

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**CABINET**

**19<sup>th</sup> June, 2013**

26. **Present:** Councillors Houghton (Chairman), Tim Cheetham, Gardiner, Lamb, Miller, Platts and Richardson (for Howard).

Councillors Bruff, K. Dyson, Franklin, Mitchell, M. Sheard and T. Sheard were also in attendance.

27. **Declarations of Pecuniary and Non-Pecuniary Interests**

There were no declarations of pecuniary or non-pecuniary interests.

28. **Leader of the Council - Call-In of Cabinet Decisions**

The Leader reported that no decisions from the previous meeting held on 5<sup>th</sup> June, 2013 had been called-in.

29. **Minutes of the Meeting held on 5<sup>th</sup> June, 2013 (Cab.19.6.2013/3)**

The minutes of the meeting held on 5<sup>th</sup> June, 2013 were taken as read and signed by the Chairman as a correct record.

30. **Decisions of Cabinet Spokespersons (Cab.19.6.2013/4)**

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 7<sup>th</sup> and 14<sup>th</sup> June, 2013 were noted.

31. **Petitions Received Under Standing Order 44 (Cab.19.6.2013/5)**

**RESOLVED** that the report notifying the receipt of the following petition be noted and the recommended actions for responding to it be endorsed:-

Request for the closure of the footpath between Horizon Community College and Grosvenor Drive / Branksome Avenue, Barnsley.

This matter has been referred to the Interim Assistant Director Environmental Services. Legal limitations, issues of road safety, traffic management, as well as education and anti social behaviour need to be explored and understood before possible solutions are identified. The service is continuing to investigate these issues.

There have been a number of residents' concerns about anti social behaviour reported to the Local Safer Neighbourhood Team. These have been dealt with proactively by the Team and direct contact details have been supplied to residents in the area. The Team have also started to work more closely with staff and pupils at Horizon to specifically address concerns about some behaviour outside the school grounds linked to some pupils.

**CABINET****19<sup>th</sup> June, 2013****32. Leader of the Council – Membership of the Health and Wellbeing Board – Appointment of Public Health Cabinet Spokesperson (Cab.19.6.2013/6)**

**RESOLVED** that, in view of the support expressed by the Health and Well Being Board, the membership of the Health and Well Being Board be revised by the addition of the Public Health Cabinet Spokesperson (currently Councillor Chris Lamb), with the Public Health Cabinet Support Member (currently Councillor Karen Dyson) acting as Deputy.

**33. Corporate Services Spokesperson – Corporate Plan Performance Report (Cab.19.6.2013/7.1)****RESOLVED:-**

- (i) that the contents of the report now submitted in relation to the delivery of the Corporate Plan outcomes be noted;
- (ii) that it be noted that there is an error in the recording of data for life expectancy at birth, in that the figure for females is shown against the line for males, and vice versa;
- (iii) that the report be used as a trigger for any areas of follow-up and further examination, as identified and requested by Members, potentially focusing on those Corporate Plan outcome areas with a red 'RAG' rating;
- (iv) that the Performance Review Panel be disestablished with immediate effect and the executive member performance review role, as set out in the Council's Performance Management Framework be taken on by Cabinet to ensure collective oversight of performance against the Council's priorities;
- (v) that the Council's Constitution be amended to remove the Performance Review Panel and include a direct reference to performance review as part of the role of Cabinet;
- (vi) that further work be undertaken to look at the performance management framework for Area Councils; and
- (vii) that the report be presented to the Overview and Scrutiny Committee to inform the further work required to develop their work programme.

**34. Corporate Services Spokesperson – Alternative Service Delivery Models Protocol (Cab.19.6.2013/7.2)**

**RESOLVED** that the Alternative Service Delivery Models Protocol, as detailed in Appendix A of the report now submitted, be approved.

**CABINET****19<sup>th</sup> June, 2013****35. Corporate Services Spokesperson – Establishment of Local Authority Trading Company Structure (Cab.19.6.2013/7.3)****RESOLVED:-**

- (i) that the opportunities presented by the power to trade contained in the Local Government Act 2003 be recognised;
- (ii) that the Assistant Chief Executive, Legal and Governance be authorised to incorporate a company wholly owned by the Council so as to allow the Council to exercise the power to trade;
- (iii) that the governance structure of the company be established in accordance with the principles contained in section 3.2.3 of the report now submitted, subject to ongoing review; and
- (iv) that consideration be given, as appropriate, to any individual business cases in respect of the use of the Council's trading powers as part of the development of the future and sustainable Council agenda.

**36. Corporate Services Spokesperson – Business Case for the Exercise of Trading Powers in Relation to Human Resources (Cab.19.6.2013/7.4)****RESOLVED:-**

- (i) that the Business Case to allow Human Resources to undertake additional work for public bodies other than the Council and private individuals in order to generate additional income alongside conventional in house delivery, as detailed in the report now submitted, be approved; and
- (ii) that a post of Marketing and Sales Manager, as detailed in the report, be established.

**37. Corporate Services Spokesperson – Managing Change Policy – Revised Process for Appointing to New Structures Including Assimilation Process (Cab.19.6.2013/7.5)**

**RESOLVED** that the revised process to appoint to a new structure (including assimilation) which will replace the current process within the Managing Change Policy (Section 9) with effect from 1<sup>st</sup> July, 2013, as detailed in the report now submitted, be approved.

**38. Corporate Services Spokesperson – Changes to Redundancy Consultation Period (Cab.19.6.2013/7.6)**

**RECOMMENDED TO COUNCIL ON 25<sup>th</sup> JULY, 2013** that the changes to the Redundancy Consultation Periods, as detailed in the report now submitted, be approved.

**CABINET****19<sup>th</sup> June, 2013****39. Children, Young People and Families Spokesperson – Creating a Sustainable Integrated Youth Support Service (Cab.19.6.2013/8)****RESOLVED:-**

- (i) that the restructuring proposal, for the Children, Young People and Families Directorate, Integrated Youth Support Service, to realign services in response to the changing landscape and to achieve the Directorate's 2013/14 'in year' savings, as detailed in the report now submitted, be approved;
- (ii) that the restructuring be progressed with implementation to take effect from 11<sup>th</sup> September, 2013; and
- (iii) that the changes to service delivery resulting from these proposals be noted.

**40. Development, Environment and Culture Spokesperson – Response to the Economy and Skills Scrutiny Commission Report on Development Sites and Transport Infrastructure (Cab.19.6.2013/9)**

**RESOLVED** that the response to each of the Economy and Skills Scrutiny Commission's recommendations concerning ways to improve Barnsley's transport infrastructure and ensure development land is used to best effect across the Borough, as outlined in Section 4 of the report now submitted, be endorsed.

**41. Exclusion of the Public and Press**

**RESOLVED** that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I, of Schedule 12A of the Local Government Act 1972, as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
42	Paragraph 3
43	Paragraph 3

**42. Corporate Services Spokesperson – Sale of Land at Penistone Grammar School, Huddersfield Road, Penistone (Cab.19.6.2013/11.)****RECOMMENDED TO COUNCIL ON 25<sup>th</sup> JULY, 2013:-**

- (i) that the Assistant Chief Executive Finance, Property and Information Services be authorised to exchange contracts on the sale of land at Penistone Grammar School, Huddersfield Road, Penistone, to Bellway Homes, as detailed in the report now submitted, with immediate effect;

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- (ii) that NPS Barnsley Ltd be instructed by the Head of Strategic Property and Procurement to finalise the heads of terms and contract details for the proposed disposal;
- (iii) that the Assistant Chief Executive Legal and Governance be authorised to complete the sale of the site to Bellway Homes on approval of the scheme at Planning Regulatory Board; and
- (iv) that the Assistant Chief Executive Legal and Governance be given delegated authority to address and conclude the division of the capital receipt between the Council as Trustee and the Council in terms of meeting its commitment to the Building Schools for the Future (BSF) Programme and that until settlement is concluded that the Council as Trustee hold the capital receipt in a separate trust account.

43. **Corporate Services Spokesperson – Goldthorpe Primary School – Redevelopment scheme – Proposed Compulsory Purchase (Cab.19.6.2013/11.2)**

**RESOLVED:-**

- (i) that the Assistant Chief Executive, Legal and Governance be authorised to make and publish a Compulsory Purchase Order (CPO) pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily acquire the lands at Main Street, Central Street and Doncaster Road at Goldthorpe, as detailed in the report now submitted, for the purposes of facilitating the carrying out of development comprising a new 3-11 primary school which will contribute to the promotion and the improvement of the economic social and environmental wellbeing of the area in which the land is situate;
- (ii) that the Assistant Chief Executive, Legal and Governance be authorised to submit the CPO to the Department for Communities and Local Government for confirmation and for officers to take all necessary steps as may be required for the purpose of presenting the Council's case at any public inquiry and to complete all necessary documentation to give effect to the CPO;
- (iii) that the Assistant Chief Executive, Finance, Property and Information Services be authorised to continue to negotiate with the owners of the one remaining area of land that has identified owners and to acquire that land by agreement in advance of the CPO or pursuant to the CPO post confirmation; and
- (iii) that NPS Barnsley be instructed by the Head of Strategic Property and Procurement to continue to negotiate with the owners and assist in the preparation of the CPO.

**CABINET****19<sup>th</sup> June, 2013****44. Ann Gosse – Appreciation**

The Development, Environment and Culture Cabinet Spokesperson noted that it was Ann Gosse's last Cabinet meeting before leaving her post as Executive Director Development, Environment and Culture. He referred to her achievements in attracting jobs and investment to the Borough and developing the services within her Directorate and expressed his thanks for her hard work.

The Leader of the Council and the Chief Executive added their support to the Spokesperson's comments, noting the contribution Ann had made during her time in Barnsley.

**RESOLVED** that the comments be endorsed and Cabinet place on record its best wishes to Ann Gosse for the future.

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Chairman