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## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

### **COUNCIL SUMMONS**

**You are hereby summoned to attend a meeting of the Barnsley Metropolitan Borough Council to be held in the Town Hall, Barnsley at 10.30 a.m. on Thursday 6th February, 2014**

#### **Business**

**1. Declarations of Pecuniary and Non Pecuniary Interests**

To receive any declarations of Pecuniary and Non-Pecuniary interest from Members in respect of the items on this agenda.

**2. Minutes**

To approve as a correct record the minutes of the meetings of the Council held on 28<sup>th</sup> November, 2013 (page nos 1 to 8).

**3. Communications**

To consider any communications to be submitted by the Mayor or the Chief Executive.

**4. Questions by Elected Members**

To consider any questions which may have been received from Elected Members and which are asked pursuant to Standing Order No. 11.

**5. Questions to Section 41 Members on Joint Authority Business**

To receive any questions from Elected Members submitted in writing pursuant to Standing Order No. 12 on the business of Joint Authorities to the Member nominated by the relevant Joint Authority for that purpose under Section 41 of the Local Government Act 1985:

*Following the consideration of any questions submitted under the provisions of this Standing Order, any Member of the Council shall have the opportunity to comment on any matters referred to in the relevant minutes of the Joint Authorities circulated with the Minute Book for the meeting.*

*The relevant representative shall then be given the opportunity to respond to any comments made by Members on those minutes.*

- (a) South Yorkshire Pensions Authority – 21st November, 2013
- (b) South Yorkshire Fire and Rescue Authority – 25th November, 2013
- (c) South Yorkshire Integrated Transport Authority - 5th December, 2013

- (d) South Yorkshire Integrated Transport Authority (Draft) – 9th January, 2014

## **6. Police and Crime Panel - Minutes**

Members of the Council shall have the opportunity to comment on any matters referred to in the minutes of the following Police and Crime Panel Meetings which are circulated in the Minute Book for the Meeting.

The relevant representatives shall then be given the opportunity to respond to comments made by Members to those Minutes:

- (a) Police and Crime Panel - 2nd December, 2013
- (b) Police and Crime Panel - 2nd December, 2013

## **7. Regulatory Boards – Minutes**

To receive the minutes of the following Regulatory Boards:-

- (a) Planning – 19th November, 2013
- (b) Audit – 11th December, 2013
- (c) Planning - 17th December, 2013
- (d) Planning - 21st January, 2014
- (e) Audit Committee - 22nd January, 2014
- (f) General Licensing Panel – 10th December, 2013
- (g) Appeals, Awards and Standards - Various

## **8. Health and Well Being Board - Minutes**

To receive the minutes of the Health and Well Being Board held on the 7th January, 2014

## **9. Overview and Scrutiny Committee – Minutes**

To receive the minutes of the Overview and Scrutiny Committee held on the 3rd December, 2013

## **10. Children’s Services Scrutiny Committee – Minutes**

To receive the minutes of the Children’s Services Scrutiny Committee held on the 14th January, 2014

## **11. Area Councils – Minutes**

To receive the minutes of the following Areas Councils:-

- (a) Dearne – 18th November, 2013
- (b) North – 25th November, 2013

- (c) North East – 5th December, 2013
- (d) Penistone – 12th December, 2013
- (e) South – 20th December, 2013
- (f) North - 13th January, 2014
- (g) Central – 20th January, 2014

[www.barnsley.gov.uk/edemocracy](http://www.barnsley.gov.uk/edemocracy)

## **12. Proposed Bye-Laws for the Town Hall Square Area**

Further to minute 104(f) of the meeting held on the 26th September, 2013 the Assistant Chief Executive (Legal and Governance) and the Executive Director (Development, Environment and Culture) will submit a report requesting the Council to formally resolve to adopt bye-laws for the good rule and government and the prohibition of undesirable conduct in the Town Hall Square Area of Barnsley. (A copy of the report attached under cover of a letter from the Assistant Chief Executive (Legal and Governance) dated 29th January, 2014. A copy of the report is also available for download from the Council's website)

## **13. Registration Acts - Various - Designation of Superintendent Registrar and Proper Officer roles**

### **RECOMMENDED TO COUNCIL:-**

- (i) that the Section Leaders, Celebratory Service Unit and Life Events Registrations and Certificate Production Unit, be designated to undertake the statutory roles of Superintendent Registrar and Registrar of Births, Deaths and Marriages; and
- (ii) that the statutory role of Proper Officer Representative be transferred from the Superintendent Registrar/Registration Service Manager to the head of Libraries and Information Service.

## **14. Brierley Town Council - Cabinet Resolution and Recommendations to Council**

4th December, 2013

14 (a) (204) Local Government and Public Involvement in Health Act 2007  
Community Governance Review Petition - Brierley Town  
Council

(A copy of the report which is subject to Cabinet resolution is available for download from the Council's website)

To note that at the meeting held on the 4th December, 2013, the Cabinet:

## **RESOLVED:-**

- (i) that the Community Governance Review in respect of Brierley Town Council be progressed in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and having regard to the statutory guidance issued by the Secretary of State;
- (ii) that a consultation exercise be undertaken with regard to the scope of the Terms of Reference for the Review;
- (iii) that a further report be submitted as to how the review should be undertaken and to formalise its terms of reference at the Cabinet meeting on 15<sup>th</sup> January, 2014 to make appropriate recommendations to the Council at its meeting on 6<sup>th</sup> February, 2014;
- (iv) that the 12 months statutory period for the completion of the review commence from the date of the meeting of the Council to be held on 6<sup>th</sup> February, 2014; and
- (v) that consideration be given to instructing officers to undertake a parallel exercise to examine the scope for alleviating the current burden of the cost of the Parish precept, as set out in section 4.18 of the report now submitted, and that officers report back to Cabinet within the statutory period for the conclusion of the formal Community Governance Review.

15th January, 2014

14 (b) (237) Community Governance Review

(The report that is subject to a Cabinet Recommendation is available for download from the Council's website)

**RECOMMENDED TO COUNCIL** that the Terms of Reference for the Community Governance Review of the Parish of Brierley, as detailed in paragraph 4.8 the report now submitted, be approved on the following basis:-

- (a) to consider whether the existing arrangements for Community Governance within the Parish of Brierley, including the Town Council and the Civil Parish:-
  - are effective and convenient
  - appropriately reflect the identity of the community within the area
  - appropriately reflect the interests of the community within the area
  - are appropriately organised to align with Barnsley Council's new Area Governance arrangements
- (b) to consider further:-
  - the implications for the proper and effective representation of the

identities and interests of the community

- whether there would be better community engagement and more effective delivery of services within the area

- if there were no longer to be a Town Council for the Parish of Brierley

- (c) to consider further the implications of there being any outstanding financial liabilities of Brierley Town Council if the Town Council were to be abolished and the fairness of any such liabilities falling on tax payers who were not residents of the Parish of Brierley.

## **15. Cabinet Recommendations to Council**

To consider the following recommendations of the Cabinet Meetings held on the dates specified. The Cabinet Spokesperson with the Portfolio for the service in question will respond to any comments or amendments concerning these minutes.

15th January, 2014

15 (a) (234) Our Future Council

(The report that is subject to Cabinet Recommendations is available for download from the Council's website)

### **RECOMMENDED TO COUNCIL:-**

- (i) that the Vision and supporting values underlying the development of a sustainable Future Council, as detailed in Section 5 of the report now submitted, be approved;
- (ii) that the post of Executive Director Corporate Services be deleted with the strategic duties and responsibilities of the post undertaken by the remainder of the Senior Management Team as appropriate;
- (iii) that the existing portfolios of the remaining three Executive Director posts and their statutory functions be reconfigured in line with the Future Council delivery model of People, Place and Communities and are designated accordingly;
- (iv) that the three posts of Assistant Chief Executive, which previously reported to the Executive Director Corporate Services, report directly to the Chief Executive, and be redesignated as "Directors" of the respective core service;
- (v) that a review of the pay and grading of the Senior Management Team be undertaken, which will complete the review of pay and grading across all the Council's workforce, with a report submitted to Cabinet in due course;

- (vi) that the development of frontline business units within the three Directorates of People, Place and Communities, as set out at Section 7 of the report be approved; and
- (vii) that the process for taking forward the required organisational change, as outlined at Section 8 and 9 of the report, be approved and further reports be submitted as necessary to achieve this within the required timescale.

15 (b) (239) Implementation of the 2014/15 Pay Policy Statement

(The report that is subject to a Cabinet Recommendation is available for download from the Council's website)

**RECOMMENDED TO COUNCIL** that the 2014/15 Pay Policy Statement contained within Appendix B to the report now submitted, be approved with effect from 1st April, 2014.

15 (c) (241) Housing Revenue Account - Draft Budget 2014/15

(The report that is subject to Cabinet Recommendations is available for download from the Council's website)

**RECOMMENDED TO COUNCIL:-**

- (i) that the Housing Revenue Account Draft Budget for 2014/15, as detailed in the report now submitted be approved, with any final amendments / additions being delegated to the Cabinet Spokesperson for Development, Environment and Culture;
- (ii) that the development proposals for 2014/15, as set out at Appendix C, be approved;
- (iii) that the saving proposals for 2014/15, as set out at Appendix D and Sections 4.3 to 4.9, be approved;
- (iv) that individual dwelling rents be increased in line with the requirements of the Government's Rent Reform Policy, as set out in the December, 2000 Policy Statement "Quality and Choice A Decent Home for All" as updated by the guidance in the Annex A to the Office of the Deputy Prime Minister letter to Chief Finance Officers of 7<sup>th</sup> November, 2005;
- (v) that the rent increases be implemented with effect from 31<sup>st</sup> March, 2014, collectable on 7<sup>th</sup> April, 2014;
- (vi) that the 2014/15 Berneslai Homes Management Fee of £13.775M be approved, with any final amendments / additions being delegated to the Assistant Director, Development in consultation with the Cabinet Spokesperson for Development, Environment and Culture;
- (vii) that the use of Berneslai Homes Ltd retained surplus as outlined in sections 3.31 to 3.32 of the report be approved; and
- (viii) that the earmarking of Housing Revenue Account (HRA) Working Balance, as outlined in section 3.23 and Appendix E, be approved.

29th January, 2014

15 (d) (-) Proposed Temporary Re-location of Central Library to Wellington House, Barnsley

(The report that is subject to Cabinet Recommendations is available for download from the Council's website)

**RECOMMENDED TO COUNCIL:-**

- (i) that the consultation findings on the proposed temporary relocation of the Central Library to Wellington House, as set out in the report now submitted, be received and noted;
- (ii) that the proposed mitigations from the key impacts identified in the consultations be noted;
- (iii) that the potential relocation of the Central Library, on the basis of the analysis of the issues arising from the consultation and the implications of any relocation referred to in section 3 of the report now submitted, including the impact if the core proposal is not supported, be noted; and
- (iv) that, in light of the findings from the formal consultation (and broader responses) Option 2 detailed in the report be progressed, which is to proceed with the relocation of Central Library, on a temporary basis to Wellington House, pending building a new purpose built Library in the Town Centre; which will also support the development of a Sixth Form College on Shambles Street and investment in the development of the Town Centre.

15 (e) (-) Barnsley Town Centre Regeneration - The Way Forward

(The Report that is subject to Cabinet Recommendations is available for download from the Council's website)

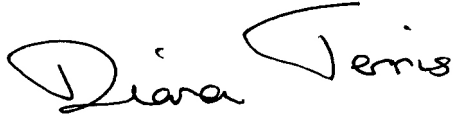
**RECOMMENDED TO COUNCIL:-**

- (i) that the proposal for the Council to work jointly with key stakeholders to advance the development proposal for the Town Centre, as detailed in the report now submitted, and incorporating the construction of a new Central Library, be endorsed and a further report be brought to Cabinet in July, 2014;
- (ii) that approval be given to the earmarking at this stage of £35m, within the Medium Term Financial Strategy (MTFS) for securing the enhancement and revitalisation of the Town Centre, and a further detailed report be brought to Cabinet on the use of these resources; and
- (iii) that the Interim Executive Director, Development, Environment and Culture and the Assistant Chief Executive, Legal and Governance serve notice to terminate the current contractual arrangement with 1249 Regeneration Partnership, as contained within the revised Development Agreement of 30<sup>th</sup> March, 2012.

## 16. Cabinet Minutes

To receive the minutes of the following Cabinet Meetings:-

- (a) 20th November, 2013
- (b) 4th December, 2013
- (c) 18th December 2013
- (d) 15th January, 2014



Diana Terris  
Chief Executive

29th January, 2014



**The next meeting of the Council to be webcast will be held at 10.30am on Thursday 27th February, 2014**