

BARNSELY METROPOLITAN BOROUGH COUNCIL**COUNCIL MEETING****29th May, 2014****COUNCILLOR KENNETH RICHARDSON (THE MAYOR)**

At a meeting of the Barnsley Metropolitan Borough Council duly convened and held on Thursday 29th May, 2014 at The Town Hall, Barnsley.

196. Present:

The Mayor (Councillor K. Richardson)

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| Central Ward | - Councillors D. Birkinshaw, Bruff and M. Dyson |
| Cudworth Ward | - Councillors Hayward, Sir S. Houghton CBE and C. Wraith MBE |
| Darfield Ward | - Councillors Key, Markham and Saunders |
| Darton East Ward | - Councillors Duerden and Spence |
| Darton West Ward | - Councillors Cave and Howard |
| Dearne North Ward | - Councillors Gardiner and Worton |
| Dearne South Ward | - Councillors Brook, Noble and Sixsmith MBE |
| Dodworth Ward | - Councillors P. Birkinshaw, J. Carr and Perrin |
| Hoyland Milton Ward | - Councillors Franklin and Shepherd |
| Kingstone Ward | - Councillor Mitchell |
| Monk Bretton Ward | - Councillor S. Green |
| North East Ward | - Councillors Ennis, Higginbottom and North |
| Old Town Ward | - Councillor Cherryholme, Davies and Grundy |
| Penistone East Ward | - Councillors Barnard, Hand-Davis and Wilson |
| Penistone West Ward | - Councillors Rusby and Unsworth |
| Rockingham Ward | - Councillors Andrews and Lamb |
| Royston Ward | - Councillors T.J. Cheetham and Makinson |
| St. Helen's Ward | - Councillors Leech, Platts and Tattersall |
| Stairfoot Ward | - Councillors K. Dyson, Johnson and Mathers |
| Wombwell Ward | - Councillors Frost, Morgan and R. Wraith |
| Worsbrough Ward | - Councillors G. Carr and Clarke |

197. Councillor P Starling and Mr J Crowcroft

The Mayor reported, with deep sadness, the recent death of Councillor Peter Starling and Mr J Crowcroft (former Town Hall Canteen Manger)

The Mayor and Members of the Council stood in silence as a mark of respect.

Councillor Sir Steve Houghton CBE (Leader of the Council) paid tribute to both Councillor Starling and Mr Crowcroft for their hard work and dedication to the Council and he expressed his condolences on behalf of the Council to their families. Councillors P Birkinshaw and Wilson (as leaders of their respective Groups) and Councillor Unsworth also paid tribute to Councillor Starling and to Mr Crowcroft and extended their condolences to their families.

198. Newly Elected and Re-Elected Councillors

The Mayor welcomed newly Elected Councillors Grundy and Unsworth, together with re-elected Councillors to this the first Council meeting following the Municipal and European Elections held on the 22nd May 2014.

199. Declarations of Pecuniary and Non Pecuniary Interest

Councillors Barnard and Gardiner declared Non Pecuniary Interests in Minute 224 'Yorkshire Purchasing Organisation (YPO) - Formation of a Trading Company Structure' in view of their Membership of the YPO Management Board.

200. Minutes

The minutes of the meeting held on 10th April, 2014, were taken as read and signed by the Chairman as a correct record.

201. Communications

(a) South Yorkshire and Humber Building Excellence Awards

The Chief Executive reported that there has been success for building projects in Barnsley at the recent South Yorkshire and Humber Building Excellence Awards. The annual awards were judged on architectural beauty, and on the excellence shown from a construction and technical building perspective.

The two Barnsley projects had won in their categories as follows:

- The refurbishment of Barnsley Town Hall to form 'Experience Barnsley' had won the 'Best Restoration and Conversion' category
- The New Lodge Regeneration Project for the Yorkshire Housing Association, had won the '*Best Social Housing Development*' category

The opportunity existed now for both Barnsley's winning schemes to go forward to compete in the National Awards in London later in the year.

(b) Municipal and European Elections

The Chief Executive asked to place on record her thanks and appreciation to all staff for all their work on the 2014 combined Election. The staff did a tremendous job in making sure that the election process was timely, accurate and problem free. Any lessons learned from this year's election would ensure that further improvements could be made in future years.

Arising out of the above, Councillor Gardiner (Cabinet Spokesperson for Corporate Services) asked to place on record his thanks and appreciation to all staff involved in the refurbishment of the Town Hall and to the staff of Experience Barnsley. He made particular reference to the work undertaken by Mrs K. Temple (Managing Director NPS Barnsley) and to Mr R. Young and Mr D. Hotchins of NPS, the staff of Barnsley Norse, FM Staff and Mr J. Sykes (Head of Strategic Property and Procurement) and to staff of the Museum and Archives Service. Their hard work was appreciated by Members, residents of Barnsley and visitors to the Museum and Archives Service alike.

Councillor Platts (Cabinet Spokesperson for Adults and Communities) asked to place on record her thanks and personal congratulation to all those involved in the regeneration project at New Lodge. These were fantastic new properties (social rented and affordable homes) which had been particularly easy to let.

202. Notice of Motion Under Standing Order 6

Votes at 16

The following motion submitted in accordance with Standing Order No 6 was:

Moved by Councillor Sir Steve Houghton CBE - Seconded by Councillor Andrews;

'This Council notes that:

- 1 Currently 1.5 million 16 and 17 year olds are denied the vote in public elections in the UK
- 2 The Campaign to lower the voting age is supported by thousands of young people across the UK and that the Votes at 16 Coalition consists of a wide range of youth and democracy organisations

This Council believes that:

- 1 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen; and
- 2 Lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future'.

Councillor Sir Steve Houghton was particularly pleased to be moving this motion following a request from the Barnsley Youth Council. This was an active discussion that was now on the national political agenda both in England and Scotland and it was, therefore, right and proper that the young people of Barnsley should bring it to the Council's attention for debate.

The Council was very fortunate to have Mr T. Yems of the Barnsley Youth Council in the Chamber this morning who, with the Mayor's permission, was to put the proposition to the Council on behalf of the members of the Youth Council. Some Members had heard Mr Yems speak before when he, and some of his colleagues, had been to address Cabinet on issues of concern around Mi Card and Members of the Council had been incredibly impressed by their contributions.

The Mayor then invited Mr T. Yems to address the Council.

Mr Yems stated that the debate on this issue had commenced within the Barnsley Youth Council at its meeting in January 2014 when the motion had been defeated by 10 votes to 3. The primary reason for this was that Members of the Youth Council did not feel that they understood enough about politics to be able to make such a decision. However, the fact that they didn't understand enough, he felt, meant that they knew more than some adults.

In Autumn 2013 a consultation had been undertaken which had sought the views of young people about their most important issue out of a list of 15. Over 8,000 ballot papers had been received, a 36% turnout, which clearly indicated that young people cared about politics given the opportunity. This compared to a 29.6% turnout at the Municipal Election on the 22nd May, 2014. This consultation, which was part of a wider national consultation entitled 'Make your Mark' had been undertaken by the UK Youth Parliament which consulted nearly half a million young people nationwide. Votes at 16 had received more responses than any other issue and had resulted in a debate within the House of Commons by elected members of Youth Parliament who subsequently passed Votes at 16 as their 2014 national campaign.

In the light of these facts, claims were still often made that young people didn't know enough to be able to make an educated decision about whom to vote for, however, he was sure that many Councillors had met many over that age who didn't know a thing about politics.

It was often stated that young people had a tendency to vote for extremist parties but if that was their will, then in a democracy, why should they be precluded from voting as such. In addition, it was stated that young people were vulnerable and easily taken advantage of as they did not understand the difference between serious policy and vote grabbing headlines. However, there were people of all ages who didn't use their vote wisely and were not excluded from voting.

The introduction of Votes at 16 would make politicians listen to young people more and, therefore, those issues having direct relevance to young people such as university tuition fees, EMA, education and public transport would have a greater status in politics.

Votes at 16 would make the education of young people better. Currently in schools that didn't have sixth form provision, none of the students could vote. By allowing votes at 16, some students would be able to vote, and hence school would care more about preparing young people to vote. Those schools with sixth forms would go from just over 5% of their population being able to vote, to nearly 30%, so clearly they would improve their provision in political education.

In addition, at Colleges, such as Barnsley College, with Votes at 16, the vast majority of their students would be able to vote, and so Colleges would be incentivised to develop their political education provision. Furthermore, polling stations at Colleges and schools would become more viable, and might also improve the turnout of those who are already enfranchised, as the voting environment would be familiar, convenient, and supportive.

Quite rightly, some people were nervous about political education, as they feared that professional teachers would impart biased knowledge onto their students, causing them to make uninformed decisions. However, it was suggested that Votes at 16 be accompanied by education in how to vote and how to engage in the political system, focussing on registering to vote, where polling stations are, the differences between local councillors, MPs, Lords, MEPs, Police and Crime Commissioners and the differing responsibilities. Mr Yems stated that many of his colleagues reported that they had 1 or 2 sessions, if any, on politics throughout their entire school career, so was it any wonder, therefore, that there was a decline in voting? Giving 16 and 17 year olds the vote empowered them to engage with the political system, and would lead to a fairer and more inclusive youth policy. It provided an opportunity to create a new generation of politically active and engaged citizens.

He declined to comment on other age limit inconsistencies as they were not particularly relevant to the debate, however, he asked to draw attention to the fact that some of these age limits, such as restricting the purchase of alcohol and tobacco to those above the age of 18, were for the protection of young people, so that they couldn't make poor decisions, affecting their long-term future. Restricting the ability to vote did not protect anyone from anything, it was a privilege for society to choose their government, no harm could come to the young person voting nor to anyone else by their actions.

Becoming an adult in the UK was a gradual process, from the age of 10, the age of criminal responsibility, to the age of 21, certain abilities and responsibilities were bestowed upon a young person by society. This made this age group a transition period where you were neither a child nor an adult. Moving the voting age from 18 to 16 did not mean that a young person suddenly become an adult, it was just a small change within the transitional period.

To those who argued that this may lead to Votes at 15, then 14 he suggested that they focus on the issue at hand, and remember that any future changes would have to be made on the merit of their arguments at the time.

It is interesting to note the support that was already out there for Votes at 16. The Welsh and Northern Irish Assemblies had both passed recent motions outlining their support. The Scottish Parliament had enfranchised 16 and 17 year olds to vote in the upcoming Scottish Independence referendum. There was also a backbench business debate in the House of Commons which approved Votes at 16. Indeed, the Leader of the Opposition, Ed Miliband had indicated a commitment to Votes at 16 at the last Labour Party conference, and the Liberal Democrats had been committed to Votes at 16 since 2001.

The United Kingdom had, in the past, led the way in electoral reform, but already 16 and 17 year olds living on the Isle of Man, Jersey or Guernsey and many other countries could already vote. The UK should not allow itself to fall behind.

He hoped that all Councillors would engage more with young people within their Wards, when visiting schools, Scout groups, and other concentrations of young people, to help the young people of Barnsley feel empowered.

In conclusion he commented that whilst situations were not the same, it was interesting to start to draw comparisons between the arguments against Votes at 16 today, and those made against female suffrage almost a century ago, and even the Chartist movement before that.

He wished to close by thanking Members of the Council for the great opportunity to be able to present the case for Votes at 16 today. This was the third such motion to be presented to a local council. The relationship between the Council and the Youth Council in Barnsley was one of the best in the region, and he hoped that there would be continued collaboration on issues that affect young people.

Councillor Bruff (Cabinet Support Member for Children, Young People and Families), in presenting the apologies of Councillor Tim Cheetham (Cabinet Spokesperson for Children, Young People and Families) commented on the excellent presentation by Mr Yems in support of the Motion. She asked how members of the Council could not be proud of the young people of Barnsley. She felt that young people had a right to be heard and urged all Members to support the motion.

Councillor P Birkinshaw (Leader of the Barnsley Independent Group) applauded the presentation of Mr Yems which he felt was as good as any presentation made in this Chamber. If Mr Yems was an example of the youth of Barnsley, then the future of the area was secure. He wholeheartedly supported the motion.

Councillor Wilson (Leader of the Conservative Group) echoed the comments made and urged Members to support the motion.

The comments of Members were echoed by Councillors Brook and Barnard who also stated that he too had benefited from a reduction in the voting age from 21 to 18 which had allowed him to vote for the first time, the referendum on the Common Market.

Councillor Sir Steve Houghton CBE in his right of reply commented on the eloquent and articulate presentation made by Mr Yems and to the arguments he put forward which were incredibly sound as to why the voting age should be reduced. He also drew Members attention to the importance of the Barnsley Youth Council and to its members who represented the area within the region, nationally and internationally as well. He felt it was important to recognise all the good work undertaken by Young People in the area not only in connection with the Votes at 16 issue but on all other initiatives in which they were involved. The majority of young people within the Borough were shining examples of what citizenship meant and would lead the area to a better future.

In relation to the Motion, there was a case to be made that if young people were to become involved and be active citizens, then they had to be given the tools to do so and a key 'tool' was the right to vote. He had no hesitation in moving and recommending this motion to the Council.

In putting the motion to the vote, it was carried unanimously.

203. Questions by Elected Members

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No.11.

204. Questions relating to Joint Authority, Police and Crime Panel and Combined Authority Business

The Chief Executive reported that she had received no questions from Elected Members in accordance with Standing Order No 12.

The Council then received the following Minutes:-

- (a) South Yorkshire Pensions Authority – 20th March, 2014
- (b) South Yorkshire Fire and Rescue Authority – 31st March, 2014
- (c) South Yorkshire Fire and Rescue Authority (Draft) – 28th April, 2014
- (d) Police and Crime Panel – 31st March, 2014
- (e) Police and Crime Panel – 2nd May, 2014
- (e) Sheffield City Region Combined Authority - 22nd April, 2014

RESOLVED that the minutes be noted.

205. Planning Regulatory Board – Minutes

Moved by Councillor D. Birkinshaw – Seconded by Councillor R. Wraith; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Planning Regulatory Board held on 15th April, 2014 be received.

206. Statutory Licensing Regulatory Board Sub-Committee – Minutes

Moved by Councillor C. Wraith, MBE – Seconded by Councillor Brook; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Statutory Licensing Regulatory Board Sub-Committee held on 16th April, 2014 be received.

207. General Licensing Regulatory Board - Minutes

Moved by Councillor C. Wraith, MBE – Seconded by Councillor Brook; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the General Licensing Regulatory Board meeting held on the 23rd April, 2014 be received.

208. Audit Committee – Minutes

Moved by Councillor Barnard - Seconded by Councillor Sir Steve Houghton, CBE; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 30th April, 2014 be received.

209. General Licensing Panel

Moved by Councillor C. Wraith, MBE – Seconded by Councillor M. Dyson; and

RESOLVED that the details of the various General Licensing Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

210. Appeals, Awards and Standards Regulatory Board

Moved by Councillor Leech – Seconded by Councillor Shepherd; and

RESOLVED that the details of the various Appeals, Awards and Standards Regulatory Board Panels held in the last cycle of meetings together with their decisions be received.

211. Health and Well Being Board – Minutes

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the Health and Well Being Board held on 1st April, 2014 be received.

212. Overview and Scrutiny Committee – Minutes

Moved by Councillor Hayward – Seconded by Councillor Howard; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 8th April, 2014 be received.

213. Dearne Area Council - Minutes

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 31st March, 2014 be received.

214. North Area Council - Minutes

Moved by Councillor Howard – Seconded by Councillor Cave; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on 31st March, 2014 be received.

215. North East Area Council - Minutes

Moved by Councillor Hayward – Seconded by Councillor C. Wraith, MBE; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North East Area Council held on 3rd April, 2014 be received.

216. South Area Council - Minutes

Moved by Councillor Stowe – Seconded by Councillor Shepherd; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 7th April, 2014 be received.

217. Dearne Area Council - Minutes

Moved by Councillor Noble – Seconded by Councillor Gardiner; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 10th April, 2014 be received.

218. Central Area Council - Minutes

Moved by Councillor Leech - Seconded by Councillor Bruff; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 14th April, 2014 be received.

219. Penistone Area Council - Minutes

Moved by Councillor Barnard – Seconded by Councillor Wilson; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Penistone Area Council held on 17th April, 2014 be received.

220. South Area Council - Minutes

Moved by Councillor Stowe – Seconded by Councillor Shepherd; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 25th April, 2014 be received.

221. Cabinet Recommendations to Council

9th April, 2014

(a) Refreshed Economic Strategy - Jobs and Business Growth Plan

Moved by Councillor Mitchell – Seconded by Councillor Bruff; and

RESOLVED:-

- (i) that the refreshed Economic Strategy - Jobs and Business Growth Plan, now submitted, be agreed and it to be translated into a business plan which will outline how each project will be delivered;
- (ii) that the policy challenges identified within the Jobs and Business Growth Plan which require addressing if the Borough is to achieve the aspiration to close the economic performance gap be noted;
- (iii) that the implementation of the reprioritised Phase 1 Jobs and Growth Programme of schemes, to the value of the previously agreed funding (£13.834M) included at Appendix A1 of the report now submitted, be agreed;
- (iv) that more detailed project initiation documents be worked up for the other priorities, included at Appendix A2 (£11.166M) of the report, and these be considered in more detail by Cabinet in the early summer alongside the requirement to fund the redevelopment of the town centre and any other emerging Future Council priorities and in light of the audited financial statements for the 2013/14 financial year;
- (v) that the difference in the composition of the planned expenditure between revenue and capital (£0.528M) from what was originally approved be dealt with by way of technical accounting adjustments at the financial year end;
- (vi) that the Regeneration Service staffing structure be reviewed further in light of the outcome of the deliberations of Phase 2 of the Jobs and Business Growth Plan outlined above; and
- (vii) that a report on Youth Unemployment be submitted to Cabinet as part of the performance reporting arrangements.

- (b) Housing Strategy 2014-2033 - Developing a New Strategic Framework for Housing in Barnsley

Moved by Councillor Mitchell - Seconded by Councillor Bruff; and

RESOLVED:-

- (i) that the vision, objectives and strategic approach as set out in the draft Housing Strategy attached to the report now submitted be agreed, and the significance that this will play in achieving some of the Council's core priorities, as set out in its Corporate Plan, be noted;
- (ii) that the new Housing Strategy and the 4-Year Delivery Plan be subject to further minor amendments (including formatting) with the aim that these documents are issued for wider stakeholder consultation in Spring 2014 and adopted by Summer 2014;
- (iii) that the wider strategic and policy shifts identified within the new strategic framework for housing delivery and growth regarded as essential if the Borough is to achieve its aspiration of bringing about a 'step change' in housing delivery to ensure the greatest impact on the economic growth be noted; and
- (iv) that the draft Housing Strategy be delivered within existing approved resources and where additional priorities are identified requiring additional resources these be considered in more detail by Cabinet alongside the requirement to fund the redevelopment of the town centre and any other emerging Future Council priorities.

23rd April, 2014

- (c) Changes to the System of School Re-Organisations and Approvals Process

Moved by Councillor Bruff – Seconded by Councillor Mitchell; and

RESOLVED:-

- (i) that the changes and implications arising from the introduction of the School Organisation Regulations 2013 as set out in the report now submitted, be noted; and
- (ii) that the changes to the approvals process contained within the Council's scheme of delegations and Terms of Reference to reflect the changing school policy and legislative landscape, as outlined at Section 6 of the report now submitted, be approved.

222. Cabinet Minutes

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

RESOLVED that the minutes as printed and now submitted of the following Cabinet Meetings be received:-

- (a) 9th April, 2014
- (b) 23rd April, 2014
- (c) 7th May, 2014

223. Exclusion of the Public and Press

Moved by Councillor Sir Steve Houghton, CBE - Seconded by Councillor Andrews; and

RESOLVED that the public and press be excluded during consideration of the following items 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.

224. Cabinet Recommendations to Council

9th April, 2014

- (a) Yorkshire Purchasing Organisation (YPO) - Formation of a Trading Company Structure

Moved by Councillor Gardiner – Seconded by Councillor Barnard; and

RESOLVED:-

- (i) that the preparation of the Business Case by YPO Officers in support of the proposed exercise of the power to trade be noted and approval be given to the final Business Case set out at Appendix 1 to the report now submitted;
- (ii) that agreement be given to the formation of the trading company limited by shares wholly owned by the Founder Members of YPO (to be known as YPO Procurement Holdings Limited) to act as a holding company for a range of special purpose vehicles in order to protect the business of the YPO joint committee;
- (iii) that agreement be given for the Council to become a shareholder of the company limited by shares under the name of YPO Procurement Holdings Limited which may trade in accordance with Section 95 of the Local Government Act 2003 and the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 and or Section 4 of the Localism Act 2011;

- (iv) that Barnsley's lead representative on YPO's Management Committee (currently Cllr Gardiner) be appointed as Director on the holding company and its deputy representative on YPO's Management Committee (currently Cllr Barnard) be appointed as an alternate Director;
- (v) that authority be given for the Director/alternate Director appointed by the Council to the Board of the holding company to exercise the Council's powers of shareholder at general meetings in the company;
- (vi) that approval be given to the governance and funding arrangements for the company as set out in this report; and
- (vii) that delegated authority be granted to the Director of Finance, Property and Information Services, in consultation with the Director of Legal and Governance, to finalise the detailed arrangements for the formation of the company including relevant financial matters and governance issues, such as matters to be reserved to the Council as shareholder and delegated authority be granted to the Director of Legal and Governance or authorised representatives to enter into all legal agreements or documentation necessary to the implementation of the above recommendations. (The legal agreements and documentation relating to this proposal includes the Memorandum and Articles of Association of the company, the Shareholder Agreement and the Management Services Agreement.)

225. Mayor's Closing Remarks

The Mayor commented that this would be his last ordinary meeting of the Council before the Annual Council to be held on the 6th June, 2014.

He asked to place on record his thanks and appreciation to all Members for the way in which they had conducted themselves in meetings over the last year. He wished them well for the future.

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Chairman