

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET

24th September, 2014

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

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

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

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

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

The Leader reported that no decisions from the previous meeting held on 27th August, 2014 had been called-in.

77. **Minutes of the Meeting held on 27th August, 2014 (Cab.24.9.2014/3)**

The minutes of the meeting held on 27th August, 2014 were taken as read and signed by the Chairman as a correct record.

78. **Decisions of Cabinet Spokespersons (Cab.24.9.2014/4)**

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 29th August and 12th September, 2014 were noted.

79. **Petitions Received Under Standing Order 44 (Cab.24.9.2014/5)**

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 83 residents, submitted via Shafton Parish Council, in respect of concerns about standards of grass cutting and arrangements for bin collections in Shafton, Barnsley.

The grass areas around Dog Hill, Shafton have been identified as 'bankings/hard to cut areas' by Neighbourhood Services. As a consequence of the Council's budget cuts, the frequency of grass cutting has been reduced; however, due to the number of requests and complaints received, the Service is reviewing these arrangements within available resources.

- (b) Containing the signatures of 82 signatories in respect of concerns of flooding in the Lang Avenue, Barnsley area.

It is recommended that the Head of Highways, Engineering and Transportation write to the lead petitioner to explain the situation and address the concerns of the petitioners. (It was noted that a scheme for flood alleviation at Lang Avenue was in progress.)

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- (c) Containing the signatures of 44 residents in respect of a request to remove four large Silver Birch trees located to the rear of 38-42 Allendale Road, Hoyland.

When inspected, the trees were of very little amenity value and were in a poor condition, due to periodic vandalism. The trees have been removed.

80. **Leader – Review of Delegation Limits and Restrictions on Reporting and Recording of Delegated Decisions (Cab.24.9.2014/6)**

RECOMMENDATION TO COUNCIL ON 27TH NOVEMBER, 2014:-.

- (i) that the increase in all of the general officer financial decision thresholds from £50,000 to £250,000 be approved, together with the changes to the specific financial thresholds and revisions to other delegations set out in the Appendix to the report now submitted;
- (ii) that the officer virement limit also be increased from £50,000 to £250,000;
- (iii) that, in exercising their delegated powers, officers continue to brief Cabinet Spokespersons, as appropriate;
- (iv) that the increase in the financial threshold for Key Decisions from £250,000 to £500,000 be approved;
- (v) that the implications of the above recommendations for decision-making by Cabinet Spokespersons be noted;
- (vi) that reports for delegated decision by Cabinet Spokespersons no longer be considered in advance by the Senior Management Team, subject to the Assistant Director Governance and Member Support ensuring appropriate consultation with Corporate Core officers and the Overview and Scrutiny Committee Chairs and the Constitution be amended accordingly;
- (vii) that the requirements for the recording of officer decisions be noted and the Director of Legal and Governance issue appropriate guidance to officers; and
- (viii) that the financial threshold for recording of officer decisions that materially affect the financial position of the Council be set at £250,000.

81. **Cabinet Spokesperson without Portfolio – Appointments to Outside Bodies (Cab.24.9.2014/7)**

RECOMMENDATION TO COUNCIL ON 27TH NOVEMBER, 2014:-

- (i) that approval be given to the appointment of a Trustee to the Wombwell Town Land Charity with immediate effect; and

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- (ii) that approval be given to the appointment of five representatives as Trustees to the Shaw Lands Trust for a three year term.

RESOLVED that approval be given to the appointment of an Executive Member, Councillor Tim Cheetham, to the Minding the Gap Multi-Agency Steering Group.

82. **Corporate Services Spokesperson – Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance – April to June, 2014**
(Cab.24.9.2014/8)

RESOLVED that the Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance from April to June 2014, as detailed in the report now submitted, be noted.

83. **People (Achieving Potential) Spokesperson – Ofsted Inspection of Services for Children in Need of Help or Protection; Children in Care and Care Leavers in Barnsley, and Review of the Effectiveness of the Local Safeguarding Board**
(Cab.24.9.2014/9)

RESOLVED:-

- (i) that the findings and recommendations of the Ofsted inspection of children's social care services and the review of the effectiveness of the Barnsley Local Safeguarding Children Board (LSCB), as detailed in the report now submitted, be noted;
- (ii) that the ongoing improvements which are taking place to services for vulnerable children through the Barnsley Safeguarding and Children in Case Improvement Board and its overview of the Continuous Service Improvement Plan (as detailed in page 2, paragraphs 4.4-4.10) be noted;
- (iii) that an All Members Briefing be commissioned on the findings and recommendations of the Ofsted inspection of children's social care services and review of the effectiveness of the Barnsley Local Safeguarding Children Board, to be held in October 2014; and
- (iv) that the intention to consider the lessons to be learned for practice and policy in Barnsley arising from Professor Jay's report on child sexual exploitation in Rotherham be noted.

84. **Place Spokesperson – Proposed Introduction of No Waiting at Any Time at the Junction of Nancy Road/Nancy Crescent (Cab.24.9.2014/10.1)**

RESOLVED:-

- (i) that the objections received to the original proposal to introduce a prohibition of waiting at any time restriction at the junction of Nancy Road and Nancy Crescent, be noted;

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- (ii) that the revised proposals, as indicated on the plan at Appendix 1 to the report now submitted, be advertised;
- (iii) that any objections received be the subject of a further report to Cabinet; and
- (iv) that, should there be no objections, the Assistant Director Operational Services and the Director of Legal and Governance be authorised to make and implement the order.

85. **Place Spokesperson – Dog Warden Service – Approval of Policy Dealing with Stray Dogs and Increases in Associated Fees (Cab.24.9.2014/10.2)**

RESOLVED:-

- (i) that approval be given to the conditions set out in Appendix 1 of the report now submitted, to be adhered to by Officers within Barnsley MBC, when assessing conditions at the home of a finder of a stray dog who wishes to adopt it;
- (ii) that the working practices for the Dog Warden Service, as detailed in Appendix 2, be agreed in terms of the policy to be applied when dealing with stray dogs within the Barnsley area;
- (iii) that approval be given to impose an administration fee of £25, which will increase the release fee paid by the owner of a straying dog from £25 to £50, from 1st November, 2014, as detailed in paragraph 5.2; and
- (iii) that agreement be given to charge a fee of £100 to surrender a dog from 1st November, 2014.

86. **Exclusion of the Public and Press**

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I, of Schedule 12A of the Local Government Act 1972, as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
87	Paragraph 3

CABINET**24th September, 2014****87. Place Spokesperson – BDR Waste PFI Project – Further Delegations in respect of Operational Matters (Cab.24.9.2014/12)****RESOLVED:-**

- (i) that approval be given to authorise the Executive Director of Development, Environment and Culture, in consultation with the Place Cabinet Spokesperson, Director of Finance, Property and Information Services and the Director of Legal and Governance, to approve on behalf of the Council proposals to secure operational savings and/or income generating opportunities in respect of the BDR Waste PFI Project, including taking any action required to do so, approving any required expenditure by the Council, approving and entering into any variations to the project agreement to give effect to such approved proposals (including any consequential amendments), supplementary and associated agreements such as collateral warranties and the funders direct agreement and the submission of any variation to the final business case to DEFRA;
- (ii) that approval be given to allow the Director of Legal and Governance and/or an appropriate nominated officer to execute any necessary agreement to give effect to such arrangements including any variation to the project contract as referred to above; and
- (iii) that approval be given for the Director of Legal and Governance, or his nominated officers as authorised, to give a certificate under the Local Government (Contracts) Act (1997) and approval be given for the provision of an indemnity to the officers so authorised.

(Note: In accordance with Part 2, Paragraph 5(6) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chair of the relevant Overview and Scrutiny Committee had given approval for the above item to be considered at a private meeting of Cabinet where it had not been possible to give 28 days notice.)

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Chairman