

BARNSELY METROPOLITAN BOROUGH COUNCIL**COUNCIL MEETING****27th February, 2014****COUNCILLOR KENNETH RICHARDSON (THE MAYOR)**

At a meeting of the Barnsley Metropolitan Borough Council duly convened and held on Thursday 27th February, 2014 at The Town Hall, Barnsley.

- 159. Present:** The Mayor (Councillor K. Richardson)
- Central Ward - Councillors D. Birkinshaw, Bruff and M. Dyson
 - Cudworth Ward - Councillors Hayward, Sir S. Houghton CBE and C. Wraith MBE
 - Darfield Ward - Councillors Markham and Saunders
 - Darton East Ward - Councillors Duerden, Miller and Spence
 - Darton West Ward - Councillors Burgess and Cave
 - Dearne North Ward - Councillors Gardiner and Worton
 - Dearne South Ward - Councillors Noble and Sixsmith MBE
 - Dodworth Ward - Councillors J. Carr and Perrin
 - Hoyland Milton Ward - Councillors Franklin, Shepherd and Stowe
 - Kingstone Ward - Councillors D. Green and T. Sheard
 - Monk Bretton Ward - Councillors S. Green and M. Sheard
 - North East Ward - Councillors Ennis and Higginbottom
 - Old Town Ward - Councillor Cherryholme and Lofts
 - Penistone East Ward - Councillors Barnard and Hand-Davis
 - Penistone West Ward - Councillors Millner, Rusby and Starling
 - Rockingham Ward - Councillors Dures and Lamb
 - Royston Ward - Councillors T. Cheetham, T.J. Cheetham and Makinson
 - St. Helen's Ward - Councillors Leech, Platts and Tattersall
 - Stairfoot Ward - Councillors Johnson and Mathers
 - Wombwell Ward - Councillors Frost, Morgan and R. Wraith
 - Worsbrough Ward - Councillors G. Carr and Clarke

160. Declarations of Pecuniary and Non Pecuniary Interests

There were no declarations of Pecuniary and Non-Pecuniary interest from Members in respect of items on the agenda.

161. Local Government and Housing Act 1989: Mandatory Standing Orders: Recorded Votes at Budget Meetings

The report of the Director of Legal and Governance on the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 requiring mandatory changes to Standing Orders with regard to recorded votes at budget meetings was:

Moved by Councillor Sir Steve Houghton CBE - Seconded by Councillor Gardiner; and

RESOLVED that the requirements of the relevant Regulations and their implications for the Council's Standing Orders be noted and that appropriate amendments be made to the Council's own Standing Orders.

162. Suspension of Standing Orders

Moved by Councillor Sir Steve Houghton CBE – Seconded by Councillor Gardiner; and

RESOLVED that Standing Order 13 (5) of the Council be suspended in respect of the consideration of the Budget insofar as it relates to restrictions on Members speaking more than once.

163. Cabinet Recommendations to Council

12th February, 2014

Minutes 163 (a) and (b) were moved by Councillor Gardiner – Seconded by Councillor Franklin; and

(a) Revenue Budget and Capital Programme

RESOLVED:-

- (i) that the budget proposals for all services in 2014/15, detailed in Sections 4 and 5 of the report of the Director Finance, Property and Information Services now submitted, be approved;
- (ii) that the following specific items incorporated within Section 4 of the report including for 2014/15 be noted :-
 - (a) Provision for a 1% pay award;
 - (b) Provision for the introduction of the 'Living Wage';
 - (c) Provision for inflation in relation to external providers;

- (d) Adjustment of £500,000 to reflect the provision required for the anticipated revenue costs of existing and new borrowing;
- (e) Adjustment of £4,174,000 to reflect the impact of the actuarial revaluation.
- (iii) that the 2014/15 base budget adjustments and Key Line of Enquiry (KLOE) savings proposals outlined in Section 4, Annex 1 and Annex 2 be approved for implementation along with any full year effects;
- (iv) that appropriate action be taken by the Senior Management Team (SMT), in consultation with the Director of Human Resources, Performance and Partnerships and Communications in relation to all the KLOE approved above;
- (v) that, as a consequence of KLOE CS/LG/1, the Director of Human Resources, Performance and Partnerships and Communications be designated as the Statutory Scrutiny Officer in accordance with Section 31 of the Local Democracy, Economic Development and Construction Act 2009;
- (vi) that the total additional funded capital investment of £8.121M as outlined at Section 5 be included in the Capital Programme and released subject to further detailed reports on the proposals for its use;
- (vii) that further consideration be given by the Senior Management Team for the use of the remaining Capital Funding of £6.790M alongside any other capital requirements for future agreement by Cabinet;
- (viii) that the detailed proposals for increases in fees and charges, as set out in Section 6 and included within the budget proposals at Section 4, be approved;
- (ix) that Section 8 (Position on Reserves, Provisions and Balances) be noted, along with the earmarking of an additional £3.5M for Future Council reorganisation costs; the remaining resources being earmarked in strategic reserves to address Future Council priorities;
- (x) that the report of the Director of Finance, Property and Information Services, under Section 25 of the Local Government Act 2003 at Section 1 be noted and the 2014/15 budget proposals be agreed on the basis that the Chief Executive, in liaison with the Director of Finance, Property and Information Services and in consultation with the Senior Management Team, submits for early consideration detailed proposals from the ongoing activity in order that the potential budget gaps in 2015/16 and the longer term be closed;
- (xi) that the cash limited budgets for each service with overall net expenditure for 2014/15 of £186.769M be approved;
- (xii) that the forecast budget positions for 2014/15 to 2016/17 contained in Section 4, Annex 3 (Medium Term Financial Forecast) be noted and monitored as part of the arrangements for the delivery of the Future Council;
- (xiii) that the Director of Finance, Property and Information Services, in liaison with the Chief Executive and SMT, as appropriate, be required to submit reports to Cabinet, as a matter of urgency, in relation to the detailed General Fund

Revenue Budget for 2014/15 including recommendation on any action further to that set out above required to achieve an appropriately balanced budget for that financial year;

- (xiv) that the Chief Executive, Director of Finance, Property and Information Services and SMT be responsible for managing their respective budgets including ensuring the implementation of efficiency savings;
 - (xv) that the Chief Executive, Director of Finance, Property and Information Services and SMT be responsible for managing their respective budgets including ensuring the implementation of efficiency savings;
 - (xvi) that the Chief Executive, Director of Finance, Property and Information Services and SMT be required to submit regular reports as necessary on the implementation of proposals into Cabinet as a matter of urgency to resolve any outstanding issues in relation to their budgets and deal with any consequential effects;
 - (xvii) that the Authority's SMT be charged to ensuring that the budget remains in balance and reporting regularly to Cabinet on budget and efficiency savings monitoring and any action required;
 - (xviii) that the Cabinet be authorised to make any necessary technical adjustments to form the 2014/15 budget;
 - (xix) that appropriate consultation on the agreed budget proposals takes place with the Trade Unions and representatives on Non Domestic Ratepayers and that the views of consultees be considered by Cabinet and Council;
 - (xx) that the Equality Impact Statement circulated, in respect of future Council budget reduction proposals for 2014/15, be received and noted; and
- (b) Council Tax 2014/15
- (i) that the contents of Section 7 (a) (2014/15 Council Tax options) of the report of the Director of Finance, Property and Information Services now submitted, be noted;
 - (ii) in respect of the Council Tax 2014/15 calculations:
 - (a) that the Collection Fund surplus relating to Barnsley M.B.C. of £1.151M be used to reduce the Council Tax Requirement for 2014/15;
 - (b) that the Band D Council Tax for Barnsley M.B.C.'s services be set at £1,223.39; and
 - (c) that the Band D Council Tax for Barnsley M.B.C.'s area be set at £1,433.76 including the Police and Fire precepts as set out in (iii) (c).
 - (iii) that, in respect of the Council Tax 2014/15 declaration:
 - (a) that it be noted that at its meeting of its Cabinet on the 15th January 2014 the Council made the following calculations for the year 2014/15 in

accordance with Regulations made under Section 31(B) of the Local Government Finance Act 1992 as amended (the "Act"):-

- (1) in accordance with Section 31B (3) of the Local Government Act 1992, as amended, the number of adjusted Band D equivalent properties calculated by the Council as its Council Tax base for the year shall be 58,751.599 (Item T in the formula in Section 31B (1) of the Act);
- (2) that the number of adjusted Band D equivalent properties calculated by the Council, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate shall be as follows:-

<i>Column</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>
Parish Area	Band D Equivalent Chargeable Properties	95% of Band D Equivalent Chargeable Properties	Precept (£)	Band D Equivalent Charge (£)
Billingley	101.098	96.043	1,470	15.31
Brierley	1,609.443	1,528.971	148,876	97.37
Cawthorne	595.805	566.015	20,077	35.47
Dunford	226.165	214.857	8,317	38.71
Great Houghton	639.686	607.702	21,228	34.93
Gunthwaite and Ingbirchworth	259.576	246.597	5,346	21.68
High Hoyland	66.436	63.114	1,058	16.76
Hunshelf	161.087	153.033	3,796	24.81
Langsett	101.014	95.963	3,325	34.65
Little Houghton	163.562	155.384	2,837	18.26
Oxspring	454.423	431.702	17,790	41.21
Penistone	3,941.698	3,744.613	151,582	40.48
Shafton	930.201	883.691	33,218	37.59
Silkstone	1,170.823	1,112.282	61,409	55.21
Stainborough	165.213	156.952	4,448	28.34
Tankersley	563.870	535.677	11,946	22.30
Thurgoland	726.810	690.470	10,226	14.81
Wortley	276.871	263.027	6,720	25.55
Barnsley and Other Non-Parish Areas	49,690.007	47,205.506	-	-
Total	61,843.788	58,751.599	513,669	

- (b) that the following amounts be now calculated by the Council for the year 2014/15 in accordance with Sections 31-36 of the "the Act":-
 - (1) £187,775,787 being the net aggregate amount the Council estimates for items set out in Section 31A (2) and 31A (3) of the Act taking into account all Precepts issued to it by Parish Councils;
 - (2) £114,235,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of the Business Rate Retention Scheme and other specific grants;
 - (3) £1,151,000 being the amount which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with Section 97 (3) of the Local Government Finance Act 1988 (Council Tax Surplus);

- (4) £72,389,787 being the amount by which the amount at (iii)(b) (1) above exceeds the aggregate of amounts at (iii)(b) (2) and (iii)(b) (3) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B (1) of the Act);
- (5) £1,232.13 calculated by the Council as being the amount at (iii)(b) (4) above (Item R in the formula in Section 31B (3)); all divided by the Council Tax base as highlighted in (iii) (a) (1) above (Item T in the formula in Section 31B (1) of the Act);
- (6) £513,669 being the aggregate amount of all special amounts (Parish Precepts) referred to in Section 31A (2) of the Act; as per column C in the table in (iii)(a) (2) above;
- (7) £1,223.39 calculated by the Council as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate being the amount at (iii)(b) (5) above less the result given by dividing the amount at (iii)(b) (6) above divided by the amount at (iii)(a) (1) (Item T in the formula in Section 31B (1) of the Act) above in accordance with Section 34 (2) of the Act;
- (8) the following amounts calculated by the Council as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate:-

Section 34 (3) Calculation :	
Part of the Council's Area	
Parish of :-	£
Billingley	1,238.70
Brierley	1,320.76
Cawthorne	1,258.86
Dunford	1,262.10
Great Houghton	1,258.32
Gunthwaite & Ingbirchworth	1,245.07
High Hoyland	1,240.15
Hunshelf	1,248.20
Langsett	1,258.04
Little Houghton	1,241.65
Oxspring	1,264.60
Penistone	1,263.87
Shafton	1,260.98
Silkstone	1,278.60
Stainborough	1,251.73
Tankersley	1,245.69
Thurgoland	1,238.20
Wortley	1,248.94

being the amounts given by adding to the amount at (iii)(b) (7) above the amount of the special items in (iii)(a) (2) Col D in accordance with Section 34 (3) of the Act;

- (9) the amounts calculated by the Council as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands are shown below.

Section 36 (1) Calculation :

Part of the Council's Area

Valuation Bands

Parish of :-	A-	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Billingley	688.17	825.80	963.44	1,101.07	1,238.70	1,513.96	1,789.23	2,064.50	2,477.40
Brierley	733.75	880.50	1,027.26	1,174.01	1,320.76	1,614.26	1,907.77	2,201.26	2,641.52
Cawthorne	699.37	839.24	979.12	1,118.99	1,258.86	1,538.60	1,818.35	2,098.10	2,517.72
Dunford	701.17	841.40	981.64	1,121.87	1,262.10	1,542.56	1,823.03	2,103.50	2,524.20
Great Houghton	699.07	838.88	978.70	1,118.51	1,258.32	1,537.94	1,817.57	2,097.20	2,516.64
Gunthwaite & Ingbirchworth	691.70	830.04	968.39	1,106.73	1,245.07	1,521.75	1,798.44	2,075.11	2,490.14
High Hoyland	688.97	826.76	964.57	1,102.36	1,240.15	1,515.73	1,791.33	2,066.91	2,480.30
Hunshelf	693.44	832.13	970.83	1,109.51	1,248.20	1,525.57	1,802.96	2,080.33	2,496.40
Langsett	698.91	838.69	978.48	1,118.26	1,258.04	1,537.60	1,817.17	2,096.73	2,516.08
Little Houghton	689.80	827.76	965.73	1,103.69	1,241.65	1,517.57	1,793.50	2,069.41	2,483.30
Oxspring	702.55	843.06	983.58	1,124.09	1,264.60	1,545.62	1,826.65	2,107.66	2,529.20
Penistone	702.15	842.58	983.01	1,123.44	1,263.87	1,544.73	1,825.59	2,106.45	2,527.74
Shafton	700.54	840.65	980.77	1,120.87	1,260.98	1,541.19	1,821.42	2,101.63	2,521.96
Silkstone	710.33	852.40	994.47	1,136.54	1,278.60	1,562.73	1,846.87	2,131.00	2,557.20
Stainborough	695.40	834.48	973.57	1,112.65	1,251.73	1,529.89	1,808.06	2,086.21	2,503.46
Tankersley	692.05	830.46	968.88	1,107.28	1,245.69	1,522.51	1,799.33	2,076.15	2,491.38
Thurgoland	687.89	825.46	963.05	1,100.62	1,238.20	1,513.35	1,788.51	2,063.66	2,476.40
Wortley	693.85	832.62	971.40	1,110.17	1,248.94	1,526.48	1,804.03	2,081.56	2,497.88
All Other Parts of The Council's Area	679.66	815.59	951.53	1,087.46	1,223.39	1,495.25	1,767.12	2,038.98	2,446.78

being the amounts given by multiplying the amount at (iii)(b) (8) above by the number which, in the proportion set out in Section 5 of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D in accordance with Section 36 (1) of the Act;

- (c) that it be noted that for the year 2013/14 the under-mentioned precepting Authorities have stated the following draft amounts in precepts issued to the Council in accordance with Section 42A of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Precepting Authority	Valuation Bands								
	A- £	A £	B £	C £	D £	E £	F £	G £	H £
South Yorkshire Fire Authority	36.13	43.36	50.59	57.81	65.04	79.49	93.95	108.40	130.08
South Yorkshire Police Authority	80.74	96.89	113.03	129.18	145.33	177.63	209.92	242.22	290.66

- (d) that having calculated the aggregate in each case of the amounts at (iii)(b) (9) and (iii)(c) above, the Council in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts shown below as the amounts of Council Tax for the year 2014/15 for each of the categories of dwellings shown below:-

Section 30 (2) Calculation :

Part of the Council's Area

Valuation Bands

Parish of :-	A- £	A £	B £	C £	D £	E £	F £	G £	H £
Billingley	805.04	966.05	1,127.06	1,288.06	1,449.07	1,771.08	2,093.10	2,415.12	2,898.14
Brierley	850.62	1,020.75	1,190.88	1,361.00	1,531.13	1,871.38	2,211.64	2,551.88	3,062.26
Cawthorne	816.24	979.49	1,142.74	1,305.98	1,469.23	1,795.72	2,122.22	2,448.72	2,938.46
Dunford	818.04	981.65	1,145.26	1,308.86	1,472.47	1,799.68	2,126.90	2,454.12	2,944.94
Great Houghton	815.94	979.13	1,142.32	1,305.50	1,468.69	1,795.06	2,121.44	2,447.82	2,937.38
Gunthwaite & Ingbirchworth	808.57	970.29	1,132.01	1,293.72	1,455.44	1,778.87	2,102.31	2,425.73	2,910.88
High Hoyland	805.84	967.01	1,128.19	1,289.35	1,450.52	1,772.85	2,095.20	2,417.53	2,901.04
Hunshelf	810.31	972.38	1,134.45	1,296.50	1,458.57	1,782.69	2,106.83	2,430.95	2,917.14
Langsett	815.78	978.94	1,142.10	1,305.25	1,468.41	1,794.72	2,121.04	2,447.35	2,936.82
Little Houghton	806.67	968.01	1,129.35	1,290.68	1,452.02	1,774.69	2,097.37	2,420.03	2,904.04
Oxspring	819.42	983.31	1,147.20	1,311.08	1,474.97	1,802.74	2,130.52	2,458.28	2,949.94
Penistone	819.02	982.83	1,146.63	1,310.43	1,474.24	1,801.85	2,129.46	2,457.07	2,948.48
Shafton	817.41	980.90	1,144.39	1,307.86	1,471.35	1,798.31	2,125.29	2,452.25	2,942.70
Silkstone	827.20	992.65	1,158.09	1,323.53	1,488.97	1,819.85	2,150.74	2,481.62	2,977.94
Stainborough	812.27	974.73	1,137.19	1,299.64	1,462.10	1,787.01	2,111.93	2,436.83	2,924.20
Tankersley	808.92	970.71	1,132.50	1,294.27	1,456.06	1,779.63	2,103.20	2,426.77	2,912.12
Thurgoland	804.76	965.71	1,126.67	1,287.61	1,448.57	1,770.47	2,092.38	2,414.28	2,897.14
Wortley	810.72	972.87	1,135.02	1,297.16	1,459.31	1,783.60	2,107.90	2,432.18	2,918.62
All Other Parts of The Council's Area	796.53	955.84	1,115.15	1,274.45	1,433.76	1,752.37	2,070.99	2,389.60	2,867.52

- (e) that the Director of Finance, Property and Information Services be authorised to serve notices, enter into agreements, give receipts, make adjustments, initiate proceedings and take any action available to the Council to collect or enforce the collection of non-domestic rates and the Council Tax from those persons liable in accordance with the Council's agreed policy; and
 - (f) that the Director of Finance, Property and Information Services determines in accordance with the principles determined by the Secretary of State and set out in the Referendums Relating to Council Tax Increases (Principles) (England) Report 2014/15, that Barnsley Metropolitan Borough Council's relevant basic amount of Council Tax for the year 2014/15 as defined by Section 41 of the Local Audit and Accountability Act 2014 is not excessive.
 - (g) that the Assistant Chief Executive – Legal and Governance be authorised to publish the Council Tax Notice in accordance with the provisions of Section 38 of the Local Government Finance Act 1992.
- (iv) that the current discount scheme for over 65's be phased out over 5 years as set out at Section 7 (b) Option 2 of the report.

In accordance with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the above items (Minute 163 (a) and (b) refers)

In favour of the motions:

The Mayor (Councillor Richardson) and Councillors Barnard, D Birkinshaw, Bruff, Burgess, G Carr, J Carr, Cave, Tim Cheetham, Tracey Cheetham, Cherryholme, Clarke, Duerden, Dures, M Dyson, Ennis, Franklin, Frost, Gardiner, D Green, S Green, Hand-Davis, Hayward, Higginbottom, Sir Steve Houghton CBE, Johnson, Lamb, Leech, Lofts, Makinson, Markham, Mathers, Miller, Millner, Morgan, Noble, Perrin, Platts, Rusby, Saunders, M Sheard, T Sheard, Shepherd, Sixsmith MBE, Spence, Starling, Stowe, Tattersall, Worton, C Wraith MBE and R Wraith.

No Councillors voted against the motion or abstained

All Councillors present at the time of the vote, actually voted.

- (c) Redundancy Compensation and Procedures 2014/15

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED:-

- (i) that for the purpose of the 2014/15 budgetary procedures, payments in accordance with the Discretionary Compensation Regulations 2006 be up to a maximum of 30 weeks actual pay based on the Statutory Redundancy Scheme; and

- (ii) that any employee (excluding Teachers) declared redundant be afforded the maximum of 12 weeks notice of termination of employment.

- (d) Treasury Management Policy and Strategy Statement 2014/15

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED:-

- (i) that the main treasury management policies, as outlined in the Treasury Policy Statement, attached as Annex A of the report now submitted, be noted; and

- (ii) that the Treasury Strategy Statement for 2014/15 (Annex B), be approved, including:-

The Minimum Revenue Provision (MRP) Statement at Appendix D
The Annual Investment Strategy for 2014/15

- (e) Prudential Framework and Indicators 2014/15

Moved by Councillor Gardiner – Seconded by Councillor Franklin; and

RESOLVED:-

- (i) that the Prudential Indicators, as detailed in Appendix B to the report now submitted, be approved for the financial year 2014/15 to 2016/17; and

- (ii) that further monitoring reports be submitted on the indicators during the year as is necessary.

- (f) Representation on the Barnsley, Doncaster, Rotherham and Sheffield City Region Combined Authority and Transport Committee

Moved by Councillor Sir Steve Houghton, CBE – Seconded by Councillor Gardiner; and

RESOLVED:-

- (i) that the Leader of the Council be appointed to represent Barnsley Metropolitan Borough Council on the Barnsley, Doncaster, Rotherham and Sheffield City Region Combined Authority;

- (ii) that the Deputy Leader be appointed as the Council's substitute Member of the Combined Authority in the absence of the Leader of the Council;

- (iii) that Councillor Gardiner be appointed as a second rotational Member of the Combined Authority to discharge the role set out in paragraphs 4.3 and 4.4 of the report now submitted;

- (iv) that Councillors Miller and Leech be nominated to be appointed by the Combined Authority to its proposed Transport Committee;

- (v) that the Chair of the Scrutiny Committee be appointed to the Scrutiny Committee of the Combined Authority following the determination by the Authority of its detailed Scrutiny arrangements; and
- (vi) 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 and, this recommendation stand adjourned without discussion by the Council to the next ordinary meeting of the Council on 10th April 2014 in accordance with Standing Order 41.

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Chairman