

**BARNSELY METROPOLITAN BOROUGH COUNCIL****CABINET****11<sup>th</sup> September, 2013**

116. **Present:** Councillors Houghton (Chairman), Andrews, Tim Cheetham, Gardiner, Howard, Lamb, Miller and Platts.
- Councillors Bruff, Franklin, Mitchell, Morgan, Richardson, M. Sheard and T. Sheard were also in attendance.

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

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

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

The Leader reported that no decisions from the previous meeting held on 28<sup>th</sup> August, 2013 had been called-in.

119. **Minutes of the Meeting held on 28<sup>th</sup> August, 2013 (Cab.11.9.2013/3)**

The minutes of the meeting held on 28<sup>th</sup> August, 2013 were taken as read and signed by the Chairman as a correct record.

120. **Decisions of Cabinet Spokespersons (Cab.11.9.2013/4)**

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 30<sup>th</sup> August and 6<sup>th</sup> September, 2013 were noted.

121. **Petitions Received Under Standing Order 44 (Cab.11.9.2013/5)**

It was reported that no petitions had been received under Standing Order 44.

122. **Cabinet Spokesperson without Portfolio – Council Nomination to Berneslai Homes Board (Cab.11.9.2013/6)**

**RECOMMENDED TO COUNCIL ON 26<sup>th</sup> SEPTEMBER, 2013** that Councillor T. Sheard be appointed to the Berneslai Homes Board with immediate effect.

123. **Corporate Services Spokesperson – Corporate Plan Performance Report – Quarter 1 2013/14 (Cab.11.9.2013/7.1)****RESOLVED:-**

- (i) that the Corporate Plan Performance for Quarter 1 2013/14, as detailed in the report now submitted, be noted;
- (ii) that business starts, volunteering and health inequalities be identified as areas of follow-up and further examination, given that those Corporate Plan outcome areas with the red 'RAG' rating; and

**CABINET****11<sup>th</sup> September, 2013**

- (iii) that the report be presented to the Overview and Scrutiny Committee to inform and support their ongoing work programme.

**124. Corporate Services Spokesperson – Treasury Management Activities and Investment Performance Report – Quarter Ending 30<sup>th</sup> June, 2013 (Cab.11.9.2013/7.2)**

**RESOLVED:-**

- (i) that the Treasury Management activities and compliance with the Prudential Indicators for the quarter ending 30<sup>th</sup> June, 2013, as detailed in the report now submitted, be noted;
- (ii) that the performance of the Authority's investments for the period be noted; and
- (iii) that the Internal Audit and Treasury Management Core System be noted.

**125. Corporate Services Spokesperson – Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance 1<sup>st</sup> April to 30<sup>th</sup> June, 2013 (Cab.11.9.2013/7.3)**

**RESOLVED** that the Quarterly Analysis of Selective Voluntary Early Retirements and Voluntary Severances from 1<sup>st</sup> April to 30<sup>th</sup> June, 2013, as detailed in the report now submitted, be noted.

**126. Corporate Services Spokesperson – Proposed Surrender of Lease between the Council and Worsbrough Common Community Association and Grant of Further 25 Year Lease of Worsbrough Recreation Ground, Worsbrough Common to Worsbrough Common FC (Cab.11.9.2013/7.4)**

**RECOMMENDED TO COUNCIL ON 26<sup>th</sup> SEPTEMBER, 2013:-**

- (i) that, subject to the statutory procedures under the Charities Act 2011 being complied with, the Council in its capacity as Trustee of the Recreation Ground at Worsbrough Common approves the surrender of the existing lease with Worsbrough Common Community Association Limited;
- (ii) that, subject to the statutory procedures under the Charities Act 2011 being complied with, the Council as Trustee of the Worsbrough Common Recreation Ground at Worsbrough Common, grant a further 25 year lease at a peppercorn rent to Worsbrough Common Football Club;
- (iii) that NPS Barnsley Ltd be instructed by the Head of Strategic Property and Procurement on behalf of the Council as Trustee to agree terms for the surrender of the existing lease;

**CABINET****11<sup>th</sup> September, 2013**

- (iv) that NPS Barnsley Ltd be instructed by the Head of Strategic Property and Procurement on behalf of the Council as Trustee to agree terms for a 25 year lease of the Worsbrough Common Recreation Ground at a peppercorn rent; and
- (v) that the Assistant Chief Executive Legal and Governance be authorised to address any representations made by the general public to the proposal on behalf of the Council as Trustee and to conclude the necessary legal documentation relating to the surrender of the existing lease and grant a further 25 year term to Worsbrough Common Football Club.

127. **Children, Young People and Families Spokesperson – Amendment to Admission to Nursery Policy (Cab.11.9.2013/8)**

**RESOLVED** that the revised Admission to Nursery Policy, as detailed in the report now submitted, be approved.

128. **Development, Environment and Culture Spokesperson – Proposed Bye-Laws for the Town Hall Square, Barnsley (Cab.11.9.2013/9.1)**

**RECOMMENDED TO COUNCIL ON 26<sup>th</sup> SEPTEMBER, 2013:-**

- (i) that the Assistant Chief Executive, Legal and Governance be authorised to negotiate with the Department for Communities and Local Government (DCLG) to procure provisional approval for draft byelaws, making any representations and concessions, and amendments to the drafting of the byelaws annexed to the report now submitted, that he sees fit;
- (ii) that, using its power under Section 235 of the Local Government Act 1972, the Council makes byelaws in the form annexed to the report, or in such form as they are in after having been amended by the Assistant Chief Executive, Legal and Governance in accordance with (i) above;
- (iii) that the Assistant Chief Executive, Legal and Governance be authorised to complete the procedure for enacting the byelaws, by sealing and advertising the byelaws and submitting them to the Secretary of State for Communities and Local Government for confirmation; and
- (iv) that the Assistant Chief Executive, Legal and Governance be authorised to make representations to the Department for Communities and Local Government about the any responses received to the advertisement of the byelaws or any other consultations, without further recourse to the Cabinet or full Council.

**CABINET****11<sup>th</sup> September, 2013****129. Development, Environment and Culture Spokesperson – Future Council Key Line of Enquiry DEC/ENV/16 – Efficiency Improvements in Operational Services (Cab.11.9.2013/9.2)****RESOLVED:-**

- (i) that the efficiency improvements contained in paragraphs 5.2 to 5.12 of the report now submitted, relating to Key Line of Enquiry (KLOE) DEC/ENV/16 be approved, with effect from 1<sup>st</sup> April, 2014;
- (ii) that approval be given to the deletion of 18 posts as identified in Appendix B of the report, from the workforce in Operational Services and for the job redesign to take place or the deletion/redesign of as many posts as are determined by whichever efficiency improvements are approved;
- (iii) that approval be given to create new job descriptions and employee specifications of the Operational Services workforce in line with paragraph 5.10 of the report;
- (iv) that the efficiency improvement, as detailed in paragraph 5.1 of the report, which has already been approved and is currently being enacted, be noted;
- (v) that the Interim Executive Director (Development, Environment and Culture) be authorised to implement a new structure to reflect the changes outlined in the report; and
- (vi) that it be noted that the implementation of 5 out of 7 working arrangements is required by Improvement 8 (paragraph 5.11), subject to the approval of a business case in line with the recent local agreement.

**130. Development, Environment and Culture Spokesperson – Future Council Key Line of Enquiry DEC/ENV/17 – Service Reductions in Operational Services (Cab.11.9.2013/9.3)****RESOLVED:-**

- (i) that all eight of the service reductions contained within paragraphs 5.1 to 5.8 of the report now submitted, relating to Key Line of Enquiry (KLOE) DEC/ENV/17 be approved, with effect from 1<sup>st</sup> April, 2014;
- (ii) that approval be given to the deletion of 25 posts (as identified in Appendix B of the report) from the workforce in Operational Services and in accordance with recommendation (i) above;
- (iii) that the Interim Executive Director, Development, Environment and Culture be authorised to implement a new structure to reflect the changes outlined within the report;

**CABINET****11<sup>th</sup> September, 2013**

- (iv) that the Executive Director Adults and Communities commence consultation with community groups through the Area Councils regarding the opportunities for more public participation to reduce littering and fly-tipping; and
- (v) that the Interim Assistant Director Operational Services examine the scope for the continued public access to toilets in their locality, perhaps through local public houses, shops etc, in liaison with the Area Councils;
- (vi) that Ward Councillors be informed in advance when play equipment in their area is to be considered for removal to allow Area Councils to consider alternatives.

131. **Development, Environment and Culture Spokesperson – 10 Year Asset Management Strategy for Highway Maintenance 2014/15 – 2023/24 (Cab.11.9.2013/9.4)**

**RESOLVED:-**

- (i) that the principle of the proposed Roads and Footways Maintenance Strategy for the 10 year period 2014 – 2024 across all roads in the Borough, as detailed in the report now submitted, be approved;
- (ii) that the Interim Assistant Director, Environmental Services be authorised implement the Strategy from April, 2014 and report progress on an annual basis as part of any future planned maintenance programmes; and
- (iii) that the current poor performance of some utility companies in reinstating the highway be noted, and that a more detailed report be brought forward in the Autumn, 2013 setting out options for reducing long term unnecessary damage to the road structure.

132. **Development, Environment and Culture Spokesperson – Local Transport Capital Programme 2013/14 (Cab.11.9.2013/9.5)**

**RESOLVED:-**

- (i) that the Local Transport Capital Programme, as detailed in Appendices 1 and 2 of the report now submitted be approved, and funding be released in accordance with Financial Regulations Code of Practice Paragraph C.5.2(a); and the Interim Assistant Director, Environmental Services be authorised to implement the schemes, including those in Tables 1 to 11 in Appendix 3, subject to the cost of the schemes being contained within available funds;
- (ii) that £498,437 of Section 106 funding to support the Experience Barnsley External Works Phase 1 project be approved;

**CABINET****11<sup>th</sup> September, 2013**

- (iii) that the offers from the Department for Transport (Via Sustrans) to fund the Elsecar Greenway Section of the Trans Pennine Trail / Cortonwood Retail Park Access Road Crossing and (via the Peak Park) to fund the Little Don Cycling Route be accepted and the proposal, as described in Appendix 9 of the report, be approved;
- (iv) that, where appropriate the Interim Assistant Director, Environmental Services be authorised to seek planning permission;
- (v) that, where the works are similar in nature to those contained in the Local Roads and Footway Programme, the Council's Engineering Services be authorised to undertake the work at the rates and prices contained in the Highways Term Maintenance Contract;
- (vi) that the Interim Assistant Director, Environmental Services be authorised to appoint the Council's Neighbourhood Services to undertake landscaping works where Best Value can be demonstrated;
- (vii) that NPS Barnsley be instructed by the Head of Strategic Property and Procurement to negotiate the acquisition of lands required for the schemes as set out in the report and to mitigate their effects;
- (viii) that the proposals for maintenance work for local roads and footways for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014, as set out in Appendices 10, 11, 12 and 13 of the report, be approved for implementation; and
- (ix) that the Interim Assistant Director, Environmental Services be authorised to implement the schemes contained in Appendices 10, 11, 12 and 13, subject to the costs of the schemes being contained within available funds.

133. **Development, Environment and Culture Spokesperson – Local Roads and Footways Maintenance Programme 1<sup>st</sup> April, 2013 to 31<sup>st</sup> March, 2014**  
**(Cab.11.9.2013/9.6)**

This item was withdrawn (consideration of this issue was incorporated into item 132 above).

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 Chairman