



Please Note: This meeting will be webcast.
You can access this by clicking on the link from the Council's website: www.barnsley.gov.uk

BARNSELY METROPOLITAN BOROUGH COUNCIL

COUNCIL SUMMONS

You are hereby summoned to attend a meeting of the Barnsley Metropolitan Borough Council to be held in the Council Chamber in the Town Hall, Barnsley at 10.30 a.m. on Thursday 5th February, 2015

Business

1. Declarations of Personal Interests

To receive any declarations of interest of a personal nature from Members in respect of the items on this agenda.

2. Minutes

To approve as a correct record the minutes of the meeting of the Council held on 27th November, 2014 (page nos 1 to 12).

3. Communications

To consider any communications to be submitted by the Mayor or the Chief Executive.

4. Questions by Elected Members

To consider any questions which may have been received from Elected Members and which are asked pursuant to Standing Order No. 10.

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

To receive any questions from Elected Members submitted in writing pursuant to Standing Order No. 12 on:

- (a) the business of Joint Authorities to the Member nominated by the relevant Joint Authority for that purpose under Section 41 of the Local Government Act 1985
- (b) the business of the Police and Crime Panel and Combined Authority to the Members nominated by the Council to those bodies

Following the consideration of any questions submitted under the provisions of this Standing Order, any Member of the Council shall have the opportunity to comment on any matters referred to in the relevant minutes circulated with the Minute Book for the meeting.

The relevant representatives shall then be given the opportunity to respond to any comments made by Members on those minutes.

- (a) South Yorkshire Pensions Authority – 13th November, 2014
- (b) South Yorkshire Pensions Authority – 27th November, 2014
- (c) Sheffield City Region Combined Authority – 17th November, 2014
- (d) Police and Crime Panel – 19th November, 2014
- (e) South Yorkshire Fire and Rescue Authority – 24th November, 2014
- (f) South Yorkshire Fire and Rescue Authority – 15th December, 2014

6. Regulatory Boards – Minutes

To receive the minutes of the following Regulatory Boards:-

- (a) Planning – 18th November, 2014
- (b) General Licensing – 26th November, 2014
- (c) Audit Committee – 10th December, 2014
- (d) Planning – 16th December, 2014
- (e) Planning – 20th January, 2015
- (f) Audit Committee – 21st January, 2015
- (g) General Licensing Panel – Various
- (h) Statutory Licensing Sub-Committee – Various
- (i) Appeals, Awards and Standards – Various

7. Health and Wellbeing Board – Minutes

To receive the minutes of the Health and Wellbeing Board held on the 2nd December, 2014.

8. Overview and Scrutiny Committee – Minutes

To receive the minutes of the Overview and Scrutiny Committee held on the 2nd December, 2014.

9. Children's Services Scrutiny Committee – Minutes

To receive the minutes of the following Children's Services Scrutiny Committee held on the 13th January, 2015.

10. Area Councils – Minutes

To receive the minutes of the following Area Councils:-

- (a) North – 17th November, 2014
- (b) South – 18th November, 2014
- (c) Dearne – 24th November, 2014
- (d) North East – 4th December, 2014
- (e) Penistone – 11th December, 2014
- (f) South – 19th December, 2014
- (g) Central – 19th January, 2015

www.barnsley.gov.uk/edemocracy

11. Cabinet Recommendations to Council

To consider the following recommendations of the Cabinet Meetings held on the dates specified. The Cabinet Spokesperson with the Portfolio for the services in question will respond to any comments or amendments concerning these minutes.

17th December, 2014

11(a)(156) Appointment of a Representative as a Cooper Art Gallery Trustee

(The report that is subject to a Cabinet Recommendation is available for download from the Council's website)

RECOMMENDED TO COUNCIL that approval be given to the appointment of a Council representative as a Cooper Art Gallery Trustee to replace Councillor Bruff.

14th January, 2015

11(b)(172) Appointment of Representatives to the Dearne Valley Landscape Partnership Board

(The report that is subject to a Cabinet Recommendation is available for download from the Council's website)

RECOMMENDED TO COUNCIL that approval be given to the appointment of a local Ward Member to the Dearne Valley Landscape Partnership Board.

11(c)(176) Housing Revenue Account – Draft Budget 2015/16

(The report that is subject to Cabinet Recommendations is available for download from the Council's website)

RECOMMENDED TO COUNCIL:-

- (i) that the Housing Revenue Account Draft Budget for 2015/2016, as detailed in the report now submitted, be approved, with any final amendments/additions being delegated to the Cabinet Spokesperson for Place and the Executive Director Development Environment and Culture;
- (ii) that the Development Proposals for 2015/2016 as set out at Appendix C of the report be approved;
- (iii) that the Saving Proposals for 2015/2016 as set out at Appendix D and Sections 4.3 to 4.9 of the report be approved;
- (iv) that individual dwelling rents be increased in line with the requirements of the Government's Rent policy to increase rents by the Consumer Price Index plus 1%;
- (v) that the rent increases be implemented with effect from 30th March, 2015, collectable on 6th April 2015;
- (vi) that the 2015/16 Berneslai Homes Management Fee of £13.946M be approved with any final amendments/additions being delegated to the Assistant Director, Housing, Culture and Regulation and the Executive Director Development Environment and Culture in consultation with the Cabinet Spokesperson for Place;
- (vii) that the use of Berneslai Homes Ltd retained surplus as outlined in Section 3.28 to 3.29 of the report be approved;
- (viii) that the earmarking of HRA Working Balance as outlined in Section 3.20 and Appendix E of the report be approved;
- (ix) that the affordability of a new build development programme be investigated for implementation in 2017/18; and
- (x) that a specific HRA reserve strategy be developed for approval by Cabinet clearly setting out how the Council's strategic housing aspirations will be supported over the medium term.

11(d)(178) Implementation of the 2015/16 Pay Policy Statement

(The report that is subject to a Cabinet Recommendation is available for download from the Council's website)

RECOMMENDATION TO COUNCIL that approval be given to implement the 2015/16 Pay Policy Statement contained at Appendix A of the report now submitted, with effect from 1st April, 2015.

28th January, 2015

11(e)(190) Community Governance Review of the Civil Parish of Brierley

(The report that is subject to Cabinet Recommendations is available for download from the Council's website)

RECOMMENDED TO COUNCIL – Recommendations to be provided

12. Cabinet Minutes

To receive the minutes of the following Cabinet Meetings:-

- (a) 19th November, 2014
- (b) 3rd December, 2014
- (c) 17th December, 2014
- (d) 14th January, 2015

(N.B. No Cabinet decision have been called in from these meetings)

13. Exclusion of the Public and Press

To consider if the Public and Press should be excluded from this meeting because of the likely disclosure of exempt information.

***14. Cabinet Recommends to Council**

To consider the following recommendations of the Cabinet Meetings held on the dates specified. The Cabinet Spokesperson with the Portfolio for the services in question will respond to any comments or amendments concerning these minutes.

17th December, 2014

14(a)(164) Proposed Lease by the Council as a Trustee of Wombwell Main Miners Welfare Scheme of Wombwell Main Community Centre and Recreation Ground to Wombwell Main Community and Sporting Association

(The report which is subject to Cabinet Recommendations and which contains exempt information is available for download from the Council's website for Members only)

RECOMMENDATION TO COUNCIL:-

- (i) that subject to the statutory procedures under the Charities Act 2011 being complied with, and the consent of the Coal Industry Social Welfare Organisation (CISWO), the Council in its capacity as Trustee of the Wombwell Main Miners Welfare Scheme approves the grant of a twenty-five year lease at a peppercorn rent to Wombwell Main Community and Sporting Association;
- (ii) that the Director of Finance, Property and Information Services be authorised to agree terms for the granting of a twenty-five year lease of Wombwell Main Community Centre to the Wombwell Main Community and Sporting Association;
- (iii) that the Service Director (Designate) Assets finalise Heads of Terms for the proposed twenty-five year peppercorn lease, in accordance with charity legislation which allows charity to charity transactions on this basis; and
- (iv) that the Director of Legal and Governance be authorised to address any representations made by the general public to the proposal on behalf of the Council as Trustee and to conclude the necessary legal documentation relating to the lease of the property.

14(b)(165) Proposed Lease by the Council as Trustee of the Miners Recreation Ground Ardsley of the Bowling Green to Ardsley Bowling Club

(The report that is subject to Cabinet Recommendations and which contains exempt information is available for download from the Council's website for Members only)

RECOMMENDATION TO COUNCIL:-

- (i) that subject to the statutory procedures under the Charities Act 2011 being complied with, and the consent of the Coal Industry Social Welfare Organisation (CISWO), the Council in its capacity as Trustee of the Miners' Recreation Ground, Ardsley approve the grant of a ten year lease to Ardsley Bowling Club;
- (ii) that the Director of Finance, Property and Information Services be authorised to agree terms for the granting of a ten year lease of Ardsley Bowling Green to the Ardsley Bowling Club at a peppercorn rent;
- (iii) that the Service Director (Designate) Assets finalise Heads of Terms for the proposed ten year lease, in accordance with charity legislation which allows charity to charity transactions on this basis; and

- (iv) that the Director of Legal and Governance be authorised to address any representations made by the general public to the proposal on behalf of the Council as Trustee and to conclude the necessary legal documentation relating to the lease of the property.

14th January, 2015

14(c)(183) Proposed Lease by the Council as a Trustee of the Dearne Playhouse Community Theatre to a newly formed Charitable Incorporated Organisation

(The report which is subject to Cabinet Recommendations and which contains exempt information is available for download from the Council's website for Members only)

RECOMMENDATION TO COUNCIL:-

- (i) that, subject to the statutory procedures under the Charities Act 2011 being complied with, the consent of the Coal Industry Social Welfare Organisation (CISWO), the approval of the Arts Council, and the completion of a sustainable business plan, the Council in its capacity as Trustee of the Miners Recreation Ground, Goldthorpe approves 'in principle' the granting of a 50 year lease to the Charitable Incorporated Organisation (CIO) specifically created to take responsibility of the Dearne Playhouse community theatre;
- (ii) that the Director of Finance, Property and Information Services be authorised to agree terms for the granting of a 50 year lease, at a peppercorn rent, of the Theatre to the CIO when established as permitted by charity legislation on the basis that it is a charity to charity transaction;
- (iii) that the Service Director (Designate) Assets finalise Heads of Terms for the proposed 50 year lease;
- (iv) that the Director of Legal and Governance be authorised to address any representations made by the general public to the proposal on behalf of the Council as Trustee and to conclude the necessary legal documentation relating to the lease of the property;
- (v) that agreement be given in principle to provide an ongoing loan facility, up to a maximum of £25,000 to the new CIO, and the Director of Finance, Property and Information Services be authorised to agree the terms of any loan subject to compliance with relevant guidance issued by the Charity Commission and HM Revenue and Customs;
- (vi) that the Director of Finance, Property and Information Services be authorised to use the Trust Fund in order to fund the necessary works identified in the condition survey in order to ensure the building is watertight and for the necessary test certificates to be carried out at the commencement of the lease; and

- (vii) that approval be given to the appointment of a Local Member to the CIO when constituted.

28th January, 2015

14(d)(197) Proposed Transfer of the War Memorial Site at the Former
Lacewood Primary School, Station Road, Bolton upon
Dearne to the Friends of the War Memorial Trust

(The report that is subject to Cabinet Recommendations and which contains exempt information is available for download from the Council's website for Members only)

RECOMMENDATION TO COUNCIL:-

- (i) that the Director of Legal and Governance on behalf of the Council as Trustee, be authorised to make an application to the Charity Commission for a scheme to transfer the war memorial site situated within the former Lacewood Primary School to the Friends of the War Memorial Trust, upon charitable trust for a war memorial and to update the existing charitable trusts to provide for promotion of education in Bolton upon Dearne, as detailed in the report now submitted;
- (ii) that subject to Charity Commission consent that the Director of Legal and Governance transfers a small part of the Trust land to the Friends of Lacewood War Memorial by way of a gift for nil consideration, upon charitable trust for the purposes of a war memorial;
- (iii) that subject to the Charity Commission consent that the costs incurred in clearing, securing and improving the development potential of the site, a total cost of £93,555 be re-paid into the Housing Revenue Account to support further schemes to increase the provision of affordable housing in the Borough; and
- (iv) that the transfer of the balance of sale proceeds after payment of the Council's expenses to be transferred to the South Yorkshire Community Foundation to use in accordance with the updated trust provisions for the promotion of education in Bolton upon Dearne.

* It is likely that the public and press be excluded from the meeting during consideration of the items so marked, 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, subject to the public interest test.

Note:(i) Public Interest Test – A report may only be exempt from publication if, in all the circumstances of the case, the public interest in maintaining confidentiality outweighs the public interest in disclosing the information;

(ii) The categories of exempt information referred to above are described as follows:

Paragraph 3 – Financial and Business Affairs – Information which, if disclosed to the public would, or would be likely to, prejudice the financial or business affairs of any particular person (including the Local Authority holding the information). Financial or business affairs includes contemplated, as well as past or current activities.



Diana Terris
Chief Executive



The next meeting of the Council to be webcast will be the Council held at 10.30am on Thursday 26th February, 2015