes Local Plan which sets a clear policy position from Milton Keynes Council. (Largely replicating what was in policy CS6 in the adopted Milton Keynes 2013 Core Strategy.)
- 1.35. There is a clear mismatch in the balance between the provision for houses and employment. Whilst significant housing development is proposed by AVDC on the edge of MK, they make no provision for employment which inevitably will lead to long unsustainable commuting to either Aylesbury or London.
- 1.36. We objected to the use of the term “South East Milton Keynes” to describe the proposed development at Salden Chase and around MK generally as it gives a misleading impression. AVDC are now proposing (in both Main and Additional Modifications) to refer to the whole area on the edge of MK as “North East Aylesbury Vale”, whilst perhaps technically accurate it does not reflect reality and is not what is done around Aylesbury where individual villages and communities are recognised. These proposed changes are neither justified or sound.
- 1.37. The expansion policy for Shenley Park refers to “at least 1,150” houses. This conceals the fact that the site promoters are pushing for 1,800 houses on the site. This will further diminish sustainability and furthermore no provision has been made for a secondary school in compliance with BCC policy as is made clear in the Sustainability Appraisal Addendum. (MM076)

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2. Duty to Cooperate (DTC)

- 2.1. Whilst Milton Keynes Council themselves consider the Duty to Cooperate has been complied with as far as the Main Modification are concerned, again there is no Memorandum of Understanding with Milton Keynes Council. The debate at Milton Keynes Council on 23rd October 2019 and the motion subsequently passed (see minute CL79 in the appended minutes) indicates otherwise. It appears there were limited and late discussions between officers of AVDC and MKC. We contend this does not amount to compliance with the Duty to Co-operate. Whilst the DTC is not a duty to agree there is an obligation for joint working and it is very clear from the representation by Milton Keynes Council that has not taken place, particularly as far as Highways matters. These matters should be fully explored in a re-opened public examination.
- 2.2. The duty requires **“active and sustained engagement”** with working together *“constructively from the outset of plan preparation to maximise the effectiveness of strategic planning policies”*. That is not an accurate description of AVDC and their approach to Milton Keynes. Failure to comply with the duty to cooperate cannot then be corrected by subsequent action.
- 2.3. AVDC need to demonstrate far more action than currently, to show compliance with the duty to cooperate which must be with all relevant bodies throughout the plan making process to avoid the risk of another plan being rejected for the similar reasons as the last attempt.
- 2.4. In his letter¹ to AVDC dated 7th January 2014 on their previous attempt, the planning inspector said:

“9. The District boundary adjoins the urban area of Milton Keynes, which is likely to continue to be a major focus for housing and economic growth. The relationship between Aylesbury Vale and the growth of Milton Keynes has long been recognised as a key issue, in particular the potential for future growth of the urban area, partly or wholly within Aylesbury Vale. The need for joint working and effective co-operation on this matter is clearly set out in the recent Inspector’s Report on the Milton Keynes Core Strategy (May 2013) and in the Core Strategy itself (Policy CS6) adopted in July 2013.”

“10. Based on the Validation Study, the Council acknowledges that Aylesbury Vale forms part of a wider HMA along with Milton Keynes, Central Bedfordshire, Bedford and Luton. It also accepts that there are interrelationships with other areas and is aware of concerns that due to environmental constraints, a number of authorities may not be able to accommodate all of their identified housing needs and may be looking to Aylesbury Vale to accommodate some additional growth.”

¹ http://www.aylesburyvaldc.gov.uk/sites/default/files/page_downloads/Inspectors-letter-regarding-VAP-Matters-1-and-2.pdf

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- 2.5. Whilst reports have since been produced by consultants which purport to show that the “best-fit” HMA is one which covers only the four districts within Buckinghamshire, they have been produced after the event. In reality this appears more attempts to shoe-horn into a preconceived notion, then come up with an HMA to match. It should be clear which came first, was it the joint commissioning of the work by ORS or the identification of one HMA for the four Buckinghamshire districts?
- 2.6. Commentary within the June 2015 HEDNA report by G L Hearn for Aylesbury Vale points to the fragility of the use of a “best fit” Housing Market Area which in reality largely ignores how a large part of the northern part of Aylesbury Vale is within the Milton Keynes Housing Market Area.
- 2.7. The PPG² makes clear that establishing future need for housing is not an exact science.
- 2.8. Nothing has been produced to show why the situation has changed from the previous plan and the comments by the Inspector. The strength of the Milton Keynes as a housing and economic centre has grown since the 2001 census used for the analysis for the withdrawn plan.
- 2.9. In our representation on the submission version of the plan we identified on compliance with the Duty to Cooperate, but said we hoped this was a lack submission of evidence rather than a failure to comply. However, whilst a Memorandum of Understanding was submitted signed by both Milton Keynes Council and AVDC this was done after the submission of the plan. Subsequent indications suggest this MOU presented a far rosier picture than justified and that it was inaccurate and should be further tested through public examination.
- 2.10. We suggested a change to the wording in the glossary on what the Duty to Cooperate is and is not, if anything more recent events indicate even more the very poor understanding by AVDC to what is required by the Duty to Cooperate.
- 2.11. The above also has implications for soundness as it is difficult to assess whether the plan is likely to be effective or deliverable where it has not been based on effective joint working on cross-boundary strategic priorities.
- 2.12. There does not appear to be a Memorandum of Understanding with Buckingham County Council (on highways and education matters).

² PPG Paragraph: 014 Reference ID: 2a-014-20140306

Minutes of the MEETING OF MILTON KEYNES COUNCIL held on WEDNESDAY
23 OCTOBER 2019 at 7.30 pm

Present: Councillor Crooks (Mayor)
Councillors Alexander, Baines, Baume, Bint, Bowyer, Brackenbury,
K Bradburn, M Bradburn, R Bradburn, Brown, Cannon, Carr,
Darlington, Ferrans, A Geary, P Geary, Gilbert, Gowans, Green,
D Hopkins, V Hopkins, Hosking, Lancaster, Legg, Marklew, Marlow,
McCall, McLean, McPake, Middleton, Miles, Minns, Montague, Nazir,
Nolan, O’Neill, Petchey, Priestley, Raja, Rankine, Reilly, Townsend,
Trendall, Walker, Wales, Wallis, Williams and Wilson

Alderman McKenzie

Apologies: Councillors Akter, Cryer-Whitehead, Exon, Jenkins, Khan, Long,
Marland and Small and Aldermen Bartlett, Beeley, Bristow,
Coventry, Henderson, Howell and Alderwomen Irons, Henderson,
Lloyd and Saunders

Also Present: c90 members of the public

CL70 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on
19 September 2019 be approved and signed by the Mayor as a
correct record.

CL71 DISCLOSURE OF INTERESTS

None disclosed

CL72 ANNOUNCEMENTS

- (a) Mamas and Papas - Prosecution for Supplying Unsafe Baby
and Child Car Seats

The Mayor thanked and congratulated officer colleagues in
Trading Standards and Legal Services for their efforts and
dedication in bringing the successful prosecution by the
Council of Mamas and Papas Ltd and car seat distributor
Jeenay (UK) Ltd’s for selling unsafe child car seats.

- (b) Queen's Award for Voluntary Service - Milton Keynes Museum

The Mayor congratulated volunteers at Milton Keynes Museum on receiving the Queen's Award for Voluntary Service.

- (c) Queen's Golden Jubilee Award - The Old Bath House Community Centre, Wolverton

The Mayor congratulated staff at the Council's Community Centre at the Old Bath House in Wolverton which had been supporting local people for over 30 years and had received this year's Queen's Golden Jubilee Award.

- (d) Paul Cummins

The Mayor announced that Paul Cummins, the Council's Head of Legal Services, would be leaving the Council to take up a new role as Head of Adjudications at the General Pharmaceutical Council.

The Mayor congratulated Paul on his new position and thanked him, on behalf of the Council, for his work over the last two and half years.

- (e) Peter Brown

The Mayor welcomed Peter Brown who had recently joined the Council as Head of Democratic Services.

- (f) Stabbing Related Fatalities – Emerson Valley

Councillor O'Neill (Deputy Leader of the Council and Cabinet member for Health and Wellbeing) referred to the tragic events of last Saturday night which had seen the fatal stabbings of two young men on Emerson Valley. Councillor O'Neill expressed condolences on behalf of the Council.

Councillor O'Neill reported that Thames Valley Police did not believe that the stabbings were as a result of organised gang crime, being instead street gang activity.

Councillor O'Neill stated that the Council, along with partners, was working closely with Thames Valley Police to support the ongoing investigation and immediate preventative work.

Councillor O'Neill emphasised that dealing with youth crime, particularly violent youth crime, had been was a priority for the SaferMK Partnership and the Administration. To that end the Council had allocated £250k in community safety and was

working with Thames Valley Police to fund two school based police officers who worked across Milton Keynes. Also over 3,000 Year 8 school children, their parents and appropriate professionals had received a theatre based input about gang and youth crime.

Councillor O'Neill recognised that knife crime and gang related activity was low in Milton Keynes. However, it had been identified that the young people who tended to be involved frequently had speech and language difficulties. As a result the Public Health Team was working with young people at an early age to identify and help those with speech and language difficulties before they reached secondary school age.

Councillor O'Neill outlined that the Council was looking at the appointment of a youth champion and the role of sport and how the sale of knives could be restricted using Trading Standards powers. However, it was recognised that more work could be done and any new ideas would be welcomed.

Councillor O'Neill also emphasised that Milton Keynes remained a safe and secure place to live.

CL73

PETITION - BROOKLANDS GYM

The Council received a petition requesting the Council's support to keep the Brooklands Gym operating

Tom Beech, in presenting the petition, requested the Council to step in and stop the Gym closing. Mr Beech referred to the current wide client base, specifically the use made of the Gym by the over 50 year olds.

Councillor Marklew, the responsible Cabinet member for leisure facilities, informed the Council that the Brooklands Gym was not provided by the Council and, while it was not possible for the Council to take over the running of the Gym, she undertook to discuss the matter with officer colleagues to see if there was any possible help the Council could give to the Gym's clients.

Tom Beech expressed his concern that members of the community who used the Gym were being let down and urged the Council to do what it could to keep the Gym open.

QUESTIONS FROM MEMBERS OF THE PUBLIC

- (a) Question from David Mortimer to Councillor Middleton
(Cabinet member for Resources and Innovation)

David Mortimer asked Councillor Middleton to clarify why the Benefit's Department had not done a further assessment of his benefit entitlement using the right information.

Councillor Middleton, in a written answer, indicated that the Council was satisfied that the correct information had been used and that a further written response would be sent as confirmation.

- (b) Question from Jose Woodhouse to Councillor Gowans
(Cabinet member for Planning and Transport)

Jose Woodhouse, suggesting that the bus services covering Gifford Park were inadequate and unacceptable, asked Councillor Gowans if a different contractor would be employed when the bus service contracts were reviewed next year.

Councillor Gowans indicated that the provision of bus services was deregulated in 1986 and as a result the majority of services in Milton Keynes were operated on a commercial basis with no financial support from the Council. However, the Council did have a contract for some of the late evening journeys on Route 2 serving Gifford Park.

Councillor Gowans also indicated that the Council had a Voluntary Quality Partnership in place with the bus company and had recently met with the Managing Director for the Milton Keynes area to discuss poor reliability on several routes, including Routes serving Gifford Park. As a result, a number of steps had been taken by the company over the last few weeks to improve punctuality and it had agreed to submit a revised timetable within three weeks to address issues with timekeeping.

Councillor Gowans stated that the Council was lobbying through the Local Government Association for powers to enable it to franchise services, so that it could have contracts in place for all routes enabling the Council to have more control over the provision of bus services.

Jose Woodhouse, as a supplementary question, asked Councillor Gowans to do whatever the Council could to ensure that the future contract delivered a frequent and reliable service.

Councillor Gowans emphasised that as the Council did not have franchising powers there was relatively little the Council could do to influence the contracts, but he undertook to do what he could to encourage a frequent and reliable service, recognising the importance of providing frequent and reliable services to communities and encouraging bus usage.

CL75 REVIEW OF FEES AND CHARGES FOR REGULATORY SERVICES

The Chair of the Regulatory Committee advised the Council that as an error had been identified in the Fees and Charges Schedule and he was therefore withdrawing the recommendation to allow the Regulatory Committee the opportunity to reconsider the Fees and Charges.

CL76 MAKING THE HANSLOPE NEIGHBOURHOOD PLAN

Councillor Gowans moved the following recommendation from the meeting of the Cabinet held on 24 October 2019, which was seconded by Councillor Bowyer:

“That the Council makes the Hanslope Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.”

On being put to the vote the recommendation was declared carried by acclamation.

RESOLVED -

That the Council makes the Hanslope Neighbourhood Plan pursuant to the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.

CL77 COUNCILLORS' QUESTIONS

- (a) Question from Councillor Raja to Councillor O'Neill (Deputy Leader of the Council and Cabinet member for Health and Wellbeing)

Councillor Raja, referring to the tragic stabbings of two young men on Emerson Valley, expressed her condolences and sympathies to the families affected and wished those young people injured a quick and full recovery.

Councillor Raja asked Councillor O'Neill to outline what strategies the Council had in place to work with the police, fellow councillors and partners, including schools and parish and town councils to tackle this type of crime.

Councillor O'Neill indicated that the Council worked closely with partners through the SaferMK Partnership to deliver the Crime and Community Safety Strategy, which included measures to deal with such issues as knife crime. The Partnership included representatives from Thames Valley Police, the Buckinghamshire and Milton Keynes Fire Authority, the Probation Service and Parish and Town Councils.

Councillor O'Neill reiterated that over 3,000 Year 8 school children, their parents and appropriate professionals had received a hard hitting theatre based input about gang and youth crime and from January 2020 two school based police officers would be working across Milton Keynes.

Councillor O'Neill invited Councillor Raja to attend the next meeting of the SaferMK Partnership.

- (b) Question from Councillor Rankine to Councillor Long (Cabinet member for Housing and Regeneration)

Councillor Rankine, referring to concerns expressed by Fullers Slade residents at a recent site visit conducted by the Regeneration Scrutiny Committee in respect of the limited amount of information being provided; the dropping of one of the options; and the conduct of the responsible Cabinet member in appearing to promote one of the options, asked Councillor Long what improvements home owners would be required to undertake as part of the overall regeneration of the Estate.

Councillor O'Neill indicated that Councillor Long, as he was not in attendance, would be asked to provide a written response.

As a supplementary question, Councillor Rankine asked Councillor Long what costs homeowners were likely to incur and how they would be made affordable.

The Mayor indicated that Councillor Long would be asked to also include an answer to the supplementary question as part of his written response.

- (c) Question from Councillor Lancaster to Councillor O'Neill (Deputy Leader of the Council and Cabinet member for Health and Wellbeing)

Councillor Lancaster, referring to the Council's failure to be granted an injunction against unauthorised traveller encampments occupied by persons unknown because the Judge was of the view that the legislation the Council was relying on was inappropriate, asked Councillor O'Neill why this Council tried to use legislation which had not been used for this purpose before when other councils had been successful using different legislation

Councillor O'Neill indicated that she was very disappointed by the Judge's ruling. However, the Council had taken Counsel's advice before bringing the action.

Councillor O'Neill referred to the Judge's comments when he had suggested that he thought it unlikely that the Council would succeed with the action whichever legislation it had relied upon.

As a supplementary question, Councillor Lancaster asked Councillor O'Neill what the Council's next steps would be to secure an injunction.

Councillor O'Neill indicated that the Council did have an injunction against known persons. With regard to an injunction against unknown persons the Council was currently reviewing the position and would consider its options. Once a course of action had been identified, the Council would let people know as far as it could.

- (d) Question from Councillor Wales to Councillor Nolan (Cabinet member for Children and Families)

Councillor Wales, referring to this being Corporate Parenting Week, asked Councillor Nolan to explain how the views of young people were taken into account when the Council was making decisions which affected them.

Councillor Nolan indicated that there was a number of ways in which the 'Voice of the Child' was taken into consideration when making decisions, for example Social Workers, when making decisions, would, where appropriate, consult with the young person on the available options.

Councillor Nolan referred to the work of the Corporate Parenting Panel and how it regularly communicated with children in care and care leavers, both through its meetings and through more informal events. A care leaver had also recently joined the Panel as a member.

Councillor Nolan also referred to the online system operated by the Council which provided the opportunity for children in care and care leavers to share their views with the Council.

Councillor Nolan also indicated that if a child in care, or a care leaver applied for a job in the Children's Services Directorate they would receive an interview by the Children in Care Panel as to their suitability for the post.

As a further example of how the Council involved children in care and care leavers in decisions, representatives had formed part of the selection process for the new Head of Corporate Parenting.

- (e) Question from Councillor Alexander to Councillor Darlington (Cabinet member for Public Realm)

Councillor Alexander, referring to difficulties faced by some persons with disabilities with regard to highway accessibility issues, such as inconsistent provision of dropped kerbs and footpath chicanes, asked Councillor Darlington what actions the Council was taking to correct such issues which often stopped persons with a physical disability moving around as freely as a physically able person.

Councillor Darlington indicated that she understood the difficulties faced by persons with disabilities and parents with buggies. The Highway Accessibility Fund had attracted a large number of bids from councillors and had recently been fully allocated for the current year.

Councillor Darlington stated that she was currently in discussions regarding the budget for 2020/21.

As a supplementary question, Councillor Alexander asked Councillor Darlington how long she estimated it would take the Council to address all highway accessibility issues across the Borough.

Councillor Darlington indicated that it was almost impossible to make an estimate as to how long it would take the Council to address all highway accessibility issues across the Borough. However, the idea of the fund being responsive to bids was to help identify the areas of most need.

Councillor Darlington encouraged councillors to identify issues in their wards, particularly as the Council did not have the resources to undertake inspections across the Borough.

Councillor Darlington also recognised the need for continuing improvement in this area if the needs of all in the Borough were to be met.

- (f) Question from Councillor Marlow to Councillor Gowans (Cabinet member for Planning and Transport)

Councillor Marlow referred to the Planning Inspector's decision to overturn the Council's decision in respect of Station House, Loughton, and so allow offices to be converted to residential flats, reportedly because officers failed to make the Council's case and did not refute claims by the applicant.

Councillor Marlow asked Councillor Gowans to investigate the matter and to ensure that the Council's processes were robust and any lessons arising had been learnt, given that the Planning Inspector was critical of the Council's processes.

Councillor Gowans indicated that the Planning Inspector's decision had considerable significance, particularly if it set a precedent which could significantly alter the nature of the city centre. He had asked the Director, Growth, Economy and Culture and the Head of Planning to do an analysis to identify what lessons needed to be learnt so that any mistakes identified were not repeated.

As a supplementary question, Councillor Marlow, recognising the potential impact of the additional cars which would be generated by residential use of Station House, asked Councillor Gowans how he would ensure that the Loughton Controlled Parking Zone would not be affected.

Councillor Gowans indicated that, while not knowing at this stage the exact impact Station House would have on parking in Loughton and other surrounding areas, the situation would be monitored.

Councillor Gowans stressed that the Council took enforcement very seriously and had invested in vehicles with automatic number plate recognition technology to enhance enforcement.

- (g) Question from Councillor McLean to Councillor Nolan (Cabinet member for Children and Families)

Councillor McLean, referring to county line activities and gang feuds, asked Councillor Nolan to ensure that schools were aware of, and availed themselves of, multiple strategies, such

as theatre workshops and open meetings involving Thames Valley Police so that students were well aware of the potential consequences of such activities.

Councillor Nolan referred to the initiatives mentioned earlier by Councillor O'Neill which were targeted at school age children, specifically the use of a theatre production. Additional initiatives included personal testimonies by people affected by such crimes and a number of workshops for young people aged 11 to 16 which focussed on county lines, gang culture and knife crime and allowed the various misconceptions held by children to be challenged. Youth workers were also seeking to identify vulnerable young people and encouraging them to be involved in positive activities to reduce the likelihood of them becoming involved in criminal activity.

Councillor Nolan also recognised the importance of working with the 18 plus age group and referred to the role of the Community Safety Partnership and the Probation Service in this respect.

Councillor Nolan indicated that there were considerable amounts of work being undertaken by the Community Safety Partnership and schools.

Councillor Nolan specifically referred to the success of the Council's Youth Offending Team, the low levels of crime among young people and the Team's success which meant that reoffending rates were very low in comparison with other areas.

Councillor McLean asked Councillor Nolan, as a supplementary question, to confirm that the Council would ensure that adequate funds were available to fund the essential initiative to help ensure that young people were aware of the risks and consequences of county line activities, knife crime and gang feuds.

Councillor Nolan referred to the one off funding provide by Government in the region of £630k for intervention work and suggested that Councillor McLean could support the Council by lobbying for the funding to be continued.

Councillor Nolan indicated that the Council had invested a further £1.2m in Children's Services. The Council's approach was on focussed activity and providing support by early intervention work and working with families to increase

awareness of the various issues confronting young people.

- (h) Question from Councillor Minns to Councillor Darlington (Cabinet member for Public Realm)

Councillor Minns, referring to the Eco-Warriors scheme which raised awareness of environmental issues and in which four Milton Keynes Schools were currently participating, asked Councillor Darlington if there were plans to roll out the scheme to more schools.

Councillor Darlington indicated that the Eco-Warriors scheme was a new programme being piloted in four primary schools which provided the children with regular environmental based challenges. It was intended, depending on the feedback received, to roll the programme out to all primary schools in January and then make it available to all schools from next September.

Councillor Darlington also indicated that the scheme supported the Council's ambition to become the world's greenest city and it was hoped that the important messages being learnt in schools also inspired parents.

- (i) Question from Councillor Trendall to Councillor Long (Cabinet member for Housing and Regeneration)

Councillor Trendall, referred to the number of times the lift at Sudgrove House, Downhead Park had been out of use, the failure to achieve a lasting repair and the impact on those elderly residents living on the first floor.

Councillor Trendall asked Councillor Long, in his absence, to commit to either achieving a lasting repair, or the replacement of the lift by Christmas 2019.

Councillor O'Neill undertook to have the situation investigated as a matter of urgency and ask Councillor Long to provide a written response.

- (j) Question from Councillor Ferrans to Councillor Nolan (Cabinet member for Children and Families)

Councillor Ferrans, referring to initiatives outlined earlier by Councillors O'Neill and Nolan regarding measures being taken to raise awareness amongst young people of the risks associated with county lines, gang culture and knife crime, asked Councillor Nolan if all secondary schools were participating.

Councillor Nolan indicated that the Council had a good relationship with all secondary schools in the Borough and there was generally a good take up of the initiatives mentioned earlier by the secondary schools, but there was always room for improvement.

Councillor Nolan also indicated that the intervention work mentioned was across all young people irrespective of the school attended.

CL78

BIODIVERSITY

Councillor Gilbert moved the following motion which was seconded by Councillor D Hopkins:

“That this Council:

1. celebrates the rich variety of wildlife across Milton Keynes, including in woodlands, hedgerows, grazing pastures and meadows; ponds, lakes, rivers, canals and streams; parks and private gardens; and grid corridors;
2. notes with alarm the latest State of Nature report, which shows that more species have shown strong or moderate decreases in abundance (41%) than increases (26%) since 1970, but welcomes findings that increased public conservation efforts could help secure a brighter future for nature;
3. further welcomes the numerous recent examples of UK leadership on the environment, being the first G7 country to commit to a legally binding net-zero target; the introduction of charges for plastic carrier bags; the ban on microbeads and ivory sales; increasing maximum sentences for animal cruelty; and the Government's commitment to double investment to help developing countries address climate change and species loss;
4. affirms its commitment to protecting and promoting biodiversity in Milton Keynes, pledging to leave our natural environment in a better state than we found it;
5. recognises that efforts by citizens can help improve the chances of particular species, with the recent State of Britain's Hedgehogs report suggesting that decades of decline could be levelling off in some urban areas, despite ongoing pressure in the countryside;
6. requests the Cabinet to accelerate development of a local biodiversity strategy, and asks that this strategy covers:

- (a) A borough-wide action plan to transform Milton Keynes into a Hedgehog Haven, with joint efforts to create a network of Hedgehog Highways;
 - (b) Action to promote habitats for bees and other pollinators, including the identification of suitable wild flower sites;
 - (c) Action to raise public awareness of biodiversity issues and create opportunities for citizens of all ages to enjoy and promote wildlife locally;
 - (d) Proposals for maximising biodiversity net gains in the planning system;
 - (e) Alignment with a wide range of local partners including, but not limited to, Parish Councils, the Natural Environment Partnership, The Parks Trust, Schools and Colleges; and
 - (f) A robust risk register for locally threatened species;
7. requests an update at the next Full Council on delivery of the above and quarterly thereafter.”

Councillor Darlington moved the following amendment which was seconded by Councillor Gowans, which was accepted by the mover of the motion:

- “1. That the following clause be added as clause 1 and the remaining clauses renumbered:

‘endorses the ambition of Milton Keynes Council to be the Greenest City and grow sustainably in line with Plan:MK bringing together the economic, social and environmental opportunities created by growth;’
- 2. That the words ‘Milton Keynes Council’s commitment to be more ambitious than the UK Government in becoming carbon neutral by 2030 and carbon negative by 2050 and legislation championed at national level by various parties including’ replace the words ‘the numerous recent examples of UK leadership on the environment, being the first G7 country to commit to a legally binding net-zero target;’ in new clause 4.
- 3. That the words ‘acknowledges the leadership of’ replace the words ‘requests the’, the words ‘on the’ replace the words ‘to accelerate’ and the words ‘and asks that this strategy covers’ be replaced by the words ‘which is coming to the November

Cabinet meeting and its commitment to co-develop the Action Plan with the Parks Trust, parish and town councils and various other environmental and biodiversity charities to create a plan for the whole of Milton Keynes;’ in new clause 7.

4. That the words ‘the Council asks that this group consider inclusion of the following:’ be added as a new clause 8 ahead of sub-clauses (a) to (f) and the remaining clause renumbered as clause 9.
5. That sub-clause (e) be deleted and the remaining sub-clause relettered as (e).
6. That the words ‘on the Action Plan’ be added after the word ‘update’ in new clause 9.”

On being put to the vote the motion was declared carried by acclamation.

RESOLVED -

That this Council:

1. endorses the ambition of Milton Keynes Council to be the Greenest City and grow sustainably in line with Plan:MK bringing together the economic, social and environmental opportunities created by growth;
2. celebrates the rich variety of wildlife across Milton Keynes, including in woodlands, hedgerows, grazing pastures and meadows; ponds, lakes, rivers, canals and streams; parks and private gardens; and grid corridors;
3. notes with alarm the latest State of Nature report, which shows that more species have shown strong or moderate decreases in abundance (41%) than increases (26%) since 1970, but welcomes findings that increased public conservation efforts could help secure a brighter future for nature;
4. further welcomes Milton Keynes Council’s commitment to be more ambitious than the UK Government in becoming carbon neutral by 2030 and carbon negative by 2050 and legislation championed at national level by various parties including the introduction of charges for plastic carrier bags; the ban on microbeads and ivory sales; increasing maximum sentences for animal cruelty; and the Government's commitment to double investment to help developing countries address climate change and species loss;

5. affirms its commitment to protecting and promoting biodiversity in Milton Keynes, pledging to leave our natural environment in a better state than we found it;
6. recognises that efforts by citizens can help improve the chances of particular species, with the recent State of Britain's Hedgehogs report suggesting that decades of decline could be levelling off in some urban areas, despite ongoing pressure in the countryside;
7. acknowledges the leadership of the Cabinet on the development of a local biodiversity strategy which is coming to the November Cabinet meeting and its commitment to co-develop the Action Plan with the Parks Trust, parish and town councils and various other environmental and biodiversity charities to create a plan for the whole of Milton Keynes;
8. the Council asks that this Group consider inclusion of the following:
 - (a) A borough-wide action plan to transform Milton Keynes into a Hedgehog Haven, with joint efforts to create a network of Hedgehog Highways;
 - (b) Action to promote habitats for bees and other pollinators, including the identification of suitable wild flower sites;
 - (c) Action to raise public awareness of biodiversity issues and create opportunities for citizens of all ages to enjoy and promote wildlife locally;
 - (d) Proposals for maximising biodiversity net gains in the planning system;
 - (e) A robust risk register for locally threatened species;
9. requests an update on the Action Plan at the next Full Council on delivery of the above and quarterly thereafter.

CL79

SHENLEY PARK DEVELOPMENT PROPOSALS

Councillor Brown moved the following motion which was seconded by Councillor Lancaster:

- "1. That this Council notes that:
 - (a) The draft Vale of Aylesbury Local Plan (VALP) was submitted in October 2017 and included no provision for housing allocations on the border of Milton Keynes.

However, in August 2018 the Planning Inspector published his interim findings including “A modification to the plan is required to redress the balance, by increasing the allocations in close proximity to Milton Keynes”

- (b) in its schedule of proposed modifications published in July 2019, Aylesbury Vale District Council (AVDC) is proposing to allocate land to the immediate west of Kingsmead and Tattenhoe Park on the historic land of Whaddon Chase, and that Crest Nicholson are promoting this site for a development up to the size of 1,800 homes; and
 - (c) consultation of the proposed modifications is expected to take place later in 2019.
2. That this Council further notes that:
- (a) Milton Keynes Council has affirmed its commitment to plan-led rather than developer-led development by passing Plan:MK in March 2019 and securing a five-year land supply;
 - (b) the commitment and expectation of Milton Keynes Council to plan-led development extends beyond its borders; and
 - (c) Milton Keynes Council has an agreed policy for urban extensions on the border of Milton Keynes, defined in Policy SD15 of Plan:MK, including provisions for integration with Milton Keynes (including the grid system, Redways and linear parks), sustainable development, exploring park and ride sites and establishing mechanisms to ensure appropriate planning gain is used within Milton Keynes.
3. That this Council:
- (a) expresses concern that Shenley Park, or any of the other possible allocations may have a negative potential impact on Milton Keynes;
 - (b) expresses concern that the allocations have been brought up only towards the end of the plan-making process, meaning that community engagement on these sites has been minimal;

- (c) expresses concern that ward councillors and parish councils were unaware of these proposals and asks the Cabinet to look at their protocol for informing and consulting ward and parish councillors when neighbouring authorities come forward with development proposals;
 - (d) believes that the development could place unacceptable strain on the infrastructure and services in Milton Keynes including on highways and transport infrastructure, quality public open space, GP services and school provision;
 - (e) notes that the development proposals lack any conformity or integration with the surrounding and adjoining infrastructure of Milton Keynes; and
 - (f) notes that as Shenley Park would likely be regarded informally and geographically as part of Milton Keynes, but falls outside the administrative boundaries of Milton Keynes Council so any planning decisions and future income would not fall to Milton Keynes Council.
4. That this Council resolves to:
- (a) oppose any allocation that does not meet the tests as agreed in Plan:MK policy SD15 and highlight the negative impact of the proposals on Milton Keynes;
 - (b) call upon AVDC to engage fully with the letter and spirit of Plan:MK policy SD15;
 - (c) request AVDC to consult fully with all local stakeholders and affected parties, including those within Milton Keynes and not just Aylesbury Vale;
 - (d) request that the new Buckinghamshire Council engages with Milton Keynes Council about the long-term sustainability of extension settlements;
 - (e) request that any urban extension to Milton Keynes within Aylesbury Vale, AVDC, or its successor, adopts the Milton Keynes approach of adopting a Design Brief focussed on good 'placemaking', agreed by the local authority, which developers will be expected to conform to, rather than allow a developer-led design, focussed on maximum profit; and

- (f) highlight that Milton Keynes Council has set the ambitious target to be carbon neutral by 2030 and that as such any development proposals need to prioritise a future rapid transit scheme and consider the impact on green space and biodiversity.”

The Council heard from 7 members of the public during consideration of this matter.

In accordance with Council Procedure Rule 12(d), it was moved and seconded “that the Cabinet member for Planning and Transport be requested to take a Delegated Decision to ask the Inspector for the Aylesbury Vale Local Plan to reopen the Inquiry to enable the Inspector to hear representations in respect of the prospective Shenley Park Development.)”.

On being put to the vote the procedural motion was declared carried.

Councillor Ferrans asked that her vote against the procedural motion be recorded.

On being put to the vote the motion was declared carried by acclamation.

RESOLVED –

1. That this Council notes that:
 - (a) The draft Vale of Aylesbury Local Plan (VALP) was submitted in October 2017 and included no provision for housing allocations on the border of Milton Keynes. However, in August 2018 the Planning Inspector published his interim findings including “A modification to the plan is required to redress the balance, by increasing the allocations in close proximity to Milton Keynes”
 - (b) in its schedule of proposed modifications published in July 2019, Aylesbury Vale District Council (AVDC) is proposing to allocate land to the immediate west of Kingsmead and Tattenhoe Park on the historic land of Whaddon Chase, and that Crest Nicholson are promoting this site for a development up to the size of 1,800 homes; and
 - (c) consultation of the proposed modifications is expected to take place later in 2019.

2. That this Council further notes that:
 - (a) Milton Keynes Council has affirmed its commitment to plan-led rather than developer-led development by passing Plan:MK in March 2019 and securing a five-year land supply;
 - (b) the commitment and expectation of Milton Keynes Council to plan-led development extends beyond its borders; and
 - (c) Milton Keynes Council has an agreed policy for urban extensions on the border of Milton Keynes, defined in Policy SD15 of Plan:MK, including provisions for integration with Milton Keynes (including the grid system, Redways and linear parks), sustainable development, exploring park and ride sites and establishing mechanisms to ensure appropriate planning gain is used within Milton Keynes.

3. That this Council:
 - (a) expresses concern that Shenley Park, or any of the other possible allocations may have a negative potential impact on Milton Keynes;
 - (b) expresses concern that the allocations have been brought up only towards the end of the plan-making process, meaning that community engagement on these sites has been minimal;
 - (c) expresses concern that ward councillors and parish councils were unaware of these proposals and asks the Cabinet to look at their protocol for informing and consulting ward and parish councillors when neighbouring authorities come forward with development proposals;
 - (d) believes that the development could place unacceptable strain on the infrastructure and services in Milton Keynes including on highways and transport infrastructure, quality public open space, GP services and school provision;
 - (e) notes that the development proposals lack any conformity or integration with the surrounding and adjoining infrastructure of Milton Keynes; and

- (f) notes that as Shenley Park would likely be regarded informally and geographically as part of Milton Keynes, but falls outside the administrative boundaries of Milton Keynes Council so any planning decisions and future income would not fall to Milton Keynes Council.
4. That this Council resolves to:
- (a) oppose any allocation that does not meet the tests as agreed in Plan:MK policy SD15 and highlight the negative impact of the proposals on Milton Keynes;
 - (b) call upon AVDC to engage fully with the letter and spirit of Plan:MK policy SD15;
 - (c) request AVDC to consult fully with all local stakeholders and affected parties, including those within Milton Keynes and not just Aylesbury Vale;
 - (d) request that the new Buckinghamshire Council engages with Milton Keynes Council about the long-term sustainability of extension settlements;
 - (e) request that any urban extension to Milton Keynes within Aylesbury Vale, AVDC, or its successor, adopts the Milton Keynes approach of adopting a Design Brief focussed on good 'placemaking', agreed by the local authority, which developers will be expected to conform to, rather than allow a developer-led design, focussed on maximum profit; and
 - (f) highlight that Milton Keynes Council has set the ambitious target to be carbon neutral by 2030 and that as such any development proposals need to prioritise a future rapid transit scheme and consider the impact on green space and biodiversity.
5. That the Cabinet member for Planning and Transport be requested to take a Delegated Decision to ask the Inspector for the Aylesbury Vale Local Plan to reopen the Inquiry to enable the Inspector to hear representations in respect of the prospective Shenley Park Development.)

THE MAYOR CLOSED THE MEETING AT 21:50 PM