

Agenda item: FC 265/21

WOUGHTON COMMUNITY COUNCIL

Full Council

Monday 15th March 2021

PURPOSE OF REPORT:

To update council on a planning appeal submitted and to consider any additional response.

RECOMMENDATION:

- 1. That council notes the report and previous papers relating to this application.**
- 2. That council notes the recommendation from the Planning, Licensing and Development Committee**
- 3. That council considers any further responses to be submitted to the appeal process.**
- 4. That the Council Manager submits anything further to the relevant authorities in line with the relevant cut off dates.**

MAIN ISSUES AND CONSIDERATIONS:

This paper has come to Full Council due to the time pressure and 'cut off' dates for responses to be submitted. This would usually be dealt with at the Planning, Licencing and Development Committee.

This appeal follows a planning application to develop land to the rear of 4 Holmfield Close on Tinkers Bridge. This is a property with some local significance, as it was home to Fred Roche, one of the 'founding parents' of the new city, as well as being a well-established property with developed and complex bio-diversity withing the extensive gardens.

The original application was objected to be WCC, primarily on the grounds of biodiversity. It was also objected to by TBRA and permission was refused by MKC on the grounds that:

- Unsympathetic to the character of the area, in contravention of Plan:MK, WCC Neighbourhood Plan and national planning policies
- Harmful to the amenity of future residents in contravention of Plan:MK
- Impact on trees on site
- Water drainage

Despite these reasons, the applicant has appealed this decision, and this now sits with the Secretary of State for oversight. The appeal will be a 'desktop' approach, rather than a hearing and as such, interested parties can add any further information that is felt relevant. All previously submitted papers will form part of the process, including the objections previously submitted by WCC and others.

The reasons for the rejection of the original application remain the same – concerns about the impact on the surrounding area, concerns around trees (and for WCC, biodiversity more broadly), drainage and the conflict with both MKC policies and the WCC Neighbourhood Plan.

These issues will be forwarded to the appeal, as they were submitted within the original application process.

There are no further ‘material considerations’ that the Council Manager considers to be valid within this appeal process, but a reiteration of the strength of feeling may be considered by council to be something to be actioned. There may also be further considerations that council would like included in any further submission.

FINANCIAL IMPLICATIONS:

An additional property within the parish would mean additional precept income. This would be likely to be around £2-300 per year.

STAFFING IMPLICATIONS:

None.

OTHER IMPLICATIONS:

There is opposition to this development from residents on Tinkers Bridge. It is important that these residents are supported in having their voices heard.

BACKGROUND PAPERS:

Due to the volume of papers relating to this application and appeal, they are accessible on Sharepoint at:

https://woughtoncc.sharepoint.com/:f:/s/Data/EsRcFnmRNFFv_2DBATLL3kB6ppA2EBikq5KdytEliBj3A?e=0t0qHW

AUTHOR

Steve McNay – Council Manager

Agenda item: FC 266/21

WOUGHTON COMMUNITY COUNCIL

Full Council

Monday 15th March 2021

PURPOSE OF REPORT:

To update council on fly-tipping and litter issues.

RECOMMENDATION:

- 1. That council notes the report.**
- 2. That the relevant officers pursue the idea of training and enforcement powers.**
- 3. That this issue is reported on as needed, due to the public interest in the issue, specifically once the financial situation is clearer and any impact is mitigated.**

MAIN ISSUES AND CONSIDERATIONS:

There has been considerable discussion and concern noted regarding a perceived rise in fly-tipping and litter across the parish (and beyond). This includes items within council committees, emails and social media posts, discussions within the principal authority and even a 'Panorama' programme covering the issue. It is clearly an issue that causes considerable public unhappiness.

The issue of what, if anything, WCC can do has been discussed at length – this is the duty of the principal authority (MKC) rather than WCC and whilst we continue to support them in addressing the issues (see below), no decision has yet been reached regarding any further resources being committed to this, specifically funding for CCTV cameras.

The issue of fly-tipping is a country wide one. Department for Environment, Food and Rural Affairs data shows 4,899 fly-tipping incidents were reported to Milton Keynes Council in 2019-20. MKC undertook 1,085 investigations, wrote 301 warning letters and issued 18 fixed penalty notices.

It also prosecuted two incidents in court, at a cost of £1,158. Such action resulted in two fines, totalling £920, being handed to offenders.

This shows the challenges regarding this issue – the costs of prosecution are higher than the fines issued, making this expensive to address. As noted above, WCC officers continue to work to manage, report and educate the parish and residents around littering and fly-tipping – this takes the role of education (regular updates on social media, within the Gazette, etc, plus lots of face-to-face discussions, stands at larger events (when happening) and similar), practical events such as litter picking, provision of equipment to RA's and other groups / individuals, highlighting, and the

passing on of information to MKC through labelling and reporting fly-tipped litter, with associated follow up where appropriate.

There is a 'Litter Action Plan 2018 – 2023' published by MKC, which shows a deterioration in many aspects of litter provision over the period 2010 – 2018. At time of writing, there is limited evidence to show anything improving since then. The action plan shows:

- Reduced satisfaction levels
- Reduced recycling of litter
- Reduced leaf litter collection for composting

The plan includes lots of other elements – full document is within the 'background papers', but includes five key aims:

- ✓ **Reduce Litter and Improving the appearance of the city**
- ✓ **Tackle persistent environmental crime**
- ✓ **Improving infrastructure**
- ✓ **Improve Communication and the Customer Journey**
- ✓ **Empowering communities**

There are specific elements relating to Parish councils within the MKC Litter Action Plan, mostly focused on the overall theme of 'empowering communities'. The statement specifically is:

We will:

- ***Support Parish Councils to provide information regarding cleaning schedules and topping up of cleaning services through the Serco framework;***
- ***Support the Working Locally programme to enable local councils to engage with public realm services at a level that suits them e.g. influence service delivery, enhance / top up cleaning services, take over services e.g. litter bin emptying through the draft parishes framework;***
- ***Ensure our data is up to date, particularly regarding land ownership/management and GIS layers and that the public have access to this information;***
- ***Provide a deep clean for MK, of any estate, street or redway where a parish council, community group or business takes responsibility for the continued upkeep of that space;***
- ***Make a provision to enable a parish council, community group or business to deliver their own additional cleaning services using one off funding;***
- ***Actively encourage and facilitate voluntary community pride activities such as clean-up days (whether locally or nationally initiated) and communicate these and their successes;***
- ***Empower Parish wardens to issue fixed penalty notices through training provision from our Environmental Crime Unit;***
- ***Actively encourage community champions and provide them access to resources to mobilise and organise Community clear ups;***
- ***Provide one off day passes to CRCs for waste that has been cleared by community clear ups and by Parishes;***

As can be seen, this part of that Action Plan is predominantly around passing things over to parishes to pick up duties and responsibilities from MKC – ‘topping up’ services (i.e. parishes paying for additional services), taking over services, enabling parishes to deliver their own services, providing a ‘deep clean’ on the understanding that the parish then takes responsibility. There are a couple of more positive elements, such as empowering Parish Wardens and encouraging community champions, but these do not appear to have happened. The issue of ‘Wardens’ is further discussed:

Parish councils have the authority to issue fixed penalty notices for offences of littering, graffiti, fly-posting and dog control offences (if appropriate local Dog Control Orders are in place). Local parish enforcement officers must be authorised in writing by the authority they issue notices for and must

also have completed an approved training course e.g. Keep Britain Tidy approved legal & enforcement training. MKC can provide training and support for parishes wishing to undertake environmental enforcement and provide ongoing support on how and when to issue notices, setting penalties in accordance with relevant legislation and assistance with establishing the appropriate functions and services income from fixed penalty notices can be best spent.

This is somewhat at odds to the consistent messages that we have which is that we cannot and should not take an enforcement role (NB – this is more about litter, dog waste, etc. and not necessarily about fly-tipping). It is recommended that WCC should investigate whether this is something that we could / should do, looking at cost / benefit analysis and whether this is something that we provide using existing officer resources or, as with some other parishes, employ an additional resource. This is equally an issue regarding CCTV provision – who and how we provide this and whether this is something that is financially viable.

It is recommended that these two issues, enforcement and CCTV provision, are investigated so that once the financial situation regarding the outcome of 2020 (covid 19) and clarity regarding the budget for 2021/22 is reached, further consideration regarding investment can be undertaken.

Fly tipping sits within this overarching theme and there are specific elements and targets within the Action Plan noted above. This includes:

Adopt a zero tolerance to fly tipping by investigating every case of dumped rubbish with evidence.

This is not felt to be happening, as often when evidence is provided by our officers, no further action is evident. Whether this is because of the sheer level of demand on an over stretched team, a view that there needs to be considerable evidence or for another reason is not clear.

The action plan includes a range of further expectations, aspirations and targets. How many of these remain current, given the changes that have taken place since the plans creation, remains to be seen but would be useful to discuss with a member of MKC to clarify.

FINANCIAL IMPLICATIONS:

This is currently unclear – whilst the costs of CCTV provision have been well documented in previous meetings, there has been no conclusion.

Additionally, if the council was to undertake enforcement work, it is unclear as to where any income might end up. As has been previously noted, any enforcement work fines in other aspects (e.g. parking) would be paid to MKC – a full cost analysis, alongside any training needs, would be needed prior to committing to anything further.

STAFFING IMPLICATIONS:

There is a potential for officers to be trained as wardens with enforcement powers – this would add an additional burden and additional responsibilities, alongside potentially a higher premium for wages.

OTHER IMPLICATIONS:

None.

BACKGROUND PAPERS:

MKC Litter & Cleaning Action Plan 2018 - 2023.

AUTHOR

Steve McNay – Council Manager

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WOUGHTON COMMUNITY COUNCIL

Full Council

Monday 15th March 2021

PURPOSE OF REPORT:

To update council on election preparations and impact upon WCC.

RECOMMENDATION:

- 1. That council notes the report.**
- 2. That council supports residents who may wish to become councillors.**
- 3. That a full induction programme is provided to any new councillors post May 2021.**

MAIN ISSUES AND CONSIDERATIONS:

Woughton Community Council has 19 seats, covering the seven wards of the parish. At time of writing, the seat on Leadenhall has been vacant since August 2020 and, following the sad passing of Cllr El-Shabrawry, there is also a seat vacant within the Beanhill ward*. In addition, two of the three ward councillor seats are also vacant. These seats are all part of the elections that are due to be held on May 6th 2021.

Both Leadenhall and Beanhill residents have requested an election, submitting the relevant names and addresses to the Elections Office at MKC. At this time, the Council Manager is unaware of whether there are any candidates who have submitted the relevant papers to the elections officer or if there are any interested candidates at this time.

The National Association of Local Councils (NALC) have a campaign to encourage people to stand – ‘Make a Difference’ where councillors have recorded videos that show the impact of their work. There have also been mentions within the weekly updates and on social media / website. It is hoped that this will mean that there are contested elections in each seat, showing the value of local democracy and engagement of residents in the community council. All councillors are encouraged to talk to residents about the possibility of standing as a councillor, especially those that may be under-represented within the council.

Please also note that purdah, the period where there are restrictions around what can be publicised, starts on 24th March 2021 and runs until 6th May.

*It should be noted that at time of writing, the relevant paperwork has been submitted to MKC, but there has been no confirmation of the Beanhill vacancy being included within the May elections. The Council Manager considers that the paperwork was submitted within the agreed timescales (if only just) and so all should be within the already planned elections. In the event that this isn't the case, there may be an additional election held later in the year.

FINANCIAL IMPLICATIONS:

Due to the Ward Councillor elections, there is thought to be no cost associated with the casual vacancies elections also taking place. In the event that any additional elections are needed (see above re: Beanhill), there is a cost of around £2000.

There is an income relating to the elections via the rental of the community centres as polling stations – each centre is used between 7am - 10pm.

STAFFING IMPLICATIONS:

None noted.

OTHER IMPLICATIONS:

Woughton Community Council is fortunate to have a fully elected councillor group. Whilst co-option is a possibility, having people register and stand for election shows the value and importance of the first tier of local government and the essential services and support that are offered.

BACKGROUND PAPERS:

Milton Keynes Elections 2021 Information.

AUTHOR

Steve McNay – Council Manager

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PURPOSE OF REPORT:

To recommend an early Annual General Meeting and Annual Meeting of the Parish, due to the potential for remote meeting regulations to change and to consider the potential impact of the removal of remote meeting regulations in May 2021.

RECOMMENDATION:

- 1. That Council notes the report.**
- 2. That Council agrees to hold both the Annual Meeting of the Parish and the Annual General Meeting on 3rd May 2021, via remote meeting / streaming.**
- 3. That both these meeting take place under the Remote Meeting regulations (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020).**
- 4. That a contingency plan is in place to manage meetings during the Council Year of 2021/22, whether remote meetings are legally allowed or not.**

MAIN ISSUES AND CONSIDERATIONS:

The council must hold an annual meeting, alongside an 'Annual Meeting of the Parish' each year.

The Annual Meeting is where the Chairs, Vice Chairs are elected, membership and committees are decided and so on.

The Annual Meeting of the Parish is the meeting where local electors can ask questions of the council, councillors and officers.

Due to the pandemic, these meetings didn't take place in 2020 and everything got 'rolled over', as defined and agreed by the relevant parts of legislation. It was agreed in May 2020 that the next annual meetings would take place in May 2021. With the remote meeting regulations in place until May 7th 2021, the Council Manager considers it wise to hold these meetings prior to the regulations potentially ending, due to health and safety concerns; holding a face to face meeting with 19 councillors, plus officers, plus members of the public is not felt compliant with the current concerns relating to Covid 19.

Given these concerns, it is recommended that Monday 3rd May is a suitable date for both meetings.

There are further concerns regarding the potential for these regulations to change post May 7th 2021, the day they are currently due to expire. Whilst there is a strong campaign to extend the regulations, in the event that this does not happen, the expectation is that face-to-face meetings will restart from May this year, despite the safety concerns and conflict with other government guidelines.

The Council Manager recommends that whether the regulations are extended or not, face-to-face meetings should not restart until the risk associated with this are sufficiently managed or reduced.

At the annual meeting, a calendar of meetings will be agreed – this can remain in place but be subject to change, cancellation or be online, face-to-face or a hybrid of both options.

It is recommended that the Council Manager, in conjunction with the Operations Manager, Health and Safety Lead, Council and Committee Chairs, prepares a contingency plan for the coming council year to enable meetings to continue. This may include use of different, larger spaces (such as CHMP), holding meetings outdoors or continuing to hold remote meetings until such time as it is safe to move back to in person gatherings.

FINANCIAL IMPLICATIONS:

None noted.

STAFFING IMPLICATIONS:

None noted.

OTHER IMPLICATIONS:

In the event that the regulations are not extended, there is a danger that WCC will not be able to continue to hold meetings safely, except remotely. This may be in breach of law. However, holding meetings that are not held remotely may also mean we are in breach of health and safety law. This provides some major questions that are not yet able to be answered.

BACKGROUND PAPERS:

None.

AUTHOR

Steve McNay – Council Manager