

BARNSELY METROPOLITAN BOROUGH COUNCIL**COUNCIL MEETING**
25th September, 2014**COUNCILLOR TIM SHEPHERD (THE MAYOR)**

At a meeting of the Barnsley Metropolitan Borough Council duly convened and held on Thursday 25th September, 2014 at The Town Hall, Barnsley.

- 55. Present:** The Mayor (Councillor T. Shepherd)
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| Central Ward | - Councillors Birkinshaw, Bruff and M. Dyson |
| Cudworth Ward | - Councillors Hayward, Sir S. Houghton CBE and C. Wraith MBE |
| Darfield Ward | - Councillors Key and Saunders |
| Darton East Ward | - Councillors Duerden, Miller and Spence |
| Darton West Ward | - Councillors Burgess and Howard |
| Dearne North Ward | - Councillors Sim and Worton |
| Dearne South Ward | - Councillor Brook |
| Dodworth Ward | - Councillors P. Birkinshaw, J. Carr and Perrin |
| Hoyland Milton Ward | - Councillors Franklin and Stowe |
| Kingstone Ward | - Councillor D. Green, Mitchell and T. Sheard |
| Monk Bretton Ward | - Councillors S. Green and M. Sheard |
| North East Ward | - Councillors Ennis, Higginbottom and North |
| Old Town Ward | - Councillors Cherryholme, Davies and Grundy |
| Penistone East Ward | - Councillor Wilson |
| Penistone West Ward | - Councillors Griffin, Rusby and Unsworth |
| Rockingham Ward | - Councillors Andrews and Lamb |
| Royston Ward | - Councillors T. Cheetham and Makinson |
| St. Helen's Ward | - Councillors Leech, Platts and Tattersall |
| Stairfoot Ward | - Councillors K. Dyson, Johnson and Mathers |
| Wombwell Ward | - Councillors Morgan and R. Wraith |
| Worsbrough Ward | - Councillors Barlow, G. Carr and Clarke |

56. Declarations of Pecuniary and Non Pecuniary Interest

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

57. Cabinet Recommendations to Council

(a) Openness of Local Government Bodies Regulations 2014

Moved by Councillor Howard – Seconded by Councillor Andrews; and

RESOLVED:-

- (i) that the requirements of the Openness of Local Government Bodies Regulations 2014 as outlined in the report now submitted, be noted;
- (ii) that, accordingly, Standing Order 16(4) be amended to read as follows:-

Webcasting will be permitted, but only of meetings of the Full Council to which the press and public are admitted. The Director of Legal and Governance is authorised to exclude elements from the archive that may contain any defamatory or inappropriate material. Recordings of such meetings would be held as an archive on the internet for a period of 6 months. In accordance with Regulations, other forms of live broadcast, video recording or streaming, cinematography, photography or audio recording will be permitted at any meeting open to the public under the Local Government Act 1972, except where these activities are undertaken in a disruptive manner. Where a disruption of the meeting's business is caused, the Chair of the meeting will have the right to exclude the persons in question from the meeting in accordance with Standing Order 17; and

- (iii) that given the statutory nature of the required amendment to Standing Orders, it be noted that Standing Order 41 does not apply in this case.

58. Suspension of Standing Orders

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

RESOLVED that Standing Order 13 (5) of the Council be suspended in respect of Minute 59 only insofar as it relates to restrictions on Members speaking more than once.

59. External Annual Governance Report - Presentation

Ms J. Cornett, representing KPMG, the Authority's External Auditor made a presentation on the External Audit Annual Governance Report 2013/14.

The following points were noted:-

An unqualified opinion was given following the audit and the accounts and working papers were produced to a high standard, with only minor amendments to the accounts through audit.

Audit risks had been mitigated, most notably with reference to LGPS triennial revaluation and Digital Region Limited.

The Annual Governance Statement complies with CIPFA guidance and is constant with other information published by the authority.

Recommendations from prior years had been addressed with no new recommendations.

Value for Money risks had been mitigated, with specific reference to Digital Region Limited and savings plans.

Staff in finance had dealt with audit queries efficiently and professionally.

Members asked to place on record their thanks and appreciation for the work of the External Auditors, and also to the work of those staff within the Finance Directorate and within Internal Audit, who had contributed to the Annual Governance Report.

60. Audit Committee – Minutes

Moved by Councillor T. Sheard - Seconded by Councillor P. Birkinshaw; and

RESOLVED that the minutes now submitted of the proceedings of the Audit Committee held on 19th September, 2014 be received.

61. External Audit Annual Governance Report 2013/14

Moved by Councillor Franklin – Seconded by Councillor Howard; and

RESOLVED

- (i) that the External Auditor's Annual Governance Report 2013/14 be approved;
- (ii) that the findings on the effectiveness of the Council's Internal Controls and the conclusions on the Council's arrangements for securing Value for Money be noted;
- (iii) that the findings from the audit work in relation to the 2013/14 financial statements be noted and accordingly the final accounts 2013/14 be approved;
- (vi) that thanks be given to contribution made by the independent lay members of the Audit Committee, Melvyn Lunn and Frank Johnston who were stepping down after ten years.

62. Final Annual Governance Statement 2013/14

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

RESOLVED that the final Annual Governance Statement 2013/14 be approved and adopted.

63. Minutes

The minutes of the meeting held on 24th July, 2014 were taken as read and signed by the Chairman as a correct record.

64. Communications

The Chief Executive announced that Barnsley had 14 successful entries at the Yorkshire in Bloom awards.

Gold was awarded to Churchfields Peace Gardens, Carlton Marsh Nature Reserve, Barnsley Hospice, Elsecar Park and Nature Reserve and Barnsley Council also won Gold in the City Centre category.

Friends of Thurnscoe Park received Silver and Oxspring Primary School (Youth Enterprise Award). Friends of Monk Bretton Park, Cannon Hall and Country Park and Tankersley Manor Hotel received Silver Gilt.

Queens Road Academy (Youth Enterprise Award) won Bronze and in the "It's Your Neighbourhood" category. Cudworth Environmental Group was recognized as Developing and Robert Street Community Allotment was considered Thriving.

The refurbishment of the War Memorial and the development of Barnsley Pals Centenary Square and Gardens received a Discretionary Award for permanent landscaping.

Thanks were given to the community groups involved and to officers in Parks Services, represented at Council by Jo Birch, Parks Supervisor.

65. Questions by Elected Members

The Chief Executive reported that she had received 2 questions from Councillor G Carr in accordance with Standing Order No.11.

(a) Grey Wheelie Bins

"I have noticed that when grey wheelie bins are at the kerbside awaiting collection at least 80% are cracked and in need of major repair. Waste is in danger of being deposited on the highway and many have received 'first aid' from the householder.

Is it time for the grey bins to be renewed?"

A response was received from Councillor Miller, Cabinet Spokesperson for Place detailing the numbers of replacement grey bins in the Worsbrough Ward and the programme for bin replacement. It was noted that feedback from crews in the area suggested the figure for bins in need of replacement was approximately 10%. Members were reminded that residents are currently able to obtain a replacement bin from the Smithies Depot free of charge.

(b) Safeguarding Residents

“Councillors have a corporate duty to safeguard residents. We are all aware of the recent situation in relation to Rotherham and in view of this, could the Cabinet Spokesperson inform the Council how Members would be alerted to issues of concern or matters requiring attention in order to prevent a similar situation occurring within the Barnsley.

In addition I am aware that where members raise issues relating to the welfare of individual service clients data protection rules limit the amount of specific information which can be provided. In view of this, could the Cabinet Spokesperson explain to Members of the Council what approach is taken in such cases in response to issues raised and also give an assurance that such matters are addressed appropriately and in a timely manner?”

A response was received from Councillor Bruff, Cabinet Spokesperson from People (Safeguarding). Attention was drawn to the Safeguarding Adults Board and Safeguarding Children’s Board, which were in place to oversee safeguarding. It was noted that both produced an annual report, which was considered by the Health and Wellbeing Board and Children’s Services Scrutiny Committee.

It was noted that Members were encouraged to take part in the Corporate Parenting Panel, and Safeguarding Children’s Panel. All Members were also encouraged to take part in training relating to safeguarding as part of Member Development.

66. 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 – 24th July, 2014
- (b) South Yorkshire Fire and Rescue Authority – 28th July, 2014
- (c) Sheffield City Region Combined Authority – 14th July, 2014
- (d) Sheffield City Region Combined Authority (Draft) – 26th August, 2014
- (e) Police and Crime Panel – 30th July, 2014

RESOLVED that the minutes be noted.

67. 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 July, 2014 be received.

68. Audit Committee – Minutes

Moved by Councillor T. Sheard - Seconded by Councillor P. Birkinshaw; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Audit Committee held on 16th July, 2014 be received.

69. General Licensing Regulatory Board - Minutes

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

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

70. 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 2nd September, 2014 be received.

71. General Licensing Panel

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

RESOLVED that the minutes as printed and now submitted of the proceedings of the General Licensing Panel held on various dates be received.

72. Appeals, Awards and Standards Regulatory Board

Moved by Councillor Leech – Seconded by the Mayor 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.

73. 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 12th August, 2014 be received.

74. Overview and Scrutiny Committee – Minutes

Moved by Councillor Ennis – Seconded by Councillor Mathers; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Overview and Scrutiny Committee held on 29th July, 2014 be received.

75. Children's Services Scrutiny Committee – Minutes

Moved by Councillor Worton – Seconded by Councillor C. Wraith CBE; and

RESOLVED that the minutes now submitted of the proceedings of the Children's Services Scrutiny Committee held on 9th September, 2014 be received.

76. Dearne Area Council - Minutes

Moved by Councillor Worton – Seconded by Councillor Sim; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Dearne Area Council held on 21st July, 2014 be received.

77. North Area Council - Minutes

Moved by Councillor Burgess – Seconded by Councillor Leech; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the North Area Council held on 21st July, 2014 be received.

78. Central Area Council - Minutes

Moved by Councillor D. Green - Seconded by Councillor Bruff; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the Central Area Council held on 23rd July, 2014 be received.

79. South Area Council - Minutes

Moved by Councillor Stowe - Seconded by Councillor Franklin; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 24th July, 2014 be received.

80. Penistone Area Council - Minutes

Moved by Councillor Wilson– Seconded by Councillor Unsworth; and

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

81. 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 31st July, 2014 be received.

82. South Area Council - Minutes

Moved by Councillor Stowe - Seconded by Councillor Franklin; and

RESOLVED that the minutes as printed and now submitted of the proceedings of the South Area Council held on 5th September, 2014 be received.

83. Polling District and Station Review 2014

The report of the Chief Executive on a Review of Polling Districts and Polling District Provision was:

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

RESOLVED:

- (i) That the draft proposed amendments to existing polling station locations within the Metropolitan Borough of Barnsley as set out in Appendix 2 to the report, be approved; and
- (ii) That following publication of the draft proposals and consideration of any further representations, a further report be considered by Council at its meeting to be held on the 27th November, 2014 recommending a final scheme for approval and implementation on 1st December, 2014 and for all electoral events up to 30th September, 2018 unless urgent reconsideration is required due to any late unavailability of polling stations.

84. Audit Committee Recommendations to Council

- (a) Audit Committee Annual Report 2013/14

Moved by Councillor T. Sheard – Seconded by Councillor P. Birkinshaw; and

RESOLVED that the Council receive the Annual Report 2013/14 and that it be published on the Council's website in order to demonstrate the Council's Commitment to operate an effective Audit Committee.

- (b) Audit Committee Annual Self-Assessment and Review of the Terms of Reference

Moved by Councillor T. Sheard – Seconded by Councillor P. Birkinshaw; and

RESOLVED that the Terms of Reference, as amended and detailed within Appendix A to the report now submitted, be approved.

85. Cabinet Recommendations to Council

30th July, 2014

- (a) Policy for the Admission of People to be Honorary Freemen/Freewomen of the Borough

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

RESOLVED:-

- (i) that the Policy and procedure for the admission of people to be honorary Freemen/Freewomen of the Borough, set out in the Appendix to the report now submitted, be approved; and
- (ii) that in accordance with Standing Order No. 41, the proposal to amend standing Order 18 (Voting) as set out in the report now submitted be deferred without discussion until the next ordinary meeting of the Council

27th August, 2014

- (b) Political Balance on Yorkshire Purchasing Organisation

Moved by Councillor Howard – Seconded by Councillor Andrews; and

RESOLVED that, in accordance with the provisions of Section 17 of the Local Government and Housing Act 1989, the Council resolves that the rules of political balance shall not apply in making appointments to the Management Committee of the YPO Joint Committee and its sub-Committees.

- (c) Service and Financial Planning 2015/16 – 2017/18

Moved by Councillor Franklin – Seconded by Councillor Howard; and

RESOLVED:-

- (i) that the proposals for the development of the 'Future Council', as set out in Section 1 of the report, be noted;
- (ii) that the Medium Term Financial Strategy (including the detailed Medium Term Financial Forecast attached at Annex 2) at Section 2 of the report be noted;
- (iii) that the Sensitivity Analysis Forecast, as set out in Annex 3 of the report be noted;
- (iv) that subject to appropriate consultations the following be agreed;
- (v) that the Future Council Phase 1 proposals set out in Section 3(a) – People, totalling £201,000 be agreed;
- (vi) that the Future Council Phase 1 proposals set out in Section 3(b) – Communities, totalling £2,345,000 be agreed;
- (vii) that the Future Council Phase 1 proposals set out in Section 3(c) – Place, totalling £3,668,000 be agreed with the exception of Item 25, in respect of Children's Half Pay Escorts, which was to be deferred for further consultation;
- (viii) that the Future Council Phase 1 proposals set out in Section 3(d) – Public Health, totalling £3,427,000 be agreed;

- (ix) that the Future Council Phase 1 proposals set out in Section 3(e) – Human Resources, Performance and Communications, totalling £812,000 be agreed;
- (x) that the Future Council Phase 1 proposals set out in Section 3(f) – Finance, Assets and Information Services, totalling £4,567,000 be agreed;
- (xi) that the Director of Human Resources, Performance and Communications be requested to take appropriate action in relation to the specific Future Council Phase 1 proposals above to issue appropriate notifications for consultations with staff and trade unions;
- (xii) that the Senior Management Team undertake appropriate impact assessment analysis and consultation with reference to its public sector equality obligations and that further reports be submitted to the Cabinet as appropriate; and
- (xiii) that the Senior Management Team be requested to identify additional Phase 2 proposals in their respective Future Council Business Plans to address the specific remaining forecast gap for 2015-17 for further consideration as part of the service and financial planning process.

86. 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) 16th July, 2014 – with the exception of Minute No 29 (Sheffield City Region Combined Authority – Appointment of Scrutiny Committee and Audit Committee) which was approved by the Council at its meeting on the 24th July, 2014.
- (b) 30th July, 2014
- (c) 13th August, 2014.
- (d) 27th August, 2014.

87. Appointment to Task and Finish Group Lead

Moved by Councillor Howard – Seconded by Councillor Andrews; and

RESOLVED

- (i) that Councillor Wilson be appointed as Lead Member of Task and Finish Group 3 following the resignation of Councillor Hand-Davis.

- (ii) that thanks be given to Councillor Hand-Davis for his efforts as Task and Finish Group Lead and best wishes be given for his return to full health.

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Chairman