

MILTON KEYNES COUNCIL RESPONSE TO INSPECTOR'S QUESTIONS FOR EXAMINATION HEARINGS – STAGE ONE

MATTER ONE: LEGAL REQUIREMENTS AND THE DUTY TO CO-OPERATE

QUESTIONS: Q1.1 – Q1.10

Q1.1 Is the Plan compliant with the Planning and Compulsory Purchase Act (2004) (as amended) and the 2012 Regulations? In particular, is the Plan compliant with the Local Development Scheme and the Statement of Community Involvement?

- 1.1.1. In preparing the plan, the Council has had regard to Section 13 of the Planning and Compulsory Purchase Act 2004 in that it has kept under review:
- a) the principal physical, economic, social and environmental characteristics of the area of the authority;
 - b) the principal purposes for which land is used in the area;
 - c) the size, composition and distribution of the population of the area; and
 - d) the communications, transport system and traffic of the area.
- 1.1.2. Whilst the Local Development Scheme has been amended during the course of the plan's preparation, this has been undertaken fully in accordance with the timetable set out in the Local Development Scheme which is currently in effect dated July 2017 ([MK/SUB/014](#)). This envisaged that the Proposed Submission version of the plan would be published in autumn/late 2017 (in reality 8 November 2017), that submission to the Secretary of State would be in spring 2018 (it was 29 March 2018) and the examination in summer 2018.
- 1.1.3. Three formal consultations were held as part of the plan's preparation (under Regulation 18), prior to publication of the Proposed Submission Plan (Regulation 19). Table 1.1 of the Plan:MK presents a summary of the process. Also, a condensed summary (linked to the SA process) is presented by Figure 5.1 of the SA Report (2018 – [MK/SUB/005](#)), with a view to explaining the context to the establishment of reasonable alternatives.
- 1.1.4. The consultation on the Preferred Options version of the plan under Regulation 18 was carried out over 12 weeks between March and June 2017. Following a request for more time in which to submit representations, the consultation period was extended to 14 weeks. During this period, presentations, briefings and drop-in sessions were provided to residents and town and parish councils throughout the Borough, and staffed exhibitions were set up in the CMK Central Library and Kingston, Westcroft and Wolverton Libraries.
- 1.1.5. In summary, the plan is compliant with the Planning and Compulsory Act and the 2012 Local Planning Regulations.
- 1.1.6. Consultation on the plan was also carried out in accordance with the Council's Statement of Community Involvement of March 2014 ([MK/SUB/011](#)).

Q1.2 What is the status of the Site Allocations DPD (currently at an advanced stage of examination)? Will it be superseded by the adoption of Plan:MK? Is the relationship between the SADPD and Plan:MK clearly articulated in Plan:MK?

- 1.2.1. The Planning Inspector's report on the examination of the Site Allocations Plan (SAP) was submitted on 12 June 2018. The report concludes that the Site Allocations Plan provides an appropriate basis for the planning of the Borough provided that a number of main modifications are made to it. These modifications include a reduction in the number of site allocations from 21 to 15.
- 1.2.2. Subject to obtaining the necessary Cabinet/Council approval, it is anticipated that the SAP will be adopted on 18 July 2018. The SAP will not be superseded on the adoption of Plan:MK. Rather, its policies will remain in place to guide development at the allocated sites until such time as planning permissions for them have been implemented.
- 1.2.3. The Council accepts that the relationship between the SAP and Plan:MK should be clearly articulated in Plan:MK. To this end, a suggested modification to paragraphs 1.5 and 1.6 of Plan:MK has been included in the schedule of additional modifications.

Q1.3 Has the Habitats Regulation Assessment adequately assessed the effects of Plan:MK, either alone or in combination with other relevant projects and plans, on the integrity of internationally protected sites? Have Natural England commented on and/or agreed the HRA scope and conclusions? Is there a clear and justified threshold/distance for screening European sites?

- 1.3.1. A robust Habitats Regulations Assessment has been undertaken for the submitted Plan:MK which considers all identified effects of the plan on internationally important wildlife sites (not just alone but also in combination with other plans and projects). The distance used to identify European sites is considered highly precautionary. The HRA concludes there will be no likely significant effects on any internationally important wildlife sites. The HRA is not affected by the recent Sweetman judgment of the European Court of Justice as it did not rely on mitigation in forming its view on likely significant effects. Natural England made no comments on the Habitats Regulations Assessment or its findings at the Regulation 19 Proposed Submission stage. In an email sent to the Council on 29 May 2018, Natural England subsequently advised that, "We had no comment to make therefore we do not disagree with the conclusions [of the HRA]."

Q1.4 Has the Sustainability Appraisal adequately assessed the likely environmental, social and economic effects of Plan:MK? Does the appraisal demonstrate that the Plan has been tested against all reasonable alternatives? In particular:

i) Has the inter-relationship of effects, including cumulative impacts, been addressed?

ii) Is there adequate coverage of all reasonable alternatives (sites and policies)?

iii) Are reasons for rejecting alternatives and discounting unreasonable options clearly given?

iv) Is the SA proportionate and relevant in contributing to the evidence base of Plan:MK (NPPF paragraph 167)?

1.4.1. As explained on page 1 of the SA Report, and also within Appendix 1 (Regulatory requirements), the SA Report is structured in three ‘Parts’, with a view to clearly presenting the required information. With a view to supplementing Appendix I, Table A provides an overview of the information presented within the SA Report.

Table A: Information presented within the SA Report

‘Part’ of the report	Information provided
Introduction	Explains the role of the report; presents plan objectives and the SA framework.
Part 1 - What has plan-making / SA involved up to this point?	Explains the process of arriving at reasonable alternatives. Presents a summary appraisal of the reasonable alternatives. Presents the Council’s response / reasons for supporting the preferred option.
Part 2 - What are appraisal findings at this stage?	Presents an appraisal of the Proposed Submission Plan
Part 3 - What are next steps?	Explains subsequent plan-making steps, and discusses monitoring.
Appendices	Presents supplementary information on the SA scope and site options (considered as part of the process of arriving at reasonable alternatives); and presents detailed alternatives appraisal findings (supplementing Chapter 7).
N.B. the non-technical summary (NTS) is a separate document.	

1.4.2. With regards to the specific questions posed:

- i) Table 7.1 discusses the inter-relationship of effects associated with the reasonable alternatives, in that the narrative comprises a summary of the preceding topic-specific appraisals. The narrative covers the various effects associated with the reasonable spatial strategy alternatives ‘in the round’ (but stops short of identifying one option as best overall / on balance, recognising that it is not the role of SA to weight the importance of the SA topics/objectives).

The inter-relationship of effects associated with Plan:MK are discussed within Section 10.19, in that the narrative comprises a summary of the preceding topic-specific narratives.

With regards to ‘cumulative effects’, Section 10.19 presents a stand-alone discussion, i.e. a discussion of the cumulative effects of Plan:MK in combination with other policies and plans.

- ii) Chapter 5 explains the decision to focus on developing/appraising/consulting-on reasonable spatial strategy alternatives, recognising that determining a spatial strategy (i.e. allocating sites sufficient to meet development needs) is the key issue/objective at the heart of Plan:MK. Chapter 6 then presents “an outline of the reasons for selecting the alternatives dealt with” (Schedule 2(8)) before presenting the reasonable spatial strategy alternatives in Table 6.6. On this basis, we believe there to be adequate coverage of all the reasonable alternatives.
- iii) Reasons for discounting unreasonable spatial strategy options are presented within Chapter 6. Reasons for supporting the preferred option, in light of the reasonable alternatives, are presented in Chapter 8.
- iv) Yes, the SA process undertaken alongside plan-making is considered to have been relevant and proportionate. The SA process has informed plan-making both directly and indirectly (i.e. via informed consultation). Notably:
- consideration of alternatives in early 2017 informed preparation of Draft Plan:MK;
 - the 2017 Interim SA Report informed consultation, and subsequent plan-making;
 - consideration of alternatives in late 2017 informed preparation of the Regulation 19 Plan; and
 - the 2017 SA Report informed Regulation 19 representations, and is currently serving to inform the examination of Plan:MK.

- 1.4.3. Perhaps most notably, the clear and helpful information presented on reasonable spatial strategy alternatives within the SA Report serves to demonstrate that the SA process is proportionate and relevant. Plan:MK is a complex entity of many ‘moving parts’ (or ‘variables’), such that plan-making has involved, and continues to involve, a very large number of inter-related choices. The SA process has sought to *rationalise* plan-making by distilling down the myriad of complex choices into a single choice between mutually exclusive alternatives. This approach is in accordance with the regulatory requirement to appraise, and consult-on, “the plan and reasonable alternatives”, and the aim of the SEA Directive to create “*a more consistent framework in which to operate...*”

Q1.5 Does the Plan as a whole accord with s19(1A) of the Planning and Compulsory Purchase Act (2004) (as amended) by including policies that are designed to secure that the development and use of the land in the Borough contribute to the mitigation of, and adaptation to, climate change?

- 1.5.1. Section 10.10 of the SA Report presents a discussion of Plan:MK’s performance against climate change mitigation objectives, focusing on the matter of per capita greenhouse gas emissions from the built environment, concluding as follows -

“There may well be an opportunity to deliver low carbon heat or electricity as part of the East of M1 scheme, recognising its scale; however, no such measures have been proposed to date, plus delivery of the site is uncertain at the current time. The proposed thematic / development management policy framework should help to ensure that opportunities are examined fully, and capitalised upon where possible; however, it is recognised that viability considerations will often be prohibitive in practice. Overall, the plan performs moderately well, with there being the potential for more stringent policy to be established (as is invariably the case). Significant effects are not predicted, recognising that climate change mitigation is a global issue.”

- 1.5.2. Section 10.15 then presents a discussion of Plan:MK’s performance against transport objectives, covering both the matter of traffic congestion and also the climate change related matters of ‘sustainable transport’ and minimising the need to travel, concluding as follows:

“Transport modelling work has completed, with the general conclusion reached that Plan:MK will have limited impact on the baseline, recognising that the baseline situation is one whereby there is a large amount of committed housing and employment growth. The proposed allocations at South East MK and South of

Caldecotte are broadly supported, but it is difficult to conclude that the proposed East of M1 site performs well, from a transport perspective (albeit there is the potential to support delivery of a mass transit route between CMK and Cranfield University). A robust policy framework is proposed, which should help to ensure that new schemes are delivered in such a way that per capita distance travelled by private (petrol/diesel) cars is minimised. Overall, the plan has somewhat mixed effects, with there being no basis upon which to conclude 'significant' effects, either positive or negative."

Q1.6 Has the Council engaged constructively, actively and on an on-going basis with all relevant organisations on the strategic matters that are applicable to the Plan's preparation, as required by the Duty to Co-operate? Is this sufficiently evidenced by the Duty to Cooperate Statement (Document MK/SUB/008) and the various memoranda and statements, mainly signed in early 2018, contained within it?

1.6.1. As set out in the Duty to Cooperate Statement (March 2018) ([MK/SUB/008](#)) and the Duty to Cooperate Statement Addendum (June 2018) ([MK/SUB/008A](#)), the Council considers that its engagement with all relevant local authorities, public bodies and organisations throughout the course of the preparation of Plan:MK has been:

- constructive
- active
- ongoing
- collaborative
- diligent and
- of mutual benefit.

1.6.2. This engagement has resulted in a number of memorandums of understanding and statements of common ground being signed with neighbouring local authorities and public bodies which have produced positive outcomes and maximised the effectiveness of Plan:MK in relation to strategic matters.

Q1.7 What mechanisms will be put in place to ensure that there is future cooperation in relation to cross boundary issues that may arise as development within Plan:MK progresses? Are there cross-boundary issues in relation to any of the proposed site allocations such as transport and other infrastructure requirements? Please explain.

1.7.1. The emerging sub-regional strategic growth context highlights the importance of giving careful consideration to cross-boundary issues, for example in relation to transport and other infrastructure requirements, and also the importance of putting in place mechanisms for future cooperation.

- 1.7.2. Also, regardless of the strategic sub-regional growth context, the proposal to deliver strategic development close to boundaries with neighbouring authorities, and the fact that neighbouring authorities are proposing development close to the MK boundary, gives rise to a need to consider cross-boundary issues.
- 1.7.3. A primary sub-regional consideration is the need to support transport upgrades within the CaMKox corridor, and to appropriately target growth within that corridor. Plan:MK responds to this issue/opportunity by allocating SE MK and South Caldecotte, both of which are development opportunities that have the potential to contribute very positively to 'Corridor' objectives (e.g. through delivering housing, a secondary school and a new strategic employment site). With regards to cross boundary 'issues':
- The proposed new CaMKox corridor could potentially pass through the South East MK site, and it is for this reason that there is flexibility within the Plan:MK strategy for delivery of this site to be delayed, and for the site to deliver fewer than the currently anticipated 3,000 homes.
 - South Caldecotte gives rise to fewer sub-regional cross-boundary issues, on the basis that the Expressway will not pass through the site; however, there nonetheless is a need to consider the issue of HGV traffic flows from the site, which will include flows to the south along the A5, through Central Bedfordshire.
- 1.7.4. The other Plan:MK proposal with significant cross-boundary implications is the identification of East of MK as a strategic reserve site, to deliver post 2031 unless funding is made available for major infrastructure upgrades. This site is less directly related to the Corridor; however, it is clearly close enough such that development can contribute positively to Corridor objectives (see further discussion below). There are clear cross-boundary issues, given proximity to the border with Central Beds; however, the new community would very much 'look towards' MK, recognising that new infrastructure will be in place to bridge the M1 and link the site to CMK, and remembering that any planning application would need to be preceded by preparation of a comprehensive development framework, in accordance with Policy SD12.

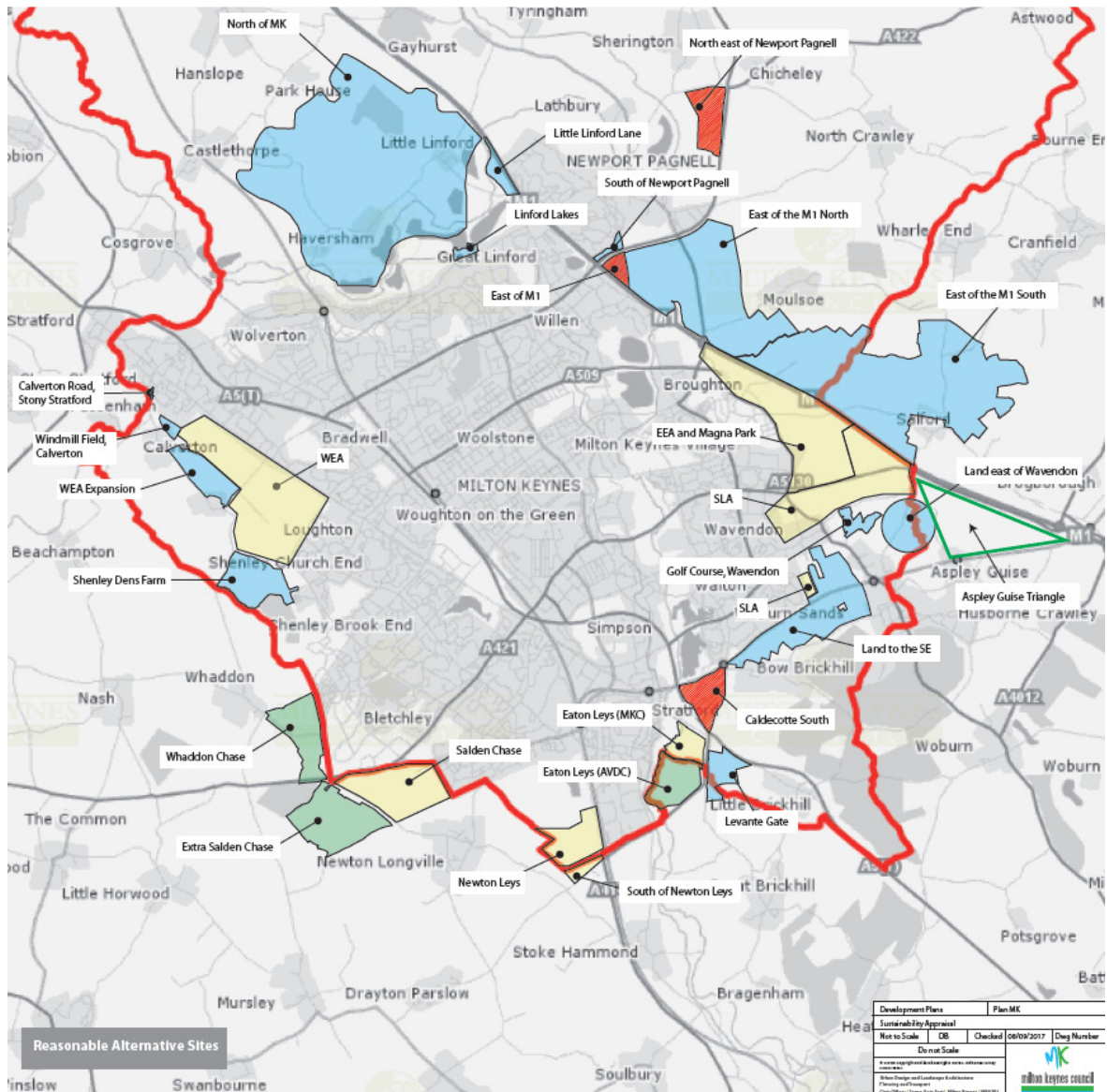
Q1.8 Other than Strategic Objective 4, does the Plan provide for effective outcomes in terms of cross-boundary issues?

- 1.8.1. Strategic Objective 4 reflects a commitment to *“work jointly with neighbouring authorities and other key organisations on the planning of any development located on*

the edge of Milton Keynes (but outside the Borough boundary) so that these areas are integrated with the city and contribute to its role and character.”

- 1.8.2. The first point to note is that this objective informed the development and appraisal of spatial strategy alternatives through the Sustainability Appraisal (SA) process, as explained within Chapters 6 and 7 of the SA Report (2018). In particular, Section 6.3 of the SA Report explains that consideration was given to development options in neighbouring Aylesbury Vale and Central Bedfordshire Districts - see **Figure A** - as part of the process of arriving at reasonable spatial strategy alternatives.
- 1.8.3. Within Plan:MK itself, Strategic Objective 4 is reflected in a number of policies, including:
- Policy SD1 (Place-Making Principles For Development)
 - Policy SD11 (General Principles For Strategic Urban Extensions)
 - Policy SD12 (Delivery Of Strategic Urban Extensions)
 - Etc.

Figure A (Figure 6.8 from the SA Report): MK urban edge site options



KEY

Plan:MK Site Options

- MK Borough boundary
- Housing or mixed use site option
- Employment site option
- Strategic commitment
- Nearby site option (non Plan:MK)

N.B. for context, the figure also shows:

- Employment site options;
- Major commitments
- Major commitments within Aylesbury Vale District; and
- Major site options within Aylesbury Vale District that are discussed as options within the Vale as Aylesbury Local Plan SA Report (2017), albeit none are supported by Aylesbury Vale District Council for allocation.

Q1.9 Does the Plan set out a clear strategic policy framework (NPPF paragraphs 156 and 184) for the preparation of Neighbourhood Plans (NPs)? How will any inconsistencies between emerging NPs and the Plan be resolved?

1.9.1. The Council acknowledges that the submitted version of Plan:MK could provide greater clarity for communities who intend to prepare neighbourhood plans. The council therefore has proposed a number of minor modifications which we consider address your concerns which relate to which strategic policies and the preparation of neighbourhood plans. The table below will be included as an additional appendix to clarify which strategic policies should be considered when preparing neighbourhood plans. This is based on NPPG guidance - *Paragraph: 076 Reference ID: 41-076-20140306*.

Policy reference in Plan:MK	Policy name in Plan:MK
MK1	Presumption in favour of Sustainable Development
DS2	Housing Strategy
DS3	Employment Development Strategy
DS4	Retail and Leisure Development Strategy
DS5	Open Countryside
DS6	Linear Parks
SD1	Place-Making Principles for Development
SD2	Central Milton Keynes – Role and Function
SD3	Central Milton Keynes – Growth and Areas Of Change
SD4	Central Milton Keynes – Connectivity
SD6	Eastern Expansion Area (Formerly Policy EA3 in the Milton Keynes Local Plan)
SD7	Western Expansion Area (formerly Policy EA6 in the Milton Keynes Local Plan)
SD8	Strategic Land Allocation
SD9	Newton Leys
SD11	General Principles for Strategic Urban Extensions
SD12	Delivery of Strategic Urban Extensions
SD13	South East Milton Keynes Strategic Urban Extension
SD14	Milton Keynes East
SD15	Land at Eaton Leys, Little Brickhill
SD16	Strategic Employment Allocation, Land

MATTER ONE
MILTON KEYNES COUNCIL

	South of Milton Keynes, South Caldecotte
SD17	Place-Making Principles for Sustainable Urban Extensions in adjacent Local Authorities
SD18	Campbell Park
SD19	Central Bletchley Urban Design Framework Area
ER1	Employment Sites within the Borough of Milton Keynes
ER2	Protection of Existing Employment Land and Premises
ER3	Retailing on Employment Land
ER4	Home Based Business
ER5	Protection of Small Business Units
ER6	Sites for Bad Neighbour uses
ER9	Employment uses and the rural economy
ER10	Character and Function of the Shopping Hierarchy
ER11	Assessing Edge of Centre and out of Centre Proposals
ER12	Protection of Local Shops, Post Offices, Banks and Public Houses
ER13	New shops in the Rural Area
ER14	Non-retail uses in Local Centres
ER15	New Local Centres
ER19	Non-retail uses on Ground Floors in Town Centres
HN1	Housing Mix and Density
HN2	Affordable Housing
HN4	Amenity, Accessibility and Adaptability of Homes
HN7	Houses in Multiple Occupation
HN8	Student Accommodation
HN10	Rural Exception Sites
CT1	Sustainable Transport Network
CT2	Movement and Access
CT8	Grid Road Network
EH1	Provisional of New Schools – Planning Consideration
EH2	Provision of New School – Site Size and

	Location
EH3	Reserve sites to enable Future School expansion
EH5	Health Facilities
EH6	Delivery of Health Facilities in New Development
EH7	Promoting Healthy Communities
FR1	Managing Flood Risk
FR2	Sustainable Drainage Systems (suds) and Integrated Flood Risk Management
INF1	Delivering Infrastructure
NE1	Protection of Sites
NE2	Protected Species and Priority Species and Habitats
NE3	Biodiversity and Geological Enhancement
NE4	Green Infrastructure
NE5	Conserving and Enhancing Landscape Character
NE6	Environmental Protection
L4	Public Open Space provision in New Estate
D1	Designing a High Quality Place
D5	Canalside Development
CC4	New Community Facilities
SC1	Sustainable Construction

1.9.2. We therefore consider these modifications align with paragraph 156 of the NPPF and NPPG guidance - *Paragraphs: 043 Reference ID: 41-043-20140306 and 076 Reference ID: 41-076-20140306.*

1.9.3. In terms of how the plan intends to address any inconsistencies between emerging NPs and the emerging Plan paragraph 1.10 acknowledges that there may be ‘*exceptional circumstances*’ where revisions to the strategic policies in Plan:MK may be inconsistent or in conflict with strategic policies in a neighbourhood plan. In those cases, the Council would recommend a parish council considers revising their neighbourhood plan. This approach is consistent with paragraph 184 of the NPPF.

1.9.4. It is worthwhile to note, Milton Keynes Council is extremely proactive towards promoting and encouraging neighbourhood plans, for example, it has a designated independent neighbourhood planning consultant and provides a range of [advice](#)

[documents](#) for the preparation of a neighbourhood plan. We currently have 13 made plans in the borough with a number of other plans currently being prepared.

Q1.10 Does the Policies Map illustrate the appropriate information? Are all relevant land-use designations shown on the Policies Map? (NPPF – para 157, 4th bullet point). Is there a schedule of modifications to the Policies Map?

1.10.1. The Proposed Submission Policies Map illustrates all relevant land-use designations in line with para 157 (4th bullet point) of the NPPF including existing and proposed land-uses, allocations, constraints and areas for protection. The Proposed Submission Policies Map comprises five district-wide A0 maps together with seven A3 Inset Maps for each of the town and district centres.

1.10.2. The Council has revised the schedule of modifications ([MK/SUB/004](#)) to align with the Inspector's recommendation to split the document into separate main, additional and policies map modification documents, and all will remain 'live' throughout the examination hearings.

Plan:MK

Addendum to Duty to Cooperate Statement

June 2018

1. Introduction

This document supplements the Council's Duty to Cooperate Statement ([MK/SUB/008](#)) that was despatched to Government on 29 March 2018 as one of the Plan:MK submission documents. Its purpose is to record some additional engagement with neighbouring local authorities and public bodies that was undertaken prior to the submission of the plan.

2. SEMLEP Planners' Forum

The South East Midlands Local Enterprise Partnership (SEMLEP) chairs and coordinates Planners' Forum meetings on a quarterly basis. These meetings are attended by senior planners of the local authorities within the local enterprise partnership area.

The meeting agendas often include an item on local plan progress and SEMLEP keeps up to date and circulates a log of the local authorities' latest position on the status and timetable of their emerging local plans. For example, the minutes of the meeting that was held on 11 September 2015, reproduced at **Appendix 1**, record that there was a presentation and discussion on Plan:MK and its progress and timetable. The forum was updated as preparation of the plan advanced and at no stage did another local authority or SEMLEP express any concern about the plan or its proposals. Nor was any request made through these meetings for the Council to consider meeting any unmet development needs of another local authority within the SEMLEP area.

3. Buckinghamshire Planning Policy Officers' Group

The Buckinghamshire Planning Policy Officers' Group similarly meets on a quarterly basis and its meetings contain a standing item on local plans. These meetings are attended by senior planning policy officers of the Buckinghamshire districts, Buckinghamshire County Council, and representatives of the Buckinghamshire and Thames Valley Local Enterprise Partnership and the Buckinghamshire and Milton Keynes Natural Environment Partnership. Milton Keynes Council regularly attended these meetings before and after 2016, during which year the Council was not represented due to staff turnover.

The proposals in the emerging Plan:MK were articulated during these meetings, including the Council's proposed response to meeting its Objectively Assessed Need for housing and the strategic housing and employment sites to be allocated in the plan. At none of these meetings did another local authority or other representative express any concern about the plan or its proposals. Nor was any request made through these meetings for the Council to consider meeting any unmet development needs of another local authority in Buckinghamshire.

4. Memorandums of Understanding and engagement with neighbouring local authorities

In the case of the memorandum of understanding (MoU) that was signed with Central Bedfordshire Council in March 2018, this was derived from work which had

been undertaken since March 2017 on several iterations of a strategic planning framework. The purpose of this document was to identify any strategic cross-boundary issues which may exist between the two authorities and set out how these issues could be taken forward and managed through local plan-making.

For the memorandum of understanding with Aylesbury Vale District Council (AVDC), this in fact started life as a statement of common ground which set out MKC's concerns about strategic housing sites in Whaddon and Newton Longville immediately to the south-west of Milton Keynes City. At that time, MKC's position was that housing allocations within the Milton Keynes Housing Market Area (HMA) should count towards the needs of that HMA irrespective of authority boundaries. MKC did not consider that this position resulted from 'unmet need' in the MKC administrative area but, given the sites' suitability, not counting them against the need of the Milton Keynes HMA would (a) result in the Council having to allocate less suitable sites in its own plan and, (b) reduce the ability of the proposed developments to be planned as part of Milton Keynes City.

This disagreement in part led to the joint commissioning of reports to establish the extent and location of HMAs across Bedfordshire and Buckinghamshire and surrounding areas (see [MK/HOU/001](#)). The reports concluded that, whilst in spatial terms it does extend across the northern third of Aylesbury Vale and into Central Bedfordshire, the Milton Keynes HMA is 'best fitted' to the Milton Keynes administrative area. Similarly, these reports concluded that the Buckinghamshire HMA is 'best fitted' to the combined administrative areas of Aylesbury Vale, High Wycombe, South Bucks and Chiltern District Councils.

As a positive outcome of these jointly commissioned findings, MKC accepted that the housing proposed to be allocated in AVDC to the south-west of Milton Keynes City should be allowed to be counted towards meeting the housing needs of the Buckinghamshire authorities.

The Duty to Cooperate Statement includes a list of the strategic cross-boundary issues relevant to Milton Keynes, South Northamptonshire and Bedford Councils. In the case of Wellingborough, efforts were made to engage with the Borough Council in August 2017 and a duty to cooperate meeting was offered. As no response to this was received, this offer was repeated in October 2017, but a response was still not forthcoming. Contact has been made with Wellingborough Borough Council more recently, however, and this resulted in the email response reproduced at **Appendix 2**.

The MoUs that have been signed with Aylesbury Vale and Central Bedfordshire specifically address the issue of cumulative impacts from strategic sites within those authorities but in close proximity to the administrative boundary of the Borough and to Milton Keynes City.

5. Bedford to Milton Keynes Waterway

The Council is a member of the Bedford and Milton Keynes Waterway Park Consortium, along with Central Bedfordshire Council, Bedford Borough Council, the Environment Agency, SEMLEP, and Forest of Marston Vale Trust. The Consortium is chaired on a rotating basis by the lead Portfolio holders from MKC and Central

Bedfordshire, and the Mayor of Bedford. It meets twice a year. A Joint Programme Executive meeting is attended by officers on a quarterly basis, including a member of the MKC Planning Service Management Team, who also reports regularly to the Waterway Trust on key developments in Milton Keynes.

The broad alignment of the waterway is safeguarded in the 2005 Local Plan. Planning consent for the route was secured at the Milton Keynes end but has now lapsed (following an extension to the original permission). As development proposals emerge along the route, MKC seek to safeguard the route, although this has led to some re-alignment over time. The Council has also secured the transfer of land to MKC freehold where this has coincided with the provision of new open spaces.

The route for the waterway is also safeguarded within the A421 Dualling Scheme which is being undertaken jointly with Central Bedfordshire Council. More specifically, the A421 project has actually secured planning permission for a 'box culvert' structure under the A421 to facilitate a future waterway.

Policy protection for the waterway is maintained in Plan:MK through Policies SD6, SD8 and D5 as part of new development proposals long the route, whilst the alignment of the route is safeguarded on the Policies Map.

APPENDIX 1

Minutes of the SEMLEP Planners' Forum meeting, 11 September 2015



MINUTES

**SEMLEP Planners' Forum
Friday 11 September 2015
10.00am – 12.00pm**

Room 4, Civic Office
Milton Keynes Council
1 Saxon Gate East
Milton Keynes MK9 3EJ

Attendees:

Anna Rose (Chair)	DH	Service Director- Planning & Transport	Milton Keynes Council
Diane Webber	DW	Senior Planning Officer, Development Plans	Milton Keynes Council
Fiona Robinson	FR	Senior Planning Officer, Development Plans	Milton Keynes Council
Paul Rowland	PR	AD – Planning & Housing	Bedford Borough Council
Gill Cowie	GC	Planning Team Leader	Bedford Borough Council
Clive Faine	CF	Chair PDIIG	PDIIDG SEMLEP
Terry Begley	TB	Principal Planner	Corby Borough Council
Kevin Owen	KO	Team Leader	Luton Borough Council
Andrew Davie	AD	AD – Planning	Central Bedfordshire Council
Colin Staves	CS	Principal Spatial Planning Officer	West Northants JPU
Hilary Chipping	HC	Strategist	SEMLEP

Apologies:

Andrew Longley	AL	Planning Manager	North Northants JPU
Simon Bowers	SB	Corporate Manager	Daventry District Council
Andy Kirkham	AK	Planning Manager - Forward Plans	Aylesbury Vale District Council
Adrian Colwell	AC	Head of Service	Cherwell and South Northants District Councils
James Doe	JD	AD – Planning Development & Regeneration	Dacorum Borough Council
Chris Pagdin	CP	Head of Planning	Luton Borough Council
Richard Fox	RF		Central Bedfordshire Council
Jennie Selley	JS	Major applications	Central Bedfordshire Council

Item:	By
<p>3 Presentation and discussion- Plan:MK, Progress and Timetable</p> <p>Presentation by FR covering Plan:MK – what it will cover; progress so far and the next steps. FR also explained the links between Plan:MK and the emerging work to establish a Vision Commission for Milton Keynes.</p> <p>MKC would welcome feedback from other LPAs as to how we can best involve parish councils outside the Milton Keynes area in future consultations.</p> <p>Bedford – will some of the old 2005 local plan policies need to be retained in Plan:MK – especially for development sites where the policy still provides important development principles? It is not our intention to have to retain any of the old policies but a good point and one we will follow up.</p> <p>HC – will there be a shared evidence base? FR – all evidence produced for Plan:MK and the vision commission will be publicly available online.</p> <p>WNJPU – at this stage, are the options set within a context of housing and economic need? FR- yes – based on SHMA and core Strategy numbers</p> <p>All – would be useful to have a table showing evidence under preparation to identify possible sharing opportunities.</p> <p>Discussion followed on the Vision Commission (VC), its role, status etc. Matters raised include:</p> <ul style="list-style-type: none"> - who or what is the Vision Commission (VC), what is its status? - will the VC's recommendations be deliverable? - the VC has taken some a little by surprise; potential confusion with a statutory plan; need for clarity about relationship to Plan:MK and the mandate for the VC. - is there a risk of taking a 15 year plan to examination with a 50 year vision that isn't examined. - Other parts of SEMLEP may have their own visions – how do these fit together? - is there a brief for the VC and will there be engagement on the preparation of that brief? - Are Milton Keynes councillors represented on the VC? - May be backlash around who decided who to appoint to the VC. - If the VC looks beyond MKC boundaries when neighbouring councils and their members may have concerns. Are neighbouring councillors aware of the VC? - HC noted a SEMLEP Board meeting w/c 14th September – there needs to be a reference about the VC at that Board meeting. <p>Response:</p> <ul style="list-style-type: none"> - the VC has no planning status, it will prepare its own report and make recommendations to MKC. It will run alongside work on Plan:MK and is not designed to be a spatial process – its focus is the economy. - the work of the VC is supported by the Government Office for 	FR

Item:	By
<p>Science under the Foresight Future of Cities programme. This gives us access to professional advice and resources.</p> <ul style="list-style-type: none"> - The terms of reference for the VC are in the motion to Full council on 16th September. The brief will evolve after the 16th. - MK councillors are not members of the VC but will attend meetings. 	
<p>4 Presentation and discussion – Neighbourhood Plans</p> <p>Presentation by DW on the current position of neighbourhood planning in MK; some of the lessons learnt along the way and recent issues arising from decisions on planning applications.</p> <p>Discussion around using neighbourhood plans to support site allocations in local plans; costs associated with neighbourhood planning and use of the available DCLG grants (the MKC Neighbourhood Plans service had a successful Internal Audit earlier in 2015, currently incoming grant monies roughly in balance with outgoings but that is skewed by the extra costs associated with the production, examination and referendums for the CMK Business NP). In terms of the effectiveness of Neighbourhood Plans generally, CF queried how many NPs have led to an NDO or LDO which would result in something more tangible.</p> <p>Bedford has 18 neighbourhood areas so it would be useful to share experiences before these progress. Very little neighbourhood plan activity in other areas</p> <p>Presentation to be sent out with the notes. DW happy to share experience with other LPAs in the area.</p>	<p>DW</p>
<p>5 Plan progress and areas for joint working</p> <p>AVDC – Issues and Options to be approved at the end of November, consultation in Spring 2016</p> <p>Luton – pre-submission local plan going to the Executive on 21 September with a view to starting consultation at the end of October through to early December.</p> <p>Bedford- second Reg 18 consultation planned from mid- October to mid-December. Aiming for submission plan Autumn 2016.</p> <p>C Beds- still in the Court of Appeal on their Development Strategy</p> <p>W Northants – Part 2 local plans being produced by their respective district councils. Northampton Borough starts consultation at the end of November.</p>	
<p>6 PDIIG and SEMLEP Update</p> <p>Programmes and discussions underway on:</p> <ul style="list-style-type: none"> • devolution • skills issues 	<p>HC</p>

Item:	By
<ul style="list-style-type: none"> • housing supply • infrastructure funding and delivery <p>Some LPAs, especially C Beds are keen to draw up a CIL proposal to Government. Reminder that SEMLEP/PDIIG always happy to help to pitch proposals to Government.</p> <p>Surrounding counties (Oxfordshire, Bucks and Northamptonshire) have created a 'strategic alliance' and are looking at creating a transport forum, but unclear how this would relate to SEMLEP. The alliance proposal has gone to Government and results will emerge in the Autumn Statement.</p> <p>AR – in terms of the Duty to Co-operate, best if the LPAs have their own internal discussions initially and from that it will be clearer how SEMLEP can assist.</p> <p>HC agreed that the Planners' Forum Group is important to DtC.</p> <p>AR – MKC is continuing its campaign against the pooling restriction on S106 and using opportunities to sell the benefits of a more flexible approach. The tariff is a very successful example of a funding mechanism that could not operate with the pooling restriction.</p>	
<p>Next meeting 13 November, 10am-12 noon</p> <p>General agreement that MK is a good place to meet. Consider offering a dial-in facility for those based further afield.</p> <p>All to consider and suggest items for discussion at the next meeting. DW suggested gypsy and traveller issues.</p>	

APPENDIX 2

Email from Wellingborough Borough Council to Milton Keynes Council of 15 June 2018

From: Sue L. Bateman <SBateman@wellingborough.gov.uk> Sent: Fri 15/06/2018 09:06
To: Cheston, John
Cc: Julie Thomas
Subject: [EXT] RE: Update on Milton Keynes Council's Plan:MK and a Duty to Cooperate request

Dear John,

Further to our recent telephone conversation, I can confirm that the council has no fundamental concerns that Milton Keynes Council is not complying with the Duty to Cooperate in its preparation of Plan:MK. We have not identified any strategic cross boundary issues relevant to both WBC and MKC that need addressing at this stage.

For your information, we addressed Duty to Cooperate issues for our Plan for the Borough of Wellingborough in a Statement of Consultation and in response to Matter 1 of the Inspector's questions. See links below:

http://www.wellingborough.gov.uk/downloads/download/2846/pbw_statement_of_consultation_january_2018
http://www.wellingborough.gov.uk/downloads/file/8065/borough_council_of_wellingborough

If I can be of any further assistance please let me know.

Regards
Sue Bateman
Senior Planning Officer

Tel: 01933 231926