

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET

14th January, 2015

166. **Present:** Councillors Houghton (Chairman), Andrews, Bruff, Dures (for Tim Cheetham), Gardiner, Miller, Platts and Richardson.

Councillors Morgan, M. Sheard, T. Sheard and Spence were also in attendance.

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

Councillor Houghton declared a non-pecuniary interest in the Adult Social Care Local Account (Minute 180) as his wife is employed in the service.

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

The Leader reported that no decisions from the previous meeting held on 17th December, 2014 had been called-in.

169. **Minutes of the Meeting held on 17th December, 2014 (Cab.14.1.2015/3)**

The minutes of the meeting held on 17th December, 2014 were taken as read and signed by the Chairman as a correct record.

170. **Decisions of Cabinet Spokespersons (Cab.14.1.2015/4)**

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the weeks ending 19th December, 2014 and 9th January, 2015 were noted.

171. **Petitions Received Under Standing Order 44 (Cab.14.1.2015/5)**

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 25 signatories, in respect of concerns regarding the trees on Genn Lane and Strafford Avenue, Worsbrough.

The Authority maintains its position of not removing healthy trees without significant structural damage or health and safety reason to do so.

- (b) Containing the signatures of 272 signatories, in respect of a request for a Zebra Crossing on the A628 road at Silkstone between Manor Park and the Cooperative Store.

The Assistant Director Operational Services will carry out a feasibility study based on current Department for Transport criteria and provide feedback to the lead petitioner and Penistone East Ward Councillors in due course.

The study will consider factors such as:-

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- Numbers of pedestrians crossing
- Traffic flows
- Traffic composition
- Road use, site characteristics
- Surrounding environment, collision history, accessibility and visibility.

172. **Cabinet Spokesperson Without Portfolio – Appointment of Representatives to the Dearne Valley Landscape Partnership Board (Cab.14.1.2015/6)**

RECOMMENDATION TO COUNCIL ON 5TH FEBRUARY, 2015 that approval be given to the appointment of a local Ward Member to the Dearne Valley Landscape Partnership Board.

173. **Corporate Services Spokesperson – Calculation of Council Tax Base 2015/16 (Cab.14.1.2015/7.1)**

RESOLVED:-

- (i) that the report submitted of the Director of Finance, Property and Information Services for the calculation of the Council's Tax Base for the year 2015/16 be approved;
- (ii) that the Council Tax Base for the year 2015/16 be £60,257.746, noting that this figure has been calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012; and
- (iii) that, calculated in accordance with the above regulations, the Council Tax Base for the year 2015/16 in respect of each Parish be as follows (see Appendix A and C of the report now submitted):-

| Parish Area | Band D equivalent chargeable properties | 95% of Band D equivalent chargeable properties |
|------------------------------|--|---|
| Penistone | 4,026.124 | 3,824.818 |
| Billingley | 101.393 | 96.323 |
| Brierley | 1,691.555 | 1,606.977 |
| Great Houghton | 645.671 | 613.387 |
| Little Houghton | 177.789 | 168.900 |
| Shafton | 940.171 | 893.163 |
| High Hoyland | 69.701 | 66.216 |
| Hunshelf | 162.608 | 154.477 |
| Langsett | 106.519 | 101.193 |
| Cawthorne | 606.918 | 576.572 |
| Dunford | 235.776 | 223.987 |
| Gunthwaite and Ingbirchworth | 269.793 | 256.303 |

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| Parish Area | Band D equivalent chargeable properties | 95% of Band D equivalent chargeable properties |
|-------------------------------------|--|---|
| Thurgoland | 736.089 | 699.285 |
| Tankersley | 567.211 | 538.851 |
| Wortley | 285.738 | 271.452 |
| Oxspring | 456.134 | 433.327 |
| Silkstone | 1,188.220 | 1,128.809 |
| Stainborough | 165.631 | 157.350 |
| Barnsley and other Non-Parish areas | 50,996.164 | 48,446.356 |
| Total | 63,429.205 | 60,257.746 |

174. **Corporate Services Spokesperson – 2015/16 Business Rates – Calculation of the Authority's Local Share (Cab.14.1.2015/7.2)**

RESOLVED:-

- (i) that the process for estimating the retained Business Rate Local Share for 2015/16, as set out in the report now submitted, be noted and that the 'local share' for Barnsley of £26.826M be approved in line with the Council's Medium Term Financial Strategy (MTFS); and
- (ii) that, as the final NNDR1 form and guidance have not been received from DCLG at the time of writing the report, the Director of Finance, Property and Information Services be authorised to approve the final form submitted to DCLG on 31st January, 2015.

175. **Corporate Services Spokesperson – Council Tax Support Scheme – 2015/16 (Cab.14.1.2015/7.3)**

RESOLVED:-

- (i) that the review of the existing scheme including the consultation responses, as detailed in the report now submitted, be noted;
- (ii) that agreement be given to the principle of increasing the minimum contribution of Council Tax for working age claimants to 30% having particular regard to the issues highlighted by the Equality Impact Assessment, summarised at Section 18 of the report;
- (iii) that approval for a budget of £0.250m be set aside from the Council Tax Collection Fund for the Council to exercise its powers under section 13A of Local Government Finance Act in respect of Council Tax Discretionary Relief, as set out in option 1 at paragraph 5. 6 of the report;

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- (iv) that the revised Council Tax Support Scheme, as set out at Appendix 1, be approved and that this be adopted as Barnsley's 2015/16 scheme and fixed for a 2 year period (i.e. 2015-17); and
- (v) that the revised Council Tax Discretionary Relief Policy, as set out at Appendix 2, be approved and that this be adopted as Barnsley's 2015/16 scheme.

176. **Corporate Services Spokesperson – Housing Revenue Account – Draft Budget 2015/16 (Cab.14.1.2015/7.4)**

RECOMMENDATION TO COUNCIL ON 5TH FEBRUARY, 2015:-

- (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.

CABINET**14th January, 2015****177. Corporate Services Spokesperson – Council Housing Capital Investment Programme 2015-20 (Cab.14.1.2015/7.5)****RESOLVED:-**

- (i) that the Council Housing Capital Investment programme for 2019-20, as set out in the report now submitted, be approved;
- (ii) that the additional schemes identified for inclusion in the 2014-19 programme, as detailed in the report submitted, be approved;
- (iii) that the additional decent homes expenditure in 2017/18 and 2018/19 be approved; and
- (iv) that the Board of Berneslai Homes be authorised to vary any of the approved schemes subject to a maximum variation on existing budgets of £250,000, with variations above this amount carried out in agreement with the Executive Director Development Environment and Culture and the Cabinet Spokesperson Place.

178. Corporate Services Spokesperson – Implementation of the 2015/16 Pay Policy Statement (Cab.14.1.2015/7.6)

RECOMMENDATION TO COUNCIL ON 5TH FEBRUARY, 2015 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.

179. Corporate Services Spokesperson – Better Barnsley – Town Centre Redevelopment – Proposed Compulsory Purchase Order 1-19 Kendray Street, Barnsley (Cab.14.1.2015/7.7)**RESOLVED:-**

- (i) that the Director of Legal and Governance be authorised to make and publish a Compulsory Purchase Order (CPO) pursuant to Section 226(1) (a) of the Town and Country Planning Act 1990 for the acquisition of third party interests required to facilitate the proposed Barnsley Town Centre Markets Area Redevelopment and to submit the CPO for confirmation to the Secretary of State for Communities and Local Government;
- (ii) that the Director of Legal and Governance be further authorised to complete all necessary documentation and take all steps necessary to secure the confirmation of the CPO including representing the Council at any public inquiry into the CPO as may be required by the Secretary of State; and

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- (iii) that the Service Director (Designate) Assets be authorised to continue negotiations with affected landowners and occupiers and to proceed to acquire such land and rights as may be necessary for the scheme either by way of private treaty in advance of confirmation of the CPO or under the powers conferred by the CPO post confirmation.

180. **Communities Spokesperson – Barnsley Adult Social Care Local Account 2014 (Cab.14.1.2015/8)**

RESOLVED:-

- (i) that the Barnsley Adult Social Care Local Account for 2014, as detailed in the report now submitted, be approved; and
- (ii) that the document be used as the basis for ongoing consultation with service users, carers and other interested parties about the performance of adult social care, future priorities and how these are reported to the public.

181. **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> |
|--------------------|---|
| 182 | Paragraph 3 |
| 183 | Paragraph 3 |

182. **Place Spokesperson – Barnsley Property Investment Fund – Scheme Approval (Cab.14.1.2015/10)**

RESOLVED:-

- (i) that the progress made in establishing the Property Investment Fund and the economic need and demand for commercial development, as set out in the report now submitted, be noted;
- (ii) that the recommendations on how to proceed with each of the three proposals as set out in Section 5 of the report, be approved; and
- (iii) that based on the supply and demand data provided and financial analysis undertaken that £0.1m be added to the Council's Medium Term Financial Strategy from 2018/19 to bridge the expected income gap created by void periods estimated for the Rockingham Scheme with any additional resource requirements above the £0.1m to be addressed as part of future years Medium Term Financial Planning.

CABINET**14th January, 2015****183. Corporate Services Spokesperson – Proposed Lease by the Council as Trustee of the Dearne Playhouse Community Theatre to a newly formed Charitable Incorporated Organisation (Cab.14.1.2015/11)****RECOMMENDATION TO COUNCIL ON 5TH FEBRUARY, 2015:-**

- (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.

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Chairman