

Name	Date	Comment	MKC/Stakeholder Response/Comment
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STAKEHOLDERS COMMENTS on what the “Blakelands Review” should consider @ 6-5-19

Milton Keynes Council and an independent Planning Consultant, (Marc Dorfman – Town Planning Management Ltd) (**we don’t have to identify me – whatever you think**) have created an initial draft “Framework for the Review”. This is now being circulated to stakeholders closely involved with the case. They are being asked for comments and proposals for anything else that should be considered.

The Framework and Stakeholder Comments will then be sent out for wider consultation (**XXX? Correct?**). This will ensure the Inquiry picks up all Inquiry concerns. These will then be addressed by the Review.

Please see below Stakeholder Comments to date. Please add your own comments and send to (**MKC email address please**).

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██████████	5-4-19 email to Paul Simpson	Review original s106 agreement. Public Art contribution negotiated after DCC decision and DCC not informed. Alleged agent email 25/9/17 requesting to pay less than policy	
		Review other planning permissions with missing conditions, (Olney and Blakelands cases). Note Tongwell 16/03084 of concern. Check permissions issued over the last few years.	
		Environmental Health seem to be ignoring residents’ complaints of problems from construction noise, light and dust – why is this? Is it true? How many complaints and investigations?	

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		Need commitment from the MKC to investigate EH and Planning complaints and contraventions.	
		HGV hours restriction condition. Council to commit to support no relaxation of the condition	
	ToR Document sent to Paul Simpson 14-3-19	<p>██████████ Blakelands Residents' Association - Proposals for ToR Blakelands Inquiry:</p> <ul style="list-style-type: none"> - Accuracy and objectivity of case officer's original report and recommendations - Response of officers to investigate and address concerns raised by residents with regards to accuracy of submitted drawings and docs relating to noise, shadowing and traffic - Reason for the case officer change - Whether there was any undue pressure on officers to support the scheme – and in particular Chief Planner and Corporate Director - Adequacy of process/IT systems that led to issuing of incorrect permission – that did not reflect DCC decision - Adequacy of the response by Planning and Legal to the mistake – and if these were timely, legal and in the public interest - How sensible/correct was it for MKC to seek to rectify the mistake by requesting a second application, in view of the applicant having already 	

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		<p>started the development?</p> <ul style="list-style-type: none"> - Application 18/00223/FUL – did officers act improperly and or against council policy in dealing with this application and supporting its recommendation for approval? - Review the Council's representations to PINS in the s73 appeal - Did the mistake (missing conditions) and subsequent discussions with agent/applicant unduly influence officers – Env Health to act against council policy and statutory requirements? - Findings of inquiry to be reported asap 	
██████████	11-4-19 email to Paul Simpson	Review and check whether the correct procedures were followed with regard to DCC May 2017 meeting. Planning Officers "objection to the draft minutes and subsequent change which was agreed"	
Cllr John Bint	9-3 and 7-4-19 email to Paul Simpson	<p>Review the reasons Jeremy Lee (JL) was removed as the Blakelands Application case officer.</p> <p>Alleged that JL said in email he would recommend for refusal. Following agent complaint and contact with Brett Leahy - JL replaced with Samantha Taylor.</p>	
		<p>Concerns that "officers are misinforming DCC"</p> <ul style="list-style-type: none"> - Quality, accuracy and clarity of officer advice to members/committee 	

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		<ul style="list-style-type: none"> - Review format of report - Review written updates Review the following: <ul style="list-style-type: none"> - Blakelands May 2017 meeting where resolved to grant pp with 23 conditions - Blakelands April 2018 report – subsequently withdrawn - Blakelands November 2018 report and meeting - Timing and content of all correspondence between officers/agent - List of officers reviewing and approving reports - MKC Blakelands statement of case to JR 	
		<p>Review all stages of the Blakelands application. In particular:</p> <ul style="list-style-type: none"> - Missing planning conditions - Allegation that kept conditions benefited the Council and those left off would have protected residents - Belief that Cttee was seriously misinformed by officers - Whether officer advice to DCC was balanced, objective and professional – including other applications and officer proposals to revise scheme of delegation/public speaking - Timeline of missing conditions. Could MKC have noticed sooner and taken early action to rectify - Decision to change case officers from Jeremy Lee to Samantha Taylor 	

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MKC Management Officers	Email to Marc Dorfman 19-4-19	Review both the detail of the Blakelands decision and the wider system that allowed this to happen.	
		Review how and why the Blakelands case officer was changed.	
		Was there pressure on either case officer to make a particular recommendation? Did the officers feel any pressure? Detail and explain.	
		Review the roles of the Chief Planner and Corporate Director in the making of the Blakelands decision – and decisions in general.	
		Review if and how the DCC meeting could have been “misled” by planning officers in making the Blakelands decision – and in general	
		How is the quality, accuracy, clarity and planning balance of planning application reports checked and confirmed by DM management?	
		What is the system that checks and ensures an accurate Decision Notice is sent out?	
		When did officers know about the Blakelands error to send out a decision Notice with 14 conditions missing? How/who uncovered the mistake? Did officers know about the error in the period when MKC could have done	

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		something about it i.e. judicially review the decision?	
		Did legal and planning officers react in a timely way when the problem/mistake was uncovered?	
		Residents have asked that the Review/MKC looks at the Section 78 Appeal. This is beyond the Decision Notice (DN) and relates to the removal of the condition restricting lorry movements. (May help confirm if MKC knew about the flawed DN).	
		A councillor has requested that MKC's statement of case is reviewed for the Judicial Review. (Need to clarify with councillor the purpose).	
		Residents are questioning the role of MKC Environmental Health officers and asking whether EH performance has been affected by the planning application, as EH and Planning Enforcement seem not to be responding to complaints and issued raised. Discuss with Neil Allen Head of Regulatory Services and report back to Director and Review	
		What was the Officer response to the concerns raised by residents in relation to the accuracy of the submitted of the submitted application drawings and information on noise, shadowing and traffic. How were these comments and the application submissions themselves assessed? What is the criteria for assessment? How checked by senior	

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		officers?	
		What was the reason for the change in case officer?	
		What role did the Chief Planner and Corporate Director play in the Blakelands decision/	
		Was the officer report accurate and objective in terms of content and recommendations?	
		Were the section 106 obligations in line with policy – and specifically public art? How were these negotiated and when?	
		Did officers act in accordance with the MKC Code of Conduct, appropriate legislative requirements and Council Policy?	
		Were the decisions taken after the identification of missing conditions, including the request for a second planning application, timely, robust and appropriate?	
		Has MKC checked other planning permissions to see if the Blakelands mistake is a one off or part of a bigger systematic failure – IT/process failure or staff procedure failure?	

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