

**BARNSELY METROPOLITAN BOROUGH COUNCIL**

**CABINET**

**20<sup>th</sup> November, 2013**

181. **Present:** Councillors Houghton (Chairman), Andrews, Tim Cheetham, Franklin (for Gardiner), Howard, Lamb, Miller and Platts.
- Councillors Bruff, Dyson, Mitchell, Morgan, Richardson and T. Sheard were also in attendance.
182. **Declarations of Pecuniary and Non-Pecuniary Interests**
- There were no declarations of pecuniary or non-pecuniary interests.
183. **Leader of the Council - Call-In of Cabinet Decisions**
- The Leader reported that the item 'Implementation of Changes to the Working Time Regulations Policy' (Cab.6.11.2013/7.1) from the previous meeting held on 6<sup>th</sup> November, 2013 had been called-in. The Call-In had been accepted by the Chair of the Overview and Scrutiny Committee and would be considered at the Committee's meeting on 3<sup>rd</sup> December, 2013.
184. **Minutes of the Meeting held on 6<sup>th</sup> November, 2013 (Cab.20.11.2013/3)**
- The minutes of the meeting held on 6<sup>th</sup> November, 2013 were taken as read and signed by the Chairman as a correct record.
185. **Decisions of Cabinet Spokespersons (Cab.20.11.2013/4)**
- The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 9<sup>th</sup> November, 2013 were noted.
186. **Petitions Received Under Standing Order 44 (Cab.20.11.2013/5)**
- It was reported that no petitions had been received under Standing Order 44.
187. **Cabinet Support Member for Corporate Services Spokesperson – Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance – July to September, 2013 (Cab.20.11.2013/6.1)**
- RESOLVED** that the Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance from July to September, 2013, as detailed in the report now submitted, be noted.
188. **Cabinet Support Member for Corporate Services Spokesperson – Pay Award for Staff Employed on JNC Terms and Conditions (2013/14) (Cab.20.11.2013/6.2)**
- RESOLVED** that a 1% pay increase for employees on JNC terms and conditions be approved with effect from 1<sup>st</sup> April, 2013.

**CABINET****20<sup>th</sup> November, 2013****189. Cabinet Support Member for Corporate Services Spokesperson – Proposed Acquisition of the Eldon Centre (Cab.20.11.2013/6.3)****RESOLVED:-**

- (i) that the Head of Strategic Property and Procurement be authorised to acquire the freehold interest in the Eldon Centre;
- (ii) that the Assistant Chief Executive, Legal and Governance be authorised to complete the transaction; and
- (iii) that the financial implications, as detailed in the report now submitted, be approved.

**190. Cabinet Support Member for Corporate Services Spokesperson – T4 Project: Surrender of Leases and Exchange of Freehold Interests between the Council and Yorkshire Housing Limited (Cab.20.11.2013/6.4)****RESOLVED:-**

- (i) that NPS Barnsley Ltd be authorised by the Head of Strategic Property and Procurement on behalf of the Council to agree terms for the surrender of the existing leases and for the freehold exchange in respect of the properties referred to in the report now submitted;
- (ii) that the Assistant Chief Executive, Legal and Governance be authorised to complete the surrender of the leases in respect of the properties referred to in the report and that these be placed within the Housing Revenue Account (HRA);
- (iii) that the Assistant Chief Executive Legal and Governance be authorised to complete the freehold transfer of the Council owned property in exchange for the freehold transfer of the property currently owned by Yorkshire Housing Limited and that the property be placed within the HRA; and
- (iv) that Berneslai Homes be authorised to manage the properties returned to the Council as part of the HRA and to provide four alternative single bedroom properties for use in association with the T4 Project.

**191. Children, Young People and Families Spokesperson – Barnsley Local Authority School Improvement and Quality Assurance Policy (Cab.20.11.2013/7.1)****RESOLVED:-**

- (i) that the Barnsley Local Authority School Improvement and Quality Assurance Policy, as detailed at Appendix 1 of the report now submitted, to quality assure schools and nurture school improvement, be approved; and
- (ii) that the Executive Director, Children, Young People and Families, and Acting Executive Director, Development, Environment and Culture consider the

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options for supporting this activity as part of the review of the Economic Strategy.

192. **Children, Young People and Families Spokesperson – Children’s Services Annual Compliments and Complaints Report (2012/13) (Cab.20.11.2013/7.2)**

**RESOLVED:-**

- (i) that the information contained in the report now submitted be received, as required under the complaints legislation and that the success in resolving complaints at the earliest stages of the relevant complaints procedures be noted;
- (ii) that the action plans arising from learning from complaints be audited to ensure continuous improvement be noted;
- (iii) that children and young people in care be asked for their views on their use of the complaints system and that the feedback be used to make further improvements; and
- (iv) that the overall conclusions of the report that the handling and processing of complaints is efficient and effective be noted and that learning from complaints and equal opportunities monitoring be the cornerstone of improvement activity in the next twelve months.

193. **Development, Environment and Culture Spokesperson – The Scrap Metal Dealers Act, 2013 (Cab.20.11.2013/7A)**

**RESOLVED:-**

- (i) that the new requirements of the Scrap Metal Dealers Act 2013, as detailed in the report now submitted, and the new powers available to officers, be noted;
- (ii) that the fees suggested for the licensing functions, as shown in Appendix B to the report, be approved; and
- (iii) that the delegation of the functions under the Act to the Assistant Director, Culture and Regulation and relevant officers, be approved, and a further report on the delegation of this function be submitted in the event that the legislative position changes.

*(Note: This item was accepted by the Chairman as an urgent item for consideration by the meeting in view of the fact that the Scrap Metal Dealers Act 2013 comes into effect on 1<sup>st</sup> December, 2013 and the need to have arrangements in place for this function by that date).*

194. **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

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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>
195	Paragraph 3

195. **Cabinet Support Member for Corporate Services Spokesperson – NPS Barnsley Variation to Agreement (Cab.20.11.2013/9)**

**RESOLVED:-**

- (i) that approval be given to vary the Service Agreement between the Council and NPS Barnsley Limited, entered into on 31<sup>st</sup> January, 2011, to bring those core services, as described in paragraph 3.2 of the report now submitted, currently with NPS Barnsley Limited back to the Council, which shall entail the transfer of staff to the Council and to provide for other ancillary matter;
- (ii) that the Assistant Chief Executive, Legal and Governance, be authorised, on behalf of the Council, to execute all necessary agreements and documents;
- (iii) that the amendments to the agreement proposed in section 5 of the report, be approved;
- (iv) that approval be given to the financial implications as detailed in Appendix A; and
- (v) that approval be given to the appropriate amendments being made to the Council's Contract Procedure Rules, to reflect the changes necessary as a result of the transfer of services back to the Council.

*(Note: The Chair of the Overview and Scrutiny Committee has agreed to waive the delay in implementation of this decision associated with the Call-In procedure, bearing in mind the need to allay the fears of staff about the transfer progressing if there is a delay.)*

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Chairman