



**Please Note:** This meeting will be webcast.  
You can access this by clicking on the link from the Council's website: [www.barnsley.gov.uk](http://www.barnsley.gov.uk)

## **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 10th April, 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 6<sup>th</sup> February, 2014 (page nos 1 to 11) and 27<sup>th</sup> February, 2014 (page nos 13 to 23).

**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 Fire and Rescue Authority – 27<sup>th</sup> January, 2014
- (b) South Yorkshire Fire and Rescue Authority – 17<sup>th</sup> February, 2014
- (c) South Yorkshire Integrated Transport Authority - 6<sup>th</sup> February, 2014

- (d) South Yorkshire Integrated Transport Authority – 6<sup>th</sup> March, 2014
- (e) South Yorkshire Pensions Authority – 13<sup>th</sup> February, 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 Police and Crime Panel Meeting held on the 31<sup>st</sup> January, 2014 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.

## **7. Regulatory Boards – Minutes**

To receive the minutes of the following Regulatory Boards:-

- (a) Planning – 18<sup>th</sup> February, 2014
- (b) Planning – 18<sup>th</sup> March, 2014
- (c) General Licensing Regulatory Board - 12<sup>th</sup> March, 2014
- (d) Audit Committee - 26<sup>th</sup> March, 2014
- (e) General Licensing Panel – Various
- (f) Appeals, Awards and Standards - Various

## **8. Appointment Panels - Minutes**

To receive the minutes of the following Appointment Panels:-

- (a) Executive Director (People) - 11th February, 2014
- (b) Executive Director (Place) - 11th February, 2014
- (c) Executive Director (Communities) - 13th February, 2014

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

To receive the minutes of the Health and Well Being Board held on the 11<sup>th</sup> February, 2014

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

To receive the minutes of the Overview and Scrutiny Committee held on the 11<sup>th</sup> February, 2014

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

To receive the minutes of the Children’s Services Scrutiny Committee held on the 11<sup>th</sup> March, 2014 (to be supplied)

## 12. Area Councils – Minutes

To receive the minutes of the following Areas Councils:-

- (a) Dearne – 3<sup>rd</sup> February, 2014
- (b) North – 3<sup>rd</sup> February, 2014
- (c) North East – 13<sup>th</sup> February, 2014
- (d) Central – 17<sup>th</sup> February, 2014
- (e) Penistone – 20<sup>th</sup> February, 2014
- (f) South – 28<sup>th</sup> February, 2014
- (g) Central – 17<sup>th</sup> March, 2014
- (h) Penistone - 20<sup>th</sup> March, 2014

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

## 13. Pavement Cafes - Amendment to Policy

To consider a report of the Executive Director Development, Environment and Culture seeking approval to amend the Council's policy in respect of pavement cafes and to extend its coverage to the whole of the Borough. (A copy of the report is sent under cover of a letter from the Director of Legal and Governance dated 2nd April, 2014 and is also available for download from the Council's website)

## 14. Representation on the Barnsley, Doncaster, Rotherham and Sheffield City Region Combined Authority and Transport Committee - Amendment to Standing Order 12

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

Further to minute No 163 (f) of the meeting held on the 27th February, 2014, the Council will be requested to approve the following Cabinet Minute of the 12 February, 2014 seeking an amendment to Standing Order No 12 in relation to the submission of questions to Council:

'that Standing Order 12 be amended to provide for questions in relation to the business of the Combined Authority to be asked of the Council's representative on the Authority'.

**Please Note:** The recommendation considered in this report was moved and seconded, and deferred at the meeting held on the 6th February, 2014 in accordance with Standing Order No 41.

## 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.

12th March, 2014

15(a) (303) NPS Barnsley Ltd and Barnsley Norse Business Plans 2014/15

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

### **RECOMMENDED TO COUNCIL**

- (i) that the draft version of the NPS Barnsley Business Plan, attached as Appendix B to the report now submitted, be approved, subject to consultations with the Overview and Scrutiny Committee and other stakeholders;
- (ii) that the Barnsley Norse Business Plan, attached as Appendix C to the report now submitted, be approved, subject to consultations with the Overview and Scrutiny Committee and other stakeholders; and
- (iii) that the Head of Strategic Property and Procurement, in consultation with the Corporate Services Cabinet Spokesperson be authorised to approve any final amendments or additions to the NPS Barnsley Business Plan and Barnsley Norse Business Plan that are required following any consultations.

26th March, 2014

15(b) (317) Joint Health Overview and Scrutiny Committee

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

### **RECOMMENDED TO COUNCIL**

- (i) that the Council's commitment to the Joint Health Overview and Scrutiny Committee (JHOSC) be noted and approval be given to the Terms of Reference, attached as Appendix 1 to the report, insofar as this Council is concerned; and
- (ii) that the appointment of an appropriate member representative to serve on the JHOSC in 2014/15 be considered at Annual Council.

## 16. Cabinet Minutes

To receive the minutes of the following Cabinet Meetings:-

- (a) 29th January, 2014 with the exception of Minute No 250 ' Proposed Temporary Re-location of Central Library to Wellington House'; and Minute No 251 'Barnsley Town Centre - The Way Forward' which were approved by Council on the 6th February, 2014
- (b) 12th February, 2014 with the exception of Minute No 266 ' Redundancy Compensation and Procedures 2014/15'; Minute 267 'Treasury Management Policy and Strategy Statement 2014/15'; Minute No 268 'Prudential Framework and Indicators 2014/15'; Minute 270 'Representation on the Barnsley, Doncaster, Rotherham and Sheffield City Region Combined Authority and Transport Committee' and Minute No 275 'Service and Financial Planning 2014/15 - Revenue Budget, Capital Programme and Council Tax' which were approved by the Council at its meeting on the 27th February, 2014
- (c) 26th February, 2014
- (d) 12th March, 2014
- (e) 26th March, 2014

**NB: No Cabinet decisions have been called in from these meetings**

## 17. Exclusion of the Public and Press

To consider if the public and press should be excluded from this meeting during consideration of the following item because of the likely disclosure of exempt information.

## \*18. Cabinet Recommendations to Council

To consider the following recommendations of the Cabinet Meeting held on the 12th March, 2014. The Cabinet Spokesperson with the Portfolio for the Services in question will respond to any comments of amendments concerning these minutes.

\*18(a) (308) Asset Disposal Programme 2013-2018

(The report that is subject to Cabinet Recommendations is sent under cover of a letter from the Director of Legal and Governance dated 2nd April, 2014)

**RECOMMENDED TO COUNCIL**

- (i) that the sites listed at Appendix B of the report now submitted, be approved in principle for inclusion in the Asset Disposal Programme 2013-2018, subject to detailed consideration and further consultation with stakeholders;
- (ii) that, as appropriate, further reports be submitted on specific proposals for individual sites and properties, following consultations with local members and consideration by a multi-disciplinary asset management working group;
- (iii) that, should the disposal of any of the properties be “materially” or significantly prejudicial to the Council’s VAT partial exemption position, they be withdrawn from the programme until steps have been taken to protect the Council’s VAT position;
- (iv) that all capital receipts, including Housing/HRA land receipts continue to be pooled corporately to support the Authority’s Medium Term Financial and Asset Investment Strategies unless specifically earmarked, in accordance with the policies set out in this report;
- (v) that the capital receipts earmarked for the Building Schools for the Future project currently at a value of £20 million be noted, with any additional receipts beyond this indicative total required for the scheme once actual costs are identified being the subject of further reports;
- (vi) that a target Rate of Return be established for investment properties of 10% with those properties not achieving this target being subject to further analysis and consideration given for disposal;
- (vii) that any property leased out by the Council be at full market value unless otherwise specifically agreed by Cabinet;
- (viii) that, in the future, all housing schemes consisting of pure affordable/social housing be sold on a freehold basis at the previously agreed £5,000 per unit (subject to the financial viability of each scheme);
- (ix) that all HRA non-dwelling assets be disposed of on a freehold basis rather than via long term lease to assist with minimising the financial implications to the HRA 30 year business plan following current international accounting rules;

- (x) that monies be earmarked from capital receipts to fund future specialist reports and planning application fees which will enhance the value of future development sites due to be released for disposal;
- (xi) that the Head of Strategic Property and Procurement be authorised to offer properties and sites listed in the report for sale by informal tender/auction or private treaty sale, subject to full consultations being completed prior to disposal; and
- (xii) that the Director of Legal and Governance be authorised to complete the transactions based on those terms agreed, either using in house resources or through the legal framework agreement which is often used for property transactions.

**\*18(b) (310) Hoyland Nether Public Hall - Allocation of Capital Receipts**

(The report that is subject to Cabinet Recommendations is sent under cover of a letter from the Director of Legal and Governance dated 2nd April, 2014)

**RECOMMENDED TO COUNCIL**

- (i) that the Council as Trustee approve the use of the capital receipt received through an insurance settlement and the sale of land to the value of £156,300, or thereabouts, to deliver the business plan prepared for Elsecar Park;
- (ii) that the established capital scheme be used to provide a programme of improvements to the park and its facilities, as outlined in the report now submitted, and the Scheme be included in the Capital Programme and be released in accordance with Financial Regulations Code of Practice Paragraph C.5.2a;
- (iii) that the delivery of the proposals contained within the report be managed by Parks Services in conjunction with elected members; and
- (iv) that the Director of Legal and Governance be authorised to undertake the necessary procedures to wind up and dissolve the Hoyland Nether Public Hall Charity.

\* It is likely that the public and press will be excluded from this meeting during consideration of the items so marked because of the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 as amended, subject to the public interest test, as follows:-

Note:(i) Public Interest Test – A report may only be exempt from publication if, in all the circumstances of the case, the public interest in maintaining confidentiality outweighs the public interest in disclosing the information;

(ii) The categories of exempt information referred to above are described as follows:

Paragraph 3 – Financial and Business Affairs – Information which, if disclosed to the public would, or would be likely to, prejudice the financial or business affairs of any particular person (including the Local Authority holding the information). Financial or business affairs includes contemplated, as well as past or current activities.



Diana Terris  
Chief Executive

27<sup>th</sup> March, 2014



**The next meeting of the Council to be webcast will be held at 10.30am on Thursday 29<sup>th</sup> May, 2014**