

**BARNESLEY METROPOLITAN BOROUGH COUNCIL**

**CABINET**

**18<sup>th</sup> June, 2014**

1. **Present:** Councillors Houghton (Chairman), Andrews, Bruff, Tim Cheetham, Gardiner, Howard, Miller and Platts.

Councillors K. Dyson, Franklin, Mitchell, Morgan, Richardson, M. Sheard and T. Sheard were also in attendance.

2. **Declarations of Pecuniary and Non-Pecuniary Interests**

There were no declarations of pecuniary or non-pecuniary interests.

3. **Leader of the Council - Call-In of Cabinet Decisions**

The Leader reported that no decisions from the previous meeting held on 4<sup>th</sup> June, 2014 had been called-in.

4. **Minutes of the Meeting held on 4<sup>th</sup> June, 2014 (Cab.18.6.2014/3)**

The minutes of the meeting held on 4<sup>th</sup> June, 2014 were taken as read and signed by the Chairman as a correct record.

5. **Decisions of Cabinet Spokespersons (Cab.18.6.2014/4)**

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 6<sup>th</sup> June, 2014 and 13<sup>th</sup> June, 2014 were noted.

With regard to the appointment of the Cabinet for 2014/15 and responsibilities for executive functions, the Leader affirmed that, to ensure continuity, Councillor Tim Cheetham, continues to be designated as Lead Member for Children's Services for the time being.

6. **Petitions Received Under Standing Order 44 (Cab.18.6.2014/5)**

**RESOLVED** that the report notifying the receipt of the following petitions be noted and the recommended actions for responding to them be endorsed:-

- (a) Containing the signatures of 87 residents regarding a request that the Houses of Multiple Occupation (HMO) licence for properties at 35 and 37 Carlton Road, Smithies, Barnsley be withdrawn.

The Council licences certain Houses in Multiple Occupation (HMOs) in the Borough to ensure that they are safe places to live in and appropriately managed. 37 Carlton Road is not a licenced HMO, but 33 and 35 Carlton Road have been licenced by the Council since 2009. Recently the houses have been renovated and brought back into use as HMOs for 7 and 8 tenants respectively. Planning consent was not required to bring the properties back in use as HMOs, as there has not been a material change of use.

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A licence for a HMO can only be revoked if the licence conditions are not adhered to. A recent inspection has found no such breaches but standards will be monitored to ensure that they are maintained.

The properties are now under new management. An officer has spoken to the management about the concerns raised in the petition and they have offered to speak to the organiser about this.

7. **Outside Body Representation - Changes to Ex-Officio Appointments June, 2014 (Cab.18.6.2014/6)**

**RESOLVED** that the changes to ex-officio appointments to outside bodies, as detailed in Appendix 1 to the report, be agreed.

8. **Corporate Plan Performance Report - Quarter 4 2013/14 (Cab.18.6.2014/7)**

**RESOLVED:-**

- (i) that the Corporate Plan Performance Report for Quarter 4 2013/14, as detailed in the report now submitted, be noted;
- (ii) that follow-up reports on the following areas be agreed:-
  - 18-24 year olds Unemployment
  - Adoptions
  - Performance and Development Reviews
  - Sickness Absence;
- (iii) that the report be presented to the Overview and Scrutiny Committee to inform and support their ongoing work programme; and
- (iv) that work being undertaken to review the indicators and targets to achieve greater progress against the Council's priorities be noted and a further report on the outcome of this review be submitted in due course.

9. **Local Transport Capital Programme 2014/15 (Cab.18.6.2014/8.1)**

**RESOLVED:-**

- (i) that the Local Transport Plan Capital Programme and funding as set out in Appendices 1 and 2 be approved, and the Head of Highways, Engineering and Transportation be authorised to implement the schemes set out in Appendices 1 to 5, subject to the cost of these schemes being contained within the funds available;
- (ii) that the Head of Highways, Engineering and Transportation be authorised to:-
  - seek planning permission, where necessary
  - where the works are similar in nature to those contained in the proposed Local Roads Maintenance Programme 2014/15 (Appendix 4), appoint the

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Council's Operational Services to undertake the work at the rates and prices contained in the Highways Term Maintenance Contract, as appropriate

- seek tenders for any works listed in Appendices 1 to 6 as necessary, and appoint the successful tenderer on the basis of the most economically advantageous bid
- appoint the Council's Operational Services to undertake landscaping works where best value can be demonstrated
- negotiate rates and prices with consultants, Aecom, as hosts of the Barnsley Transport Model, to undertake Transport Modelling to ensure the successful delivery of scheme design, highway development control and funding bids (including the works identified in Appendix 6)
- appoint external consultants where appropriate, within the current procurement rules
- accept the offer from the Office of Low Emission Vehicles to fund electric vehicle rapid charging points;

- (iii) that the Director of Legal and Governance be authorised to complete all necessary documentation to enable the award of contracts for construction;
- (iv) that the Director of Finance, Property and Information Services be authorised to negotiate the acquisition of lands for the schemes set out in the report that are required; and
- (v) that, in relation to Junction 36 Business Park Development Proposals shown in Appendix 6 to the report, the following be agreed:-
- the appended plans be adopted as the preferred alignment and general layout for the highway interventions required for the M1 Junction 36 Business Park Development Proposals
  - scheme design and public consultation is carried out leading to preparation of the Environmental Statement for the highway interventions
  - the Directorate of Legal and Governance be authorised to make and publish a Compulsory Purchase Order pursuant to Sections 239, 240, 249 and 250 of the Highways Act 1980 for the land required for the proposed highway interventions and for land required to mitigate the effects of the scheme
  - the Director of Legal and Governance be authorised to make and publish a Side Roads Order pursuant to Sections 14 and 125 of the Highways Act 1980 in respect of the scheme
  - both Orders to be submitted to the Secretary of State for Transport for confirmation, and to complete all necessary documentation.

10. **Objection to Traffic Regulation Order - Time Limited Parking Bays Burton Road (Cab.18.6.2014/8.2)**

**RESOLVED:-**

- (i) that the objections received to the original proposal to introduce time limited parking bays on Burton Road, Barnsley in the vicinity of Burton Road Primary School, be noted;

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- (ii) that, in view of the objections, the revised proposals, as indicated on the plan at Appendix 1 to the report now submitted, be advertised;
- (iii) that any objections to the revised proposals be the subject of a further report to Cabinet; and
- (iv) that should there be no objections, the Head of Highways, Engineering and Transportation and the Director of Legal and Governance be authorised to make and implement the Traffic Regulation Order.

11. **Objection to Traffic Regulation Order - Waiting Restrictions – Urban Centre Infrastructure Project Eldon Street, Market Hill and Service Road (Cab.18.6.2014/8.3)**

**RESOLVED:-**

- (i) that the objection received for the proposed reversal of the traffic flow on Market Hill service road, Barnsley be overruled and the objector be informed accordingly; and
- (ii) that the Assistant Director, Environmental Services be authorised to implement the Traffic Regulation Order, as shown in Appendix 1 of the report, and the Director of Legal and Governance be authorised to make and implement the Order.

12. **Establishment of the Independent Living at Home Service Limited as a Local Authority Trading Company (Cab.18.6.2014/9.1)**

The report was deferred to the next meeting on 2<sup>nd</sup> July, 2014.

13. **Anti-Social Behaviour Crime and Policing Act (Cab.18.6.2014/9.2)**

**RESOLVED:-**

- (i) that the implications of the Anti-Social Behaviour Crime and Policing Act and the new duties and expectations created by the Act for the Council, as set out in the report now submitted, be recognised and noted;
- (ii) that, in particular, the additional duties required of the Council associated with responding to the needs of "victims" of anti-social behaviour be noted; and
- (iii) that the Council's approach in response to the Act be determined as part of its "Future Council" considerations and that the timetable for implementation be October 2014, in line with the requirements of the Act.

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Chairman